



Unloading food supplies (World Food Program/Gerald Bourke)

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF

By all accounts, there are virtually no personal freedoms in the Democratic People's Republic of North Korea (DPRK or North Korea) and no protection for universal human rights. In pursuit of absolute control of all facets of politics, society, and the flow of information, the government headed by Kim Jong Il has created an environment of fear in which dissent of any kind is not tolerated. Freedom of thought, conscience, and religion or belief does not exist, as the government severely represses public and private religious activities and maintains a policy of tight control over government-sanctioned religious practice. Religious belief of any kind is viewed by the government as a potential competitor to the officially propagated cult of personality centered on Kim Jong Il, and his late father, Kim Il Sung. In the past several years, North Korean government officials have arrested, imprisoned, tortured, and sometimes executed those discovered engaging in clandestine religious activity. There is no evidence that religious freedom conditions have improved in the past year. The Commission continues to recommend that North Korea be designated a "country of particular concern," or CPC, which the Department of State has done since 2001.

Because of the North Korean government's extremely tight control over all information entering and leaving the country, detailed data about religious freedom conditions is difficult to obtain. In 2005, the Commission authorized researchers to interview 40 North Korean refugees living in South Korea. The resulting study, authored by David Hawk and entitled *Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience, and Religion in North Korea*, shows how successive North Korean governments suppressed the country's once vibrant religious and intellectual life and put in its place a quasi-religious cult of personality surrounding the Kim

family. The report also describes the survival of very limited religious activity in North Korea.

The government has established bodies, referred to as "religious federations," for Buddhists, Chondokysts (referring to Chondokyo, or "Eastern Learning," a syncretic belief largely based on Confucianism but which also incorporates elements of Taoism, Shamanism, Buddhism, and Catholicism), and Christians, which operate in Pyongyang to project a presence of religious observance to outsiders. These federations are led by political operatives whose goal is to implement the government's policy of control over religious activity, as well as to gain foreign humanitarian assistance and maintain religious sites as cultural centers. For example, the official Korean Buddhist and Christian Federations restrict religious activities at monasteries, temples, and churches in North Korea. Although the religious federations maintain offices in Pyongyang and their delegates on occasion travel abroad, they have no presence in any other city or region in the country. The federations also operate churches, temples, and shrines in North Korea.

One Catholic and two Protestant churches, built between 1988 and 1992, operate in Pyongyang. Services have been held in these churches since the mid-1990s in response to the growing presence of foreign aid workers in Pyongyang. Access to these church services is tightly controlled and monitored, and most North Korean refugees

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A North Korean mother and child (World Food Program/Gerald Bourke)

report that they exist as showpieces for foreign visitors. Nevertheless, in addition to foreign visitors, those permitted to participate in services include some North Korean citizens who were known to practice prior to the Korean War. The absence of a priest for Roman Catholics means that mass cannot be celebrated and most sacraments cannot be performed. According to South Korean religious groups working in Pyongyang, a fraction of North Koreans who attend services at the churches in Pyongyang are genuine in their faith; however, the largest presence in these churches are security personnel sent to monitor and report on church activities. International observers who attend services at the churches in Pyongyang report that North Korean congregants regularly arrive and depart as a group in tour buses. The Korean Presbyterian Church of South Korea reports that it has reached an agreement with the North Korean government to build a new church in Pyongyang; however, construction plans have not progressed.

According to written responses from the North Korean government to UN treaty bodies, the government claims that some 500 house churches operate in North Korea with official approval. Until recently, it was not possible to verify who attended these house services and whether they existed outside of Pyongyang. Reports, including the Commission's study, are emerging that indicate that house church participants are largely made up of individuals whose families were Christians before the Korean War and that some do in fact operate outside of Pyongyang. It is unclear whether these meetings are permitted to occur regularly, and experts report

that they are generally monitored by government representatives. It is impossible to ascertain the number of house churches permitted to operate by the government or the extent of their activities and membership, as visiting religious leaders and scholars are repeatedly denied access to such gatherings in rural areas.

The Commission continues to receive credible reports that underground religious activity, or that which takes place outside of government sanction and control, is growing, despite pervasive suppression by North Korea's all-encompassing security apparatus. There is no reliable estimate of the number of religious believers practicing underground. Anyone discovered taking part in unauthorized religious activity, which includes carrying religious literature in public, distributing religious literature, or engaging in public religious expression and persuasion, is subject to severe punishment, such as long-term imprisonment in labor camps, torture, and possible execution. There continue to be reports of torture and execution of religious believers, including a January 2005 report of the execution of six religious leaders. Additionally, in March 2006, authorities in Pyongyang sentenced Son Jong Nam to death on charges of spying for South Korea. Son's contact with Protestants in China, his religious conversion, and his private criticism of the North Korean regime reportedly served as a basis for the sentence. As of this writing, it is not possible to verify whether Son Jong Nam was executed.

The practice of imprisoning religious believers is apparently widespread. However, neither the State Department nor any other official or non-governmental source has been able to document the number of religious detainees or prisoners. According to some reports, an estimated 6,000 Christians are incarcerated in "Prison No. 15" located in the northern part of the country. According to testimony at the Commission's January 2002 hearing, prisoners held on the basis of their religious beliefs are treated worse than other inmates. For example, religious prisoners are reportedly given the most dangerous tasks while in prison. In addition, they are subject to constant abuse from prison officials in an effort to force them to renounce their faith. When they refuse, they are often beaten and sometimes tortured to death. North Korean refugees and refugee assistance organizations report a growing number of Christian adherents in the prison system due to a spread of Christianity from cross-border proselytizing of South Korean and Chinese missionaries in the border area.

The North Korean government forcefully propagates an ideology known as “*Juche*” or “*KimIlSungism*” centered on the personality cult surrounding Kim Il Sung and Kim Jong Il. Pictures of the “Great Leader” (Kim Il Sung) and the “Dear Leader” (Kim Jong Il) hang on the walls of every house, schoolroom, and workplace. The only exception is the churches of Pyongyang, where crosses hang in their place. Under threat of fines and other penalties, North Koreans are required to maintain and display the portraits of their leaders. Every North Korean wears a lapel pin of the Great Leader. Schools are required to study and memorize the “Ten Principles for the Establishment of the One-Ideology System of the Party.” On several occasions throughout the past year, North Korean media sources quoted Kim Jong Il’s instructions that ideological education must take precedence over academic subjects in the nation’s schools. North Korean refugees report that each village contains a “Kim Il Sung Research Center” where they are required to attend weekly meetings. One scholar estimated that there may be as many as 450,000 such centers, including one in the infamous Yodok prison camp. Meetings include watching inspirational films on the Dear Leader’s life, indoctrination sessions on the principles of *Juche*, and public self-criticism sessions.

The government also forcefully controls all means of transmitting information in the country, including television, radio and print media, access to the Internet, and cellular and landline phone communication. The regime prevents North Koreans from learning about improved human rights developments in other countries, telling those outside their country about abuses of religious freedom and other human rights inside North Korea, and maintaining contact with co-religionists abroad. Possessing anti-state written materials, listening to foreign radio broadcasts, or altering radios so that they might receive foreign broadcasts constitute crimes punishable by long-term imprisonment, and international phone lines are available only under highly restricted circumstances. Cell phone use for the general population has been banned since 2004.

North Korean officials have stratified society on the basis of family background and perceived loyalty to the regime into 51 specific categories. Religious adherents are by definition relegated to a lower category, receiving fewer privileges and opportunities, such as education and employment, than others. An extensive report by Amnesty International in 2003 details evidence that persons in lower categories have, in some cases, been forcibly relocated to remote and desolate

areas of the country and then systematically denied access to food aid and therefore left to starve.

As a result of the prolonged famine and the highly oppressive nature of the regime, an estimated 300,000 refugees have fled North Korea to China during the past eight years. With the easing of famine conditions, an estimated 50,000 to 100,000 remain in China today. China, according to an agreement with North Korea, considers all of these refugees to be economic migrants who are subject to forcible repatriation. According to North Korean law, leaving the country is tantamount to treason and all returnees are subject to arrest and imprisonment, often accompanied by torture. According to refugee testimony, those determined to have migrated to avoid famine conditions are sometimes released after a short period of detention. However, within the last year, some reports indicate that repatriated North Koreans are facing harsher penalties upon their return, with increased numbers of first time returnees being sentenced to one to five years imprisonment, regardless of their reasons for fleeing North Korea. Anyone suspected of having contact with either South Korean humanitarian or religious organizations is reportedly extensively interrogated. Security forces try to determine if those repatriated have become adherents of Christianity or otherwise “contaminated” by their contact with South Koreans. Reports continue to emerge from those repatriated that security forces use torture during interrogation; anyone found to have had contact with Protestant or other religiously-based aid organizations in China is subject to long-term imprisonment in hard labor facilities designated for



Commissioner Preeta D. Bansal (second from right), moderating a panel session on human rights in North Korea at the Asia Society in New York, with Brookings Institution Senior Fellow Roberta Cohen (left), Republic of Korea National Assembly Member Chung Eui-yong and Japan’s Human Rights Ambassador Fumiko Saiga, May 2006.

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political prisoners. The North Korean government also continues to offer rewards to its citizens for providing information that leads to the arrest of individuals suspected of involvement in cross-border missionary activities.

The Holy Trinity Russian Orthodox Church opened in Pyongyang in August 2006. Two North Koreans are reportedly receiving Orthodox theological training in Moscow. There are also reportedly three Buddhist temples and a Chondokyist shrine in Pyongyang. Government officials have claimed that Buddhist temples are cultural relics that need to be preserved. There is a department of religion at Kim Il Sung University, but graduates and faculty are said to be involved in training security forces to identify repatriated refugees who may have become Christian adherents during their time in China. Many graduates also reportedly work with the officially sanctioned religious federations and interact with foreign religious visitors.

In November 2004, the North Korea Human Rights Act was signed into law. The legislation cites Commission findings and includes provisions reflecting several Commission recommendations, including the appointment of a Special Envoy on Human Rights in North Korea. In August 2005, President Bush appointed Jay Lefkowitz to this position. Commissioners met with Ambassador Lefkowitz in November 2005 to present its study, *Thank You, Father Kim Il Sung*, and to discuss USCIRF policy recommendations on religious freedom and human rights issues in North Korea.

In the last year, the Commission continued to conduct activities in Washington, DC and elsewhere to raise public awareness of violations of religious freedom in the DPRK and to engage policy makers and Members of Congress in implementation of policy recommendations that would

address these violations. In November 2005, the Commission released *Thank You Father Kim Il Sung* at a press conference with several Members of Congress. Commissioners and staff also briefed relevant policy makers at the National Security Council, the State Department, and in both Houses of Congress about the findings of the study. In March 2006, the Commission hosted, together with the American Enterprise Institute, a panel presentation entitled "Religious Freedom in North Korea: Update and Options," at which David Hawk, lead researcher of the Commission's study on North Korea, gave a presentation on the findings of the study, with commentary from other panelists. Then-Commission Chair Michael Cromartie presented opening remarks and Ambassador Lefkowitz gave a keynote address at the event.

In May 2006, in cooperation with the Asia Society and with Refugees International, the Commission co-hosted a conference in New York to discuss options for raising human rights concerns within the spectrum of security concerns involving the Korean Peninsula. Commissioner Preeta Bansal moderated a panel that discussed the key strategies and mechanisms needed to establish a broader security agenda for Northeast Asia that would include human rights concerns. The panel included presentations from Republic of Korea National Assembly Member Chung Eui-yong, Japan's Human Rights Ambassador Fumiko Saiga, and Brookings Institution Senior Fellow Roberta Cohen. On an earlier panel focusing on human rights issues in North Korea, David Hawk offered a presentation on the Commission's study.

Also in May 2006, the Commission hosted a briefing on Capitol Hill to discuss the situation of North Korean refugees in China. The briefing included statements from Kato Hiroshi, General Secretary of Life Funds for North Korean Refugees; Joel Charny, Vice President of Refugees International; and Marcus Nolan of the International Institute for Economics. The panelists discussed the struggles that North Korean refugees face in China, including trafficking in persons, fear of deportation, and recovery from the ordeals they faced while still inside the DPRK. Commission Executive Director Joseph Crapa served as a moderator.

In July 2006, at a town hall meeting convened by Congressman Gary Ackerman of New York, the Commission released a Korean language version of its study, *Thank You, Father Kim Il Sung*. During the event, Congressman Ackerman moderated a panel that included presentations from Commission Chair Felice Gaer and David Hawk, lead researcher on the study.

In addition to recommending that North Korea continue to be designated a CPC, the Commission recommends that the U.S. government should:

- use all diplomatic means to urge the North Korean government to undertake the following measures that would help bring the DPRK into compliance with its international legal obligations with respect to freedom of thought, conscience, and religion or belief:
 - end the severe human rights violations, including imprisonment and execution on account of religion or belief, against individuals not affiliated with the state-sponsored religious federations or those North Koreans having contact with foreign religious groups in China;
 - release prisoners from administrative detention in *kwan-li-so* political penal labor colonies, such as those reported to be in certain villages in the “total control zone” at Camp No. 15 (“Yodok”), as well as those who remain detained in other facilities for exercising their right to freedom of thought, conscience, and religion or belief and rehabilitate remaining religious adherents held in lifetime detention;
 - end the coercive enforcement of the official ideology, *Juche/Kimilsungism*, that results in discrimination and other human rights violations against adherents of other religions or belief systems;
 - enable adherents of systems of thought and belief not covered by the existing federations, such as Confucianism, Shamanism, and other indigenous Korean belief systems, to practice their religion or belief without government interference and to form organizations for that purpose;
- implement the existing Constitutional provision allowing for the construction of places of worship outside the capital city of Pyongyang, including for religious groups who are not affiliated with the state-sponsored federations or for which there is no applicable federation;
- end prohibitions and punishments for importing religious literature from abroad;
- allow individuals and religious groups to engage in public expression of their religion or belief and to inform others of their belief systems;
- allow religious groups to operate religious education programs for young persons and adults;
- allow clergy or religious leaders to travel abroad for higher education and/or training, and allow the residence of foreign clergy where there are shortages; and
- distribute widely Korean language translations of and other information on the Universal Declaration of Human Rights and the international human rights treaties to which North Korea is a party.
- work with regional and European allies to fashion a comprehensive plan for security concerns on the Korean peninsula—modeled after the Helsinki Final Act of 1975 and the Organization for Security and Cooperation in Europe—as suggested by the Commission and in Sec. 106 of the North Korean Human Rights Act and
 - consider, with this model, expanding the Six-Party talks on nuclear security to include separate discussions on issues related to human rights and human security, using ongoing security negotiations to press North Korea for improvements in areas of mutual concern, including monitoring of humanitarian aid, resettlement of refugees, family reunifications, abductions, and other pressing human rights issues, including religious freedom; such discussions should proceed on both the bilateral and multilateral levels within the working group format of the Six Party Talks;
 - ensure that the Special Envoy on Human Rights in North Korea, appointed by President Bush in accord with the Envoy’s mandate in the North Korea Human Rights Act of 2004, retains full authority to move forward on assistance to North Korean refugees, new human rights and democracy programming, and expanded public diplomacy programs;
 - urge the Chinese government to uphold its international obligations to protect asylum seekers, by (1) working with the UN High Commissioner for Refugees (UNHCR) to establish a mechanism to confer at least temporary asylum on those seeking such protection; (2) providing the

UNHCR with unrestricted access to interview North Korean nationals in China; and (3) ensuring that any migrants who are being returned pursuant to any bilateral agreement are not potential asylum seekers refouled in violation of China's obligations under the 1951 Refugee Convention and its 1967 Protocol;

- in bilateral relations with China, Russia, Mongolia, and other countries in the region, place a higher priority on working to provide safe haven, secure transit, and clear resettlement procedures for North Koreans;
- promote further cooperation among the Department of State, the Department of Homeland Security, and regional allies, including South Korea, to facilitate more efficient resolution of remaining technical or legal issues that hinder programs for resettlement of North Koreans in the United States and other countries;
- urge the Chinese government to allow international humanitarian organizations greater access to North Koreans in China, to address growing social problems experienced by this vulnerable population;
- encourage nations with diplomatic relations with North Korea to include religious freedom and other human rights in their talks with North Korea, and to urge the North Korean government to invite UN Special Rapporteurs and other appropriate UN bodies to assess the human rights and humanitarian situation, to monitor the delivery of humanitarian assistance, and to recommend reforms and technical assistance programs;
- continue to use appropriate international fora to condemn egregious

human rights abuses in North Korea and seek protections and redress for victims, including by co-sponsoring of resolutions on North Korean human rights practices by appropriate UN bodies; and

- expand radio, television, Internet, and print information available to the North Korean people through:
 - the expansion of appropriations to the Broadcasting Board of Governors earmarked to allow Radio Free Asia and Voice of America to increase shortwave and medium-wave broadcasting to North Korea to provide a total of 12 original hours of daily broadcasting; and
 - the funding of programs through the National Endowment for Democracy and the Department of State Human Rights and Democracy Fund that disseminate information on human rights, including religious freedom, inside North Korea in the form of written and electronic materials, DVDs, and digital programming.

In addition, the U.S. Congress should:

- fund a regional task force involving prominent political, academic, religious, and other non-governmental

experts from Asia and the United States to raise the public profile of North Korea's human rights and human security concerns and to make recommendations to regional governments for establishing a permanent framework that addresses both human rights and other outstanding security and economic concerns on the Korean Peninsula;

- continue to appropriate funds authorized in the North Korea Human Rights Act for public diplomacy, refugee assistance, and democratization programs;
- establish a congressional caucus to focus specifically on North Korean human rights and refugees and to explore new ideas for establishing an "Helsinki Option" for security talks on the Korean Peninsula; and
- raise religious freedom and related human rights as a prominent concern in every Congressional or Congressional staff visit to North Korea and reiterate requests seeking access for international monitors to North Korean prisons as promised by Vice Foreign Minister Kim Gye-gwan to a visiting Senate Foreign Relations Committee delegation in August 2003.



Military celebration for Kim Il Sung