

**Statement by Debra Liang-Fenton, Executive Director
U.S. Committee for Human Rights in North Korea**

**SFRC – Subcommittee on East Asian and Pacific Affairs
“Life Inside North Korea”**

June 5, 2003

Today, I would like to highlight briefly some of aspects of human rights abuse in North Korea, with an emphasis on the prison camp system. The Committee’s researcher, David Hawk, is currently completing a report on this subject for publication this summer. In it, we hope to be able to provide the satellite images of many of the political prison camps and detention centers being used by the Kim Jong-il regime to exact punishment on those categorized as offenders. I will round out my testimony with policy recommendations that may help remedy some of these problems.

I. Human Rights in North Korea

For over 50 years the people of the Democratic People’s Republic of Korea, have been denied even the most basic of their human rights. Human rights violations and abuses affect a large majority of the 23 million North Korean people.

A. Social and religious control

The population is subjected to a constant barrage of propaganda by government-controlled media. The opinions of North Koreans are monitored by government security. Independent public gatherings are not allowed, and all organizations are created and controlled by the government. The government forcibly resettles politically suspect families. Private property does not exist. Religious freedom does not exist. The ‘religious’ activity that is allowed appears to have one of two purposes: to deify the founder of the DPRK, Kim Il Sung, and by extension his son the current leader, Kim Jong-Il; or to demonstrate to faith-based aid groups that some traditional religious activity is tolerated.

B. Access to food and health care

The government of the DPRK divides the entire society into three classes: ‘core,’ ‘wavering,’ and ‘hostile;’ there are further subdivisions based on an assessment of loyalty to the regime. As a result, as many as 18 million people may be denied equal access to decent education, employment, housing, medical care and food. Children are denied adequate education and are punished because of the loyalty classification of members of their families. Between 1995 and 1998, North Korea lost at least one million of its 24 million people to famine, food shortages, and related disease. The DPRK has refused to allow humanitarian aid organizations to assess the full extent of the crisis. Reports persist that food is being distributed on the basis of loyalty to the state, effectively leaving out those most in need.

C. Political prisoners, prisons and labor camps (kwa-li-sos)

Since the turn of the millennium, a growing number of North Korean defectors and escapees have obtained asylum in South Korea. A number of these North Korean defectors were either prisoners or guards in the variety of prison camps and detention/punishment facilities in North Korea. Their “fragments” of information continue to accumulate and now afford a closer look at the North Korean system of

forced labor camps and the “unimaginable atrocities” taking place in Kim Jong-Il’s North Korea.

From the accumulated information, it is possible to outline two distinct systems of incarceration in North Korea. Both of these exhibit exceptional violations of internationally recognized human rights: an extremely brutal “gulag” of political penal-labor colonies, called *kwan-li-so* in Korean, along with prison-labor facilities, called *kyo-hwa-so*; and a separate but also extremely brutal system of imprisonment, interrogation, torture and forced labor for North Koreans who are forcibly repatriated from China. This latter incarceration system includes jails, along the China-North Korea border run by several different police agencies: short term provincial level detention-labor centers, and even shorter term more localized detention-labor facilities, called labor training camps. The political penal labor colonies include the repressive phenomena of life-time sentences for not only perceived political wrongdoers, but “guilt by association” for up to three generations of the wrongdoers families. Whatever the category, all the prison facilities are characterized by very large numbers of deaths in detention from forced hard labor accompanied by deliberate sub-subsistence food rations. The incarceration system for Koreans repatriated from China includes routine torture during interrogation and the abominable practice of ethnic infanticide inflicted upon pregnant women forcibly repatriated from China.

The system of detention facilities and punishments for North Korean’s repatriated from China is, in some ways, a separate phenomena from the life-time and longer-term imprisonment in the political prison camps and prison-labor camps. But this shorter-term detention/punishment system is related in that both the provincial detention centers and the labor training centers use the same distorted, degenerate reform-through-labor practices as the *kwan-li-so* and *kyo-hwa-so*. Both the long-term imprisonment and short-term detention facilities are characterized by below subsistence level food rations and very high levels of deaths-in-detention. And both the long term and short term detention facilities, and the police jails and interrogation centers that feed them are administered by both the Peoples Safety Agency police (who run the *kyo-hwa-so* prison-labor camps) and the National Security Agency police (who run the *kwan-li-so*).

Most basically, the system is an outgrowth of the North Korean system for dealing with petty criminals charged or convicted of what would be considered in the United States to be misdemeanor offenses: short-term detention in provincial or sub-provincial detention facilities combined with the practice of reform-through-labor. Except that many of these “minor” offenses would not be normally considered criminal – traveling within the country, or leaving one’s village, or not appearing at the designated work site without official authorization, etc. Or for leaving the country – a right guaranteed in the International Covenant on Civil and Political Rights (to which the DPRK is a State Party), which should not be criminalized at all.¹

E. North Korean refugees in China

The situation of North Korean refugees in China is desperate, and in many ways, it is a symptom of a larger, more pervasive problem. And that is the brutal nature of the repressive, totalitarian regime in Pyongyang. Leaving the DPRK is considered treason,

¹ While the “right to leave” is an internationally recognized “human right,” there is no corresponding “right” to enter another country, which remain within the sovereign rights of states.

punishable by long prison terms or execution. Yet the Voice of America estimates that as many as 300,000 North Koreans have fled to China. With the onset of famine in the early 1990's, tens of thousands of North Koreans—the majority undernourished women and children—crossed into China's northeastern provinces. North Korean refugees currently in China live in fear of arrest, many women forced into prostitution or abusive marriages. Refugees are pursued by agents of the North Korean Public Security Service, and many are forcibly returned to the DPRK. The South China Morning Post has reported that the Chinese government has been offering rewards to those delivering North Korean refugees to police.

China claims that it considers these refugees to be purely economic migrants. While hunger may be one motive for their movement, there are other realities:

1. It is the nature of the political system in North Korea, with its discriminatory distribution of resources that makes feeding a family impossible in some areas.
2. Being hungry does not necessarily prevent these people from also feeling oppressed.
3. The criminal, political and social persecution that accompanies forcible return to North Korea surely makes these people 'political' refugees once they are in China.

China is a party to the 1951 UN Convention Relating to the Status of Refugees, under which it has agreed not to expel refugees to a country where their life or freedom would be threatened. It has also signed the 1967 Protocol to the Convention, promising cooperation with the UN High Commissioner for Refugees. And the PRC is a party to the 1984 Convention Against Torture, which says that no state can return a refugee to a country where there are substantial grounds for believing that he or she will be tortured. In addition, it is a party to the 1995 agreement with the UNHCR—Article 3 stating that “In consultation and cooperation with the Government, UNHCR personnel may at all times have unimpeded access to refugees and to the sites of UNHCR projects in order to monitor all phases of their implementation.”

II. Policy Recommendations

North Korean authorities deny that the practices described in this testimony exist and that human rights violations occur. Such governmental denials cannot be taken at face value. The only real way for North Korea to contradict or invalidate the claims and stories of the refugee accounts, especially with respect to the prison camps, is by inviting United Nations officials or representatives of the UN Human Rights Commission, or reputable human rights NGOs such as Amnesty International or Human Rights Watch, to verify or invalidate the allegations of former prisoners. Otherwise the refugee testimony stands.

In the event that North Korean authorities decline to engage in constructive and substantive dialogue with UN human rights officials as the recent resolution by the UN Commission on Human Rights requested, it can only be hoped that sufficient resources will be found to enable South Korean NGOs or independent human rights bodies to more thoroughly and systematically document the violations outlined in the Committee's report.

I will now list concrete steps to achieve the policy objective of improving the human rights of North Korean residents and refugees.

1. Emphasize human rights in policy. President Bush and all other government officials should take every opportunity (publicly and privately) to express concern for the plight of the North Korean people and U.S. commitment to assisting in the restoration of their rights and wellbeing. During their most recent meeting, President Roh indicated at one point that without the help of the U.S. in 1950, he might be in a prison camp [of Kim Jong Il] today. President Bush should have pressed President Roh on this point by way of emphasizing the need to address the human rights crisis in North Korea.
2. Pressure the North Korean regime to close down its brutal and repressive prison camp system.
3. Pressure the North Korean government to cease criminalizing the act of leaving the country without permission and severely punishing those who are forcibly repatriated.
4. The protections offered by U.S. law and policy to refugee populations in danger should be extended to North Korean refugees in China.
5. Urge the UN High Commissioner for Refugees to take immediate action to press China to fulfill its obligations under the 1951 Convention Relating to the Status of Refugees, and end its practice of cooperating in the forced repatriation of North Koreans.
6. Press the UNHCR to invoke binding arbitration of the 1995 agreement it has with the Chinese government to secure its unimpeded access to North Korean refugees.
7. Encourage the Chinese government to allow the UNHCR to operate under its full mandate according to the 1995 agreement. As China enters prominence in the international arena, it must take on the responsibilities commensurate with its status.
8. Help create an interim resettlement area in third-party countries such as Mongolia to alleviate China of the burden of accommodating large numbers of refugees on its soil.
9. Ensure that independent assistance organizations can provide famine and medical relief to the people most in need and can verify that this relief is reaching those whom it is intended to help. It is especially important that the distribution and monitoring of food aid be put in the hands of humanitarian assistance organizations, and at a minimum be made transparent.
10. Find new ways to provide information to the people of North Korea, thus ending their enforced isolation. Develop multiple channels of exchange and contact. Increase radio broadcasting like Radio Free Asia to North Korea.
11. Develop and implement an international agreement modeled on the Helsinki Final Act, which linked Western recognition of the post-World War II borders of Central Europe to a comprehensive set of human rights principles. While there is less reason to believe that North Korea would honor such an agreement, the need

at this time is to start a process. A Helsinki agreement for the Korean peninsula could offer a lever with which to curb Pyongyang's worst abuses, open North Korea to greater international scrutiny, and help break down the isolation of the North Korean people.

12. U.S. Members of Congress should strategize and coordinate with counterparts in South Korea, Japan, and Europe on improving legislation to help the North Korean people. Such an initiative is currently being implemented. The next meeting of the Inter-parliamentary working group on human rights in North Korea is scheduled to convene here in this building on July 16 as part of a larger conference on human rights in North Korea.
13. Pressure companies investing in (or planning to invest in) North Korea to develop a code of conduct similar to the Sullivan principles that were applied in South Africa to protect workers and other citizens.

These are all feasible first steps that could lay the foundation for more far-reaching changes in the future.

III. Conclusion

There have been important changes in North Korea in the past five years. The crisis of the regime is deepening, as corruption becomes endemic and the regime begins to lose its grip on the monopoly of information. The flow of North Koreans across the border with China has begun to open up the country. Radios are being smuggled back in to North Korea in large numbers. These radios are very inexpensive to purchase in China because labor is so cheap and because these devices are radio-cassette players, and their producers want to dispose of them quickly as the consumer market switches to CDs. One defector estimates that up to half of the North Korean population has or has access to a radio that can receive AM/FM broadcasts from outside the country, and large numbers of people (including, military officers) are listening to Voice of America and Radio Free Asia broadcasts in Korean. One of the most important things that the United States can do is to increase radio broadcasting of news, information, and ideas aimed at the North Korean population. An important task now is to deluge people in society with information and raise their awareness.

The United States should make human rights a major component of its relations with North Korea, equal with the demand that North Korea stop developing nuclear weapons. If the United States only (or mainly) focuses on the nuclear issue, it risks Kim Jong-il's using that issue to shore up support for his regime. He will have greater ability to foment nationalist sentiment, by posing the notion that if the United States has nuclear weapons, why shouldn't they? This may deflect attention away from the domestic failings of the regime and may actually strengthen Kim politically at a time when disenchantment with his regime is growing. If the United States challenges the North Korean regime on its human rights record, however—and in particular demands that it close down the prison camps—this could sour North Korean people against the regime, and could possibly soften hostile views toward the United States, because they know that the human rights situation in their country is abysmal.

The issue of North Korean refugees has received and continues to receive increased attention, but now U.S. and international attention must also be focused on the North Korean gulag. One objective the Committee hopes to achieve with the publishing of its prison camps report is to create human rights awareness in the U.S. and in the international community by documenting what is happening in the concentration camps and showing photographs and/or other evidence. As an example of the growing need to address this issue, a new NGO devoted to the abolition of the prison camp system has been launched in Seoul, (NK Gulag) and will try to heighten awareness among South Koreans as well.

Nowhere in the world today is the abuse of rights so brutal, so comprehensive and so institutionalized as it is in North Korea. With North Korea attracting attention for its nuclear program and its illicit-narcotics activities, now is the time to speak out about the horrible abuses being perpetrated against its own people. The North Korean people have been oppressed, frightened and enslaved for long enough.

Thank you.