

- **Where:** Malaysia, Kuala Lumpur International Airport 2;
- **When:** 13 February 2017;
- **What:** CBRN Agent Released: Chemical;
- **Who:** Actor(s) involved: Siti Aisyah and Đoàn Thị Hương, arguably acting on the order of Kim Jong Un;
- **Why:** CBRN Event: Intentional.



# THE ASSASSINATION OF KIM JONG-NAM

**Keywords:** VX nerve agent – assassination – international dispute

## *The facts*

On 13<sup>rd</sup> February 2017, at the Malaysian Kuala Lumpur International Airport, two women, later identified as Siti Aisyah from Indonesia and Đoàn Thị Hương from Vietnam, attacked Kim Jong-nam, the half-brother of Kim Jong-un, while he was waiting to board a flight to Macau. They smeared on his face the VX agent, a nerve agent mentioned in the ‘blacklist’ of the Chemical Weapons Convention (not ratified by DPRK): they used two cloths impregnated with the VX agent, probably split in two different components. He immediately reported it to the airport authorities, who then moved him to the airport clinic where the effect of the VX agent intensified (convulsion, respiratory failure, loss of consciousness). Kim Jong-nam passed away while being transported to the Putrajaya hospital.

Malaysian police later identified four North Korean nationals suspected of having provided the two women with the VX nerve agent. They left the airport before the authorities were able to trace them. Three of them fled to the DPRK embassy. Siti and Đoàn reported those men persuaded them they were involved in a Japanese TV prank.

At the beginning of March, a major diplomatic dispute erupted: DPRK opposed the theory for which Kim Jong-nam had been killed with the VX agent and, in response, Malaysia expelled the North Korean ambassador while demanding three fugitives to exit the embassy to be questioned by the police. Consequently, North Korea adopted parallel measures and prohibited all Malaysians on its territory to leave. Only on March 30<sup>th</sup>, restrictive measures were revoked with Kim’s family asking Malaysia to return the body to North Korea.

## *Legal response*

A trial against Siti Aisyah and Đoàn Thị Hương was undertaken by Malaysian court due to credible evidence against them. In March 2019, all charges were dropped against Siti arguably thanks to a request letter by the Indonesian government. Đoàn then was the only person charged, thus provoking the reaction of Vietnamese Government that requested a fair trial for both suspects. On 1<sup>st</sup> April 2019, the murder charge against her was dropped and she pleaded guilty to “voluntarily causing hurt by dangerous weapons or means”: Đoàn was released in May due to usual reduced sentence. Interpol issued a “red notice” against the

## IN PILLS

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four North Korean nationals suspected of having tricked the two women. DPKR, not being part of the Organisation for the Prohibition of Chemical Weapons (OPCW), faced no legal consequences.

### **Related legal tools:**

- [Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction](#)

### **Further readings:**

- [Statement by Malaysian Ambassador to OPCW](#)
- [Report of the Malaysian Police to OPCW](#)
- [Factsheet about VX by the US CDC](#)

### **Audio-visual materials:**

- [CCTV Footage of the assassination](#)
- [BBC video report](#)

### **Witness Reports:**

- [Witnesses recount N. Korean leader's brother's last moments \(The Washington Post\)](#)

#### *About this publication*

This memo is the outcome of research carried out in the scope of the project CBRN-ITALY on International legal obligations related to Prevention, Preparedness, Response and Recovery from CBRN events and status of their implementation in Italy.

CBRN-ITALY has been funded by the Italian Ministry of Education, University and Research (MIUR) under the PRIN Programme (Progetti di Rilevante Interesse Nazionale) under grant n° 20175M8L32, with a duration of 36 months (March 2020 – February 2023). The research is carried out by four Universities: Scuola Superiore Sant'Anna, Institute of Law, Politics, Development (DIRPOLIS), Università di Bologna, Università di Firenze, Università di Torino.

The project aims at developing a common understanding of CBRN events and of actors involved (stage 1), at mapping obligations stemming from the wide range of applicable norms of International Law and European Union Law (stage 2), at exploring the implementation of applicable international obligations in Italy (stage 3) and at providing recommendations to address the gaps in the International, European and Italian legal and policy frameworks in all phases of the CBRN emergency management cycle (stage 4). The research activities are thus structured around four stages: 1. Definitions, 2. Mapping International and Regional Obligations, 3. Assessing the situation in Italy, 4. Providing recommendations.

For further information on the PRIN Project CBRN-ITALY, please visit:

<http://www.cbrn-italy.it/en>

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