

**White Paper**  
**on**  
**Human Rights in North Korea**

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**Korea Institute for  
National Unification**

**White Paper on Human Rights  
in North Korea**

The White Paper on Human Rights in North Korea was published by the Center for Human Rights in North Korea, Korea Institute for National Unification (KINU), Seoul, Korea, as an annual series of reports exposing current knowledge about the human rights situation in North Korea.

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## Preface

**H**uman rights are God-given rights that every human being is naturally endowed with. Therefore, the protection of human rights is a social practice needed to safeguard and enhance human dignity.

Although human rights have meant different things at different times depending on circumstances, a general historical trend has been toward the progress and improvement of fundamental human rights. And, individuals have moved inexorably forward in enhancing their civil and political rights, while being constantly engaged in political struggles to protect themselves from the state's arbitrary abuses of power. As the Industrial Revolution spread across the world in the 20th Century and as the number of working class individuals increased, economic, social and cultural rights have also been expanded. In particular, the collapse of the Socialist bloc countries in Eastern Europe and the former Soviet Union has acted as an important turning point both for the reduction and removal of ideological biases toward human rights between the East and the West and for a further expansion and development of awareness human rights.

The role of the United Nations has been instrumental in the evolution of human rights. It formulated and put into effect the so-called "international bill of rights;" namely, the Universal Declaration of Human Rights (1948) and the International Covenants on Human Rights (1966), thereby guaranteeing minimum requirements for the

maintenance of human dignity everywhere. Designed to provide realistic human rights protection, the International Covenants on Human Rights, incorporated into the corpus of contemporary international law as of 1976, has opened a new era of international respect for human rights. And, on this basis of these agreements, international efforts to protect human rights have been further strengthened. These trends of human rights promotion simply reflect current efforts to understand human rights issues in terms of common goals of humanity and to revise the traditional way of thinking that used to regard human rights issues as belonging to the exclusive jurisdiction of the state. And so, any act of human rights violation at the state level in any particular area is rapidly becoming a justifiable concern for all of humankind.

However, in complete disregard of these trends in world history and international concern for human rights, North Korea has been systematically violating the human rights of its citizens for the sole purpose of maintenance of the regime, which it tries to justify in terms of the idolization of Kim Il Sung and Kim Jong Il and the one-man-rule dictatorship based on an ideology called *juche* ideology. Until now, the North Korean human rights issue has not been treated as a major agenda item in the South-North Korean relations. But, as North Korea's economic hardship and food shortages worsened and as the need for humanitarian assistance to North Korea became an international issue, human rights in North Korea also began to emerge as a major subject of international concern.

In light of these developments, the "Center for Human Rights in North Korea" at KINU has been collecting and analyzing material and information on the human rights situation in North Korea, and herewith publishes its annual report, *White Paper on Human Rights in North Korea*.

This *White Paper '98* has followed the human rights protection guidelines set forth in the International Covenants on Human Rights, and it examines the human rights situation in North Korea focusing on civil and political rights and economic, social, and cultural rights. Also included are analyses and materials pertaining to certain important human rights issues stemming from inter-Korean relations.

Throughout the *White Paper*, we have tried to maintain objectivity as best we could, by relying on evidence and by drawing on personal interviews with many defecting North Korean residents. Yet, we are afraid that insurmountable realistic barriers such as incomplete data

and the lack of relevant information have partly diminished our attempts at making this publication more complete.

It is hoped that this book will serve as a catalyst for stimulating national and international concern about the human rights situation in North Korea, and thus contribute to the needs of specialists and policy-makers involved in unification studies and inter-Korean affairs.

Young-shik Yang  
President, KINU  
April 1998

# I. Overview

## 1. The North Korean Political System and the Concept of Human Rights

### The Peculiarities of the North Korean Political System

**B**efore we set out to discuss the human rights situation in North Korea, it is useful, and necessary, to briefly review the peculiarities of the North Korean political system and the nature of its ruling ideology. North Korea insists that its ultimate objective is perfecting an ideal socialist state through the leadership of the *suryung* (or Great Leader) and the Party, and that this objective can be attained through the faithful practice of *juche* ideology. In other words, the North Korean political system is a one-party dictatorship where “a regime solely ruled by the *suryung*” is a *sine qua non* and where the greatest emphasis is placed on the leadership of the *suryung* and the Party. The theoretical trappings of North Korea’s ruling ideology are derived from *juche* ideology.

The supremacy of *juche* ideology and the Party is clearly spelled out in North Korea’s Socialist Constitution. Article 3 of the Constitution stipulates that “(t)he ruling guideline for all activities in the Democratic People’s Republic of Korea is *juche* ideology, which is a human-centered Weltanschauung and a revolutionary ideology for the realization of self-reliance of the people.” And, Article 11 declares that “(t)he Democratic People’s Republic of Korea carries out all its activities under the leadership of the Korean Workers’ Party.” The preamble to KWP’s Charter is more specific in enunciating the fact that the North Korean political system is a system solely ruled by the *suryung*: “The sole ruling guideline for the Korean Workers’ Party is *juche* ideology, the revolutionary ideology of the Great Leader, Comrade Kim Il Sung.”

This *suryung* theory is systematically explained in terms of the so-called “theory of a socio-political organism.” According to this

theory, the *suryung* who is at the core of a socio-political entity, performs the “cerebral function” of the socio-political organism, while the Party functions as its backbone. North Korea insists that “if under the Party’s leadership the people are organized and ideologically consolidated around the *suryung*, it will in turn bring about a socio-political organism capable of a self-perpetuating and self-reliant life.” North Korea further argues that “just as there are brains at the core of life of individual human beings, at the core of life of a socio-political entity is its brain, the *suryung*.”

North Korea expands and elaborates on this thesis as follows: By “socio-political organism” we mean a unified entity of the *suryung*-Party-People, and as the constituent parts of this socio-political organism individuals are connected to the *suryung* by blood. Only the masses who are organically and ideologically united and solidified under the leadership of the *suryung* and the Party are able to fulfill their destiny creatively and self-reliantly. In short, the people are able to maintain a socio-political life only if they assume a collective organic outlook and unconditionally follow the instructions of the *suryung* who is the supreme brain of their entity.

On the basis of this *suryung* theory, North Korea has promulgated in 1974 a set of codes of individual conduct known as the “Ten Great Principles of Unique Ideology”(hereinafter, referred to as Ten Great Principles). A forced-upon social norm, the Ten Principles have become the source and means of control over the people’s way of thinking and way of life. Derived from *juche* ideology, the Ten Great Principles serve as core elements in legitimizing rule by the *suryung* and the idolization, or deification, of Kim Il Sung and Kim Jong Il. Under the Ten Great Principles, any act critical of the *suryung* is regarded as a defamation of the *suryung* and treasonous and is subject to extremely harsh political punishment. An example of North Korea’s efforts to legitimize the idolization of Kim Il Sung and the Father-son hereditary succession through the application of Ten Great Principles is the decision to use a new “*juche* Era” beginning from 1997 by referring to Kim Il Sung’s birth year of 1912 as the “*juche* base year.”

## North Korea’s Concept of Human Rights and its Unusual Features

North Korea’s concept of human rights and its human rights policies

reflect the unique characteristics of its political system. We can point out at least six unusual features:

First, North Korea's concept of human rights reflects a class consciousness. In Article 12 of North Korea's Socialist Constitution, it is stipulated that "(t)he State shall firmly safeguard the people's sovereignty and the socialist system from the destructive attempts of hostile elements at home and abroad by maintaining the class structure and by strengthening the dictatorship of the people's democracy." The phrase, "strengthening of the dictatorship of the people's democracy," means that it will accomplish a socialist revolution by extending democracy to the class supportive of and sympathetic to the revolution and enforce dictatorship on the class opposed to it.

Increasingly aware of international concerns over its human rights situation, North Korea has attempted to clarify its position on human rights. The *Rodong Shinmun*, the official newspaper of the Korean Workers' Party (KWP), emphatically stressed in an article (June 24, 1995) entitled "In Support of True Human Rights" that human rights are not a universal concept applicable to all human beings. It continued:

(J)ust as we do not hide our Party loyalty, we do not hide our class consciousness in human rights issues. The socialist human rights are not supra-rights transcending the class structure and extending freedom and rights even to hostile elements who oppose socialism, or to reactionaries who harm the interests of the people. To us, human rights mean providing freedom and rights to large masses of people such as workers, peasants, intellectuals, etc., and to impose sanctions on a small number of class enemies who infringe on the human rights of the masses.

North Korea has thus openly declared the fact that it is imposing absolute sanctions on those who are opposed to its style of socialism by labeling them as "class enemies" or "hostile elements." The state has made it clear that the freedoms and rights of these people would be deprived of as a matter of principle and that their human rights were not worthy of respect.

Second, in interpretation and application, North Korea's concept of human rights relies absolutely on the instructions of the *suryung* Kim Il Sung and Kim Jong Il. North Korea has devised the Ten Great Principles so that its people could comply with Kim Il Sung's and Kim

Jong Il's instructions. The Ten Great Principles are the ultimate norm controlling people's daily lives and they thus function as a conditional requirement for guaranteeing human rights.

Third, North Korean human rights are based on collectivist principles and because North Korea places priority on collective interests over absolute and inalienable rights of individuals, an unfair and unbalanced set of rights and duties are imposed. Article 63 of the North Korean Constitution declares that "(i)n the Democratic People's Republic of Korea the rights and duties of citizens are based on the collectivist principle, one for all and all for one." Also, in Article 82, it is stipulated that collectivism is the basis of social life, and that "(c)itizens must cherish their collective organization and develop the trait of working devotedly for the good of society and the people..."

A North Korean delegate argued before the United Nations General Assembly in November 1996 that "(j)ust as it is inconceivable to think of individuals without a society and a collective, it is also inconceivable to think of individual human rights apart from the human rights of the collective." In short, North Korea has made it clear that under "our-style of human rights" individuals exist only as part of the collective and they exist only for collective class interests.

Fourth, North Korea's concept of human rights emphasizes duties rather than rights. As in other socialist countries, human rights in North Korea fall in to the realm of a political concept, and the rights are extended only to those who accept the North Korean system and fulfill all of its duties. In other words, in North Korea, individuals may be *guaranteed human rights, limited though they are, only if they contribute to socialist nation-building and fully carry out their duties required of them as a constituent of the organization he or she belongs to or to the *suryung* Kim Il Sung and Kim Jong Il who is the ultimate leader of the collective.* Consequently, all fundamental rights incorporated into the laws, whether intended to restrain private lives or to control the Party and other institutions of power, contain a concept that emphasizes duties rather than rights.

Fifth, North Korea's concept of human rights emphasizes the benevolence of the *suryung* and the Party for the people. Their conception stresses the importance of a "politics of virtue," and North Korea argues that the human rights problems in other socialist countries are caused by an absence of a "politics of virtue." In the *Rodong Shinmun* article cited above, North Korea explained the "politics of virtue" as

follows:

(P)olitics that guarantees human rights at the highest level of the world is referred to as the politics of virtue. Politics of virtue is an advanced and people-oriented politics that, through love, enables people's happiness to blossom and, through the power of trust, lets the people enjoy true life by standing together firmly in unity.

In short, the politics of virtue means the political practices carried out by the *suryung* who is wholly in charge of the destiny of the people, on the basis of his love and trust of the people. Therefore, in North Korea the benevolence of the supreme leader takes precedence over any laws and regulations that guarantee human rights, hence there is no room for internationally accepted norms.

And, sixth, North Korea's human rights concept emphasizes materialistic aspects of human rights protection. Just as it is generally stressed in many socialist countries, North Korea also stresses the protection of economic, social, and cultural rights. So, the economic, social, and cultural rights relating to such ideas as "realistic protection of freedom and rights" or "pursuit of material happiness" are emphasized to a greater extent rather than the protection of *habeas corpus* or civil and political rights relating to freedom of action.

North Korea has declared the recently increasing demands of the international community for the improvement of human rights as an infringement on its sovereignty, or at least an intervention in its internal affairs. Emphasizing the "right to development" and "relativism" in human rights as advocated by the Third World countries, North Korea is attempting to justify its own human rights situation. The country repeatedly denied that there exists any human rights problems in North Korea, and it nevertheless embraces the right to development argument, saying that the protection of human rights is difficult without economic development. Furthermore, North Korea relies on the "relativist" thesis of political culture and argues that human rights issues are a matter of national sovereignty, and that considerations must be given to unique situations of each country and region, since human rights are "(r)ealized according to the political and economic system each country and people have chosen."

## **2. Review of the 1997 Human Rights Situation in North Korea**

### **Violations of Civil and Political Rights**

No progress has been made in 1997 in the general human rights situation in North Korea due to persistent economic hardships, particularly food shortages. In efforts to prevent increasing acts of social deviation stemming from deteriorating economic difficulties, North Korea has not only openly executed those who committed economic crimes but also continued to abuse the human rights of political criminals and arrested crime suspects.

Civil and political rights continued to be suppressed by such means as restricting voluntary political participation, controlling the freedom of speech, publication, assembly, and association, and discrimination based on background and social class. There have been increases in residence changes and absenteeism from worksites due to reductions in or terminations of food rations, but the controls against relocation and absenteeism have not been officially relaxed.

Despite continuing economic difficulties and food shortages, the Kim Jong Il regime has been concentrating on ways to maintain its political power through oppression and persecution. Meanwhile, international concerns have steadily risen over the issue of the personal safety of the defecting North Korean residents in China and Russia.

After having defined them as “anti-State crimes” in its penal code, North Korea has been violating the human rights of its citizens by imposing harsh punishments on such acts as denying the socialist system, attempting to cross borders, or seeking asylum. North Korea has been severely criticized by the international community for carrying out public executions, which not only violate and threaten individuals’ rights to life, but act as one of the most inhumane punishment methods. Nevertheless, according to the personal testimonies of defecting North Korean residents (or “defectors”), public executions continued in 1997.

Unlawful detentions and torture also continued. Political prisoners in “concentration camps” and economic criminals in “rehabilitation centers” have been subjected to all sorts of torture and abuse throughout the pre-trial period and before sentencing. Suspects and attempted

criminals were given the same level of punishment as actual criminals, and accomplices were given the same punishment as the actual perpetrators. And, because pre-trial screening agents of the State Security Agency disposed of political suspects on their own, and independently of the Prosecutors and of the Courts, infringements on the rights of these individuals have been particularly serious.

North Korea did make some institutional changes pertaining to human rights, by revising its penal codes in 1987 and its criminal trial procedures and the state attorney laws in 1992 and 1993, respectively. But, it still chose not to recognize an independent judiciary. The judiciary and the state attorneys have never involved themselves in activities to protect individual human rights. Rather, their main duties were to carry out political programs such as defending the interests of the Party and the State. According to Hwang Jang Yop, former secretary of KWP, who came to South Korea in April 1994, North Korea in December 1982, implemented "Socialist Law-abiding Life Guidance Committees," which were informal social control organs, at every level of the society, and these committees rather than the formal judiciary exercised vigilant controls over both ordinary citizens and ranking personalities to forestall acts of social deviation in connection with economic hardship.

In 1997, North Korea continued to demand on its people the acts of worship toward Kim Il Sung and Kim Jung Il by enforcing the Ten Great Principles, and it punished as political criminals those who would not observe them. For example, North Korean authorities were clearly ignoring citizens' rights to life when they demanded that as part of the "Portrait Respecting" project people should be prepared to protect and save from damage the portraits of Kim Il Sung and Kim Jung Il even at the risk of sacrificing their lives in times of crisis such as shipwrecks.

Due to its ideological bias, people's rights to equal treatment have been systematically abridged by North Korea through such practices as discrimination on the basis of personal background. In particular, the "guilt-by-association" policy was applied to the so-called "hostile masses," those classified as "anti-revolutionaries." As a result, even the families of the accused and relatives have been discriminated against socially. Since 1993, Kim Jung Il has been pursuing a "politics of virtue" and "magnanimous politics" ostensibly to alleviate discrimination based on personal background. These policies, however, failed

to reach the ordinary people. On the contrary, the policies triggered a new practice in which low-level Party secretaries, deputy secretaries, and cell secretaries would conduct twice-a-year background checks on the local inhabitants.

Problems that continued to persist included the infringements on socially vulnerable persons' rights to equality and equal treatment. Examples include the segregation of physically challenged persons and discrimination by sex in home and at workplaces. Excessive infringements on these rights of equality in times of extreme food shortage have served to increase the occurrence of family feuds, divorces, broken families, orphans, prostitution, and even the sale of girls to China.

Relocations of residence and the freedom to travel were tightly restricted, except for Constitutionally sanctioned cases, and moves to other regions were controlled through the travel pass system. In 1997, the phenomenon of illegal relocations continued due to food shortages, but the freedom of relocation was still restricted under the law. On the other hand, forcible group relocation policies continued for political dissenters and for the inhabitants of mining towns or of newly designated sites for industrial use.

North Korea continued to fail to guarantee civic rights and freedoms such as the freedom of speech, press, assembly, and association, as well as the freedom of ideas and religion. Press and publications were permitted only as means of mass mobilization and transmission of ideology education. And, all published materials have had to undergo censorship and control by the Party. Newspaper front pages have always carried articles praising Kim Il Sung and Kim Jung Il and negative articles criticizing the society or reporting on violations of basic rights were never allowed.

Assemblies and associations based on individuals' voluntary free will were regarded as collective disturbances causing social disorder, and punishments were imposed of up to 5 years of rehabilitation, or correctional labor. Private organizations were absolutely prohibited, including such non-political gatherings as alumni meetings and fraternities. The only exceptions were various social organizations set up by the government as external arms of the Party for purposes of ideology propagation.

In the revised Constitution(1992), North Korea has provided for the freedom of beliefs and religious rites, and it has built religious struc-

tures in Pyongyang such as the Bongsoo Church, the Chilgol Church, and the Jangchung Cathedral. But religious activities were strictly controlled in accordance with Article 65 of the Constitution which states that “(n)o one is permitted to bring in foreign influences on account of religion or use them to harm the order of the state and society...” As a result, religious activities have been allowed only to meet political needs, and religious rites were performed only at state sanctioned religious facilities and at specified time periods.

In 1997, North Korea has continued to violate individuals’ rights to political participation by not conducting elections. North Korea has declared that under the socialist system it could not introduce such methods as competitive elections to elect sovereign offices, arguing that the former Soviet Union and Eastern European countries had been robbed of their socialist regimes by the “reactionaries” as a result of the introduction of the multiple candidates system to assembly elections.

### Violations of Economic, Social, and Cultural Rights

Along with other socialist countries, North Korea has continued to stress the importance of a materialistic foundation for a better protection of human rights. It repeatedly insisted that the human rights of ordinary people were protected by guaranteeing rights to economic, social and cultural lives. However, the reality was that with accelerating economic stagnation and deteriorating food shortages even the bare minimum standard of human rights, the right to life, was being threatened. And yet, for the purpose of maintaining the socialist regime North Korea continued political propaganda that stressed only the guarantee of economic, social and cultural rights, yet actually suppressed the people’s demands for civic freedoms and political rights.

Contrary to North Korea’s insistence, however, the people’s economic, social and cultural rights have not improved at all, in the 1990s, as economic difficulties rapidly worsened. In fact, even citizens fundamental right to sustenance was threatened when normal rations were cut off due to the sharp drop in food production in the wake of floods and drought during 1995-97. To make the situation worse, the central distribution system has also collapsed, while structural problems such as the lack of incentives and shortages of energy, fertilizers, and pesticides, persisted.

Throughout 1997 North Korea has experienced a severe food shortage. However, thanks to the active support of the international community, the situation did improve in the latter half of the year. According to the estimates of South Korea's Ministry of Unification, North Korea's 1996 total grain production amounted to 3.69 million tons in the context of a total demand of 5.7 million tons. A total of 1.69 million tons has been supplied from abroad (imports of 0.7 million tons and grants-in-aid of 0.99 million tons), and the net shortage stood at 320,000 tons. According to estimates, North Korea's 1997 total grain production was 3.489 million tons and the minimum aggregate demand was 4.764 million tons (based on 458 grams per person per day), resulting in a shortage of 1.275 million tons. In comparison, the World Food Program (WFP) and the UN Food and Agriculture Organization (FAO) estimated North Korea's total 1997 grain production to be about 2.663 million tons and total demand to be about 4.614 million tons, leaving the country 1.951 million tons short. (See Table 3-1-2)

Due to the continuing food shortages, beginning from 1997, daily grain rations of 600 grams have frequently been reduced to 200-250 grams even in Pyongyang, an area with a relatively constant food supply (458 grams/per person or the equivalent of 1,603 calories constitute a minimum daily nutritional requirement). And, certain regions had experienced truly dire food shortages in August and September, just before the 1997 harvest. In addition, the quality of people's lives has significantly deteriorated as the rations of daily necessities were greatly reduced in 1997. Yet, even though their own people were faced with starvation and malnutrition, North Korean authorities have not even bothered to tabulate the number of people who have died of starvation.

In addition, the social security and welfare sectors also deteriorated. According to defecting North Korean residents and the MSF (Médecins Sans Frontières), free medical treatments guaranteed by the North Korean Constitution were almost non-existent due to shortages of medical supplies and the poor state of treatment facilities, and that without outside help normal treatment let alone surgery would be almost impossible.

Even under these adverse conditions, North Korean people participated in labor drives in order to qualify for rations. Under the collectivist principle, it is a duty of all North Koreans to work for the promotion of the common interest. Hence, no one between the ages of

16 to 60 (55 for women) is exempt from this duty. And, under the principle of “8-hours work, 8-hours study and 8-hours rest,” additional labor mobilization and study requirements are imposed during off-duty hours.

In accordance with the central economic plans, most work allocations in 1997 have been “group (collective) assignments,” and individual wishes and adaptability were ignored. The government and the Party exercised control over the supply of daily necessities by requiring coupons for the purchase of other necessities. Thus the authorities exercised absolute rule over the rights of individuals. The contents of the so-called study, too, consisted mostly of ideology training and the idolization of Kim Il Sung and Kim Jong Il. Under the slogan of “let’s learn as we work,” even grade school children have been mobilized for labor.

### Cases of Major Human Rights Violations

The most seriously and severely criticized human rights violations in North Korea have taken place in the concentration camps for political prisoners. As is clear from the North Korea’s policy carried in its official newspaper, the *Rodong Shinmun*, North Korea “will deprive freedoms and impose sanctions on those hostile elements who oppose socialism, and those contaminated elements who harm the people’s interests.” And, the inhumane persecutions against political prisoners continued in 1997.

The concentration camps labeled as “No. XX Management Centers,” located in mining areas or in deep mountainous regions are directly supervised by Department 7 of the State Security Agency and hold prisoners classified as traitors and anti-State criminals. About 10 political prisoner camps, otherwise called “control districts” or “special dictatorship districts,” have been identified thus far and are known to be currently holding about 200,000 political prisoners in locations such as: “No.14 Management Center” in Kaechon, South Pyongan Province, “No.15 Management Center” in Yoduk, South Hamkyung Province, “No.16 Management Center” in Hwasung, North Hamkyung Province, “No.22. Management Center” in Hoeryung, North Hamkyung Province, and “No.25 Management Center” in Chungjin, North Hamkyung Province. As in the case of “Seunghori Concentration Camp,” which was closed in January 1991, concentration prisoner

camps are constantly relocated and consolidated to avoid revealing their location and to maintain confidentiality. Consequently, accurate information on them is scarcely available.

The political prisoners sent to concentration camps are known to undergo, without exception, unimaginable ordeals and persecution for the duration of confinement. Such cruelty includes torture, beating, and public execution, in addition to abuse throughout the process of arrest and interrogation. The so-called “guilt-by-association” punishments are applied on political prisoners’ family members and even their relatives, who are often punished, and without exception, discriminated against for their “guilt-by-association.” The detainees at the camps are forced into hard labor in complete isolation from the outside world and undergo subhuman treatment by the security agents and prison guards. In the book, *Le Livrenoir du Communism (The Dark Veils of Communism)* published in November 1997, Pierre Rigoulot revealed that since the inception of the North Korean regime in excess of 100,000 persons have died during the purge of the KWP and a total of 1.5 million people have died in North Korea’s concentration camps.

Also known to be undergoing systematic persecution and oppression by North Korea are some 447 persons who had been forcibly abducted and detained by North Korea since the Korean Armistice Agreement in 1953, along with a significant number of repatriated former Korean residents in Japan. For purposes of creating regime propaganda, North Korea routinely forces “confessions” of “voluntary entry” from those who had been kidnapped. And, for purposes of maintaining the regime, it is believed to have sent a large number of repatriated former Korean residents in Japan to concentration camps for their complaints against the regime.

The human rights situation of the “North Korea-fleeing refugees” in Russia, China, and other countries is also deteriorating, as the most fundamental “rights to life” of the estimated 1,600 North Korean “vagabonds” are being threatened. The human rights situation of these defecting North Korean residents in China and Russia is progressively becoming serious, since the Chinese and Russian governments do not generally offer refugee status to them and often dispose of their applications arbitrarily.

## Internationalization of Human Rights in North Korea and North Korea's Reaction

North Korea argues that the "(h)uman rights instigations of the imperialists are nothing but chicanery or deceptive tactics used to disguise the fundamentally reactionary and anti-human nature of capitalism," and it tries to treat the increasing concerns of free democracies over North Korea's human rights situation as part of a "peaceful change strategy" designed to overthrow socialist regimes. On the other hand, it is actively engaged in human rights diplomacy in recognition of the fact that "(h)uman rights issues are becoming the most serious and immediate problem in today's world." In order to systematically deal with the various human rights demands of the Western world and South Korea, North Korea has in 1992 established the "North Korea Human Rights Research Association" in Pyongyang, and through this body it has sought to take human rights offensives abroad, repeating its earlier assertions that there were no human rights problems in North Korea, while at the same time questioning the ulterior motives of the capitalist countries' pressure over human rights in North Korea.

In its effort to mitigate critical world opinion against the human rights violations, North Korea has been actively participating in various international forums and attempting to increase its voice there. For example, North Korea dispatched a five-member delegation to the 53rd UN Human Rights Commission meeting in Geneva. Included in the delegation were Lee Chul, the North Korean Ambassador to Geneva, and Han Seung Il, an instructor to the Foreign Ministry. Also attending as a non-government delegate was Kim Chang Hwan, a civilian representing North Korea's NGO's. The delegates tried to defend and refute various human rights issues in North Korea that have been brought before the meeting, and enunciated North Korea's position on the World War II Japanese "military comfort-women" issue.

As food shortages worsened in North Korea claims regarding the question of how to provide humanitarian assistance became an international issue, and international concern over the human rights situation there has also risen. At a UN Human Rights Commission meeting on April 8, 1997, the European Union (EU), through the "Chair statement" of the Netherlands' representative, raised the issue of the human rights situation in North Korea along with pointing out violations of some 30 states including China and Afghanistan. The EU has

stated that there were a number of concentration camps for political prisoners in North Korea; that tens of thousands of political prisoners have been detained; that they were mobilized in forced labor; that even elementary human rights were not provided them; and that fundamental rights, such as the freedom of travel, communication, assembly, and association, were not guaranteed for such individuals

Meanwhile, the “subcommittee for the prevention of discrimination and the protection of minorities,” or “the Human Rights Subcommittee” of the UN Human Rights Commission, has passed a resolution in August 1997 in which it expressed concern on North Korea’s human rights violations. The resolution called for increased effort on the part of North Korea to improve human rights situations there, and also called for the increased attention of the international community on the issue.

As a result of this resolution, the attention of the international community on the human rights situation in North Korea and the resulting pressure on North Korea to improve the situation will undoubtedly increase. Furthermore, this issue is certain to become an important agenda item both for inter-Korean relations and for the international community. However, North Korea is likely to launch active international offensives to dilute international concern on the human rights situation in North Korea. For example, it will insist that the problem does not exist in North Korea, and that the former Communists released from South Korean prisons should be returned to North Korea. North Korea will also attempt to improve relations with neighboring countries under the pretext of food negotiations and seek to maintain limited cooperative relations with various NGOs involved in humanitarian assistance projects.

## II. Infringement of Civil and Political Rights

### 1. Right to Life

**T**he right to a life with dignity and value is one of the most fundamental rights of humankind. All people possess a unique right to life and no one may, at will, deprive the another of their life. All countries are responsible for protecting this right to life, and all people have the right to have their lives protected. The protection of the right to life is a supranational natural right and international cooperation increasingly seeks to guarantee such protection.

The International Covenant on Civil and Political Rights, better known as “Covenant B”, in Article 6 emphatically stipulates that “(e)very human being has the inherent right to life... No one shall be arbitrarily deprived of his life.” It is further specified that “(i)n countries which have not abolished the death penalty, a sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgment rendered by a competent court.”

The new North Korean penal code of 1987 explains that any anti-national criminals and ordinary criminals who object to the national liberation struggle and infringe upon the national sovereignty and legal order will be legally punished for violently attempting to oppress and curtail the socialist country. Applicable punishments include the death penalty, labor rehabilitation punishment, property seizure, the deprivation of the right to vote, and the deprivation or suspension of certain qualifications.

Before the new penal code was enacted in 1987, the original 1950 North Korean penal code enacted the death penalty for over fifty types

of crimes. Countless political prisoners and prisoners of conscience have been purged and executed throughout North Korean history. In particular, numerous people were purged as anti-party elements or as anti-revolutionaries when political oppression was rampant, following the 1956 "August Faction Incident" and during the establishment of the Kim Il Sung unitary system between 1967 and 1972.

In the book, *Le Livrenoir du Communism (The Dark Veils of Communism)* published in November 1997, Pierre Rigoulot reported that since the inception of the North Korean regime a total of 100,000 persons have died during the purge of the North Korean Workers' Party (KWP) and some 1.5 million have died in concentration camps.

With the enactment of the new 1987 penal Code, the number of crimes punishable by the death penalty was reduced, yet the provisions continue to remain ambiguous and are fraught with ideological overtones.

The new 1987 penal code provides that anti-national crimes consist of such crimes as objecting to national sovereignty, objecting to the struggle for national liberation and the concealment of or failure to report anti-national crimes. Of those provisions in the new penal code that require serious punishment such as the death penalty, ones that contain ideological content are as follows:

1. Those who conspire to overthrow the republic or incite riots, or the leaders of such actions: the death penalty or at least ten years of labor rehabilitation (Article 44).
2. Those who carry out terrorist activities against officials or patriotic people for the purpose of defying the republic: the death penalty or up to five years of labor rehabilitation (Article 45)
3. Those guilty of treason against the fatherland such as those who help the enemy, or those who betray the fatherland and its people by escaping or spying for other countries or the enemy side: the death penalty or at least seven years of labor rehabilitation (Article 47)
4. Those who commit treason against the nation by selling out the interests of the nation or by oppressing the revolutionary struggle for national liberation and independent unification: the death penalty or if the circumstances are not serious ten years of labor rehabilitation (Article 52).

DPRK officials claim that execution only occurs in special circum-

stances, but they refuse to provide information regarding case decisions or the number of executions carried out. North Korea particularly threatens the right to life of its people when it seeks to execute those found guilty of crimes with ideological overtones such as anti-national criminals who seek to conspire to overthrow the nation, or those found guilty of the “crime of betraying the fatherland (Article 47)” or the “crime of betraying the nation (Article 52).” Most political prisoners and prisoners of conscience who are executed are charged with minor ideological and political differences depending on what is interpreted as betraying the fatherland or the nation. In the case of Article 47, which concerns refugees from North Korea, despite claims by North Korean officials that this provision was amended in 1995, Amnesty International reports that they have not received an accurate amended version of the law.

### Public Executions

North Korea defines execution as “(a) merciless iron hammer of the revolution to terminate the tainted destinies of the class enemies and a most formidable legal means of guaranteeing a firm victory for the class struggle.”

Public executions are, during certain periods, carried out quite frequently and those executed include political prisoners, people guilty of heinous crimes and even economic criminals. The special report on North Korea published by Amnesty International in October 1993 discusses regarding public executions as follows:

(T)he death penalty is reported to be widely used in North Korea as a penalty for a variety of crimes, including political offences... Witnesses at public announcements of death sentences, former detainees and visitors to North Korea report that the death penalty is used frequently, and has been increasingly used in recent years against alleged economic offenders. Reports suggest that dozens of prisoners are executed each year. Executions are carried out either by shooting or hanging. In some cases, prisoners sentenced to death are displayed at public meetings attended by workers and students, including school-age children. At these meetings, the alleged crimes of prisoners, and their sentence, are read out by officials. Executions have reportedly been carried out in front of these meetings, although

in some cases it appears that the prisoners were taken away for execution. In places of detention, detainees have reportedly been executed in front of assembled inmates.

Amnesty International issued another special report on public executions in North Korea in January 1997, which stated that over 23 public executions were performed between 1970 and 1992. This report also concludes that because most witnesses testified that they saw more than one public execution the number of revealed executions represents perhaps only a small portion of the actual total number. Lastly, the report finds the chances that these executions continue today to be extremely high because they have occurred in such diverse regions as Wonsan, Chungjin, Hamhung, Shinuiju, Pyungsan, and Pyongyang.

In performing public executions, North Korea uses extremely non-humanitarian methods. Even though a particular crime might not merit the death penalty, persons are often executed publicly to set an example, the person executed that belongs to the "hostile class," or that he or she was killed because of impure political intentions. Executions are performed by firing squad or through hanging, and often in front of a mass gathering, sometimes even in the presence of family members.

According to the testimonies of defecting North Korean residents (hereinafter termed "defectors"), public executions had been suspended for a while following the death of Kim Il Sung in July 1994 but resumed from the end of 1995. Defectors Chung Kap Yul and Chang Hae Sung who entered South Korea in May 1996, and Hong Kyung Hwa who came to South Korea in May 1997, testified that public executions have been reinstated in all cities and provinces in the latter half of 1995 by Kim Jong Il's "personally written instructions," and that public executions of those criminals arrested after the death of Kim Il Sung have been carried out with intensity.

According to these testimonies, as acts of social deviation increased amid economic difficulties and food shortages the scope of public execution was expanded to include minor larcenies (or grand thefts). According to the defector Ju Young Hee who entered South Korea in May 1997, a 17-year-old male was executed in November 1995 at Hwesang district of Hamhung, South Houngyong Province for having stolen 320 Won (of North Korean currency). The defector Kim Won

Hyung who entered South Korea in May 1997, testified that the Kim Kwang Chol brothers were executed for larceny in October 1996 at South Shinuiju, North Pyongan Province and that in early 1997 a person who had stolen and sold copper cables, was publicly executed. The defector Ahn Sun Kook who entered South Korea in May 1997, also testified that towards the end of 1996 total 9 persons at Shinuiju, North Pyongan Province were publicly executed for having stolen telephone cables and power lines.

In efforts to buttress the regime from the worsening crisis, North Korean authorities did not hesitate to execute prominent persons. According to the former KWP Party Secretary, Hwang Jang Yup, a total of seven persons, including movie-makers and actors, were shot to death near the Hyungjesan district of Pyongyang while some 300,000 people watched. They were accused of having produced pornographic movies under the pretext of earning foreign currency.

On November 6, 1997, Japan's Kyoto News Agency reported, citing a North Korean visitor source, that a number of ranking staffers were publicly or secretly executed in September 1997 at Pyongyang and in the Pyongsung region in South Pyongan Province on charges of treason, espionage, and corruption. Among those executed were General Lee Bong Won, who was a commissar at the General Political Bureau of the North Korean People's Army, Agricultural Secretary Suh Kwan Hee of KWP, and Choi Hyun Duk of the "Kim Il Sung Socialist Youth League."

So, it is clear that public executions are frequently carried out in North Korea for political purposes. For example they are used to forestall resistance to the regime or to maximize awe and fear towards the governing authority. Executions take place more frequently whenever there is a need to buttress or consolidate the regime.

Despite such inhumane practices as public executions, the North Korean people still have a low level of awareness concerning human rights. According to Chung Jae Kwang, who defected in April 1996, public executions are carried out quite frequently, and because the executed criminals tend to be those guilty of heinous crimes such as murder or large-scale economic crimes, many North Koreans believe that their sentences are a natural consequence of their wrongs. Based on this type of testimony, one can deduce that the authorities carry out these executions as a means to strengthen the solidarity of the system and to internalize a sense of fear.

Public executions and secret executions are carried out at political concentrations camps and “rehabilitation centers” on an even broader scale. Ahn Myung Chul, a former concentration camp security guard who defected in October 1994, testified that executions based on summary trials are carried out on a routine basis at these camps and at times security personnel arbitrarily execute people in secret.

Those subject to public executions are usually people who are arrested after attempted escapes. Choi Dong Chul, a former security officer at a concentration camp between May 1983 and June 1986 before he defected in December 1994, stated that at Management Center No. 11 at Kyung-sung, North Hamkyung Province, an entire family, including a grandmother, her son and grandchildren, were publicly executed after being caught following a three-day escape attempt. All the political prisoners at the camp were gathered and guarded by security officials armed with machine guns where they witnessed the hanging of the two adults and the execution by firing squad of the three children. Immediately after the execution, the political prisoners were forced to throw stones at the corpses to create a horrible sense of fear regarding attempted escape.

Ahn Myung Chul explained that even the security personnel at the Seventh Bureau fear the Third Section (Preliminary Investigation Section) of the State Security Agency (SSA), which is responsible for the arrest and investigation of political prisoners, especially because of the manner in which they arbitrarily carry out executions. This fear is derived from such reports that the Agency extracts the oil from human bodies to make cosmetic products and makes whips from human tendons. Ahn explains that, for their personal fame or career advancement, some security personnel deliberately execute innocent political prisoners and frame it to appear as if they caught them attempting to escape. In return for maintaining secrecy and to increase morale, security personnel who finish their terms are guaranteed entry into the KWP and into college.

Public executions at “rehabilitation centers” also remain a serious problem. Lee Soon Ok, who defected in December 1995, testified that between December 1987 and December 1992 she witnessed nine public executions (seven males and two females) while she was imprisoned at the Kaechun Rehabilitation Center, South Pyongan Province. These executions were carried out within the centers factory grounds in the presence of the deputy head of the prison and all the

inmates. In 1990 Suh Yong Soon, a 23-year-old former cook for some “Pyongyang Commandos” (construction workers), was executed. She was initially sentenced to a three-year term for being responsible for a lack of food because she had been dishing out more than the required rations. Yet, after a new trial her sentence was increased to twenty years. She was executed after it was discovered that she had tried to hide damaged products made at her factory.

### Illegal Confinement and Torture

The right to personal liberty consists of those freedoms of personal security and autonomy that cannot be limited or abridged without due process of law. Together with the freedom of mental activity, personal liberty is one of the most basic human needs. If personal liberties cannot be guaranteed, the pursuit of other freedoms and rights undoubtedly cannot occur, and the dignity of people will be violated.

These types of personal liberties include freedom from illegal arrest or detention, the freedom from illegal searches or seizures, the freedom from illegal interrogations, the freedom from illegal punishment and prohibition against illegal forced labor. Therefore, all people have the right to a non-discriminatory, fair trial and the right to not be subjected to such inhumane sanctions as illegal confinement, torture or inhuman punishment.

Article 5 of the Universal Declaration of Human Rights, provides that “(n)o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Article 7 of the International Covenant on Civil and Political Rights also stipulates that “(n)o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Furthermore, it is stipulated in Article 9 that “(n)o one shall be subjected to arbitrary arrest or detention.” And, in Article 10 it is provided that “(a)ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.”

Based on Article 5 of the Universal Declaration of Human Rights, the UN adopted the “Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment” at the General Assembly held on 10 December 1984. In 1993 the Vienna Declaration argued that the principle against torture must be respected in all circumstances, with particular attention to wartime, and further demanded that all UN

member countries must endorse this declaration.

North Korea has been carrying out inhumane actions such as confining suspects without any regard to fair procedures and sometimes torturing them. In particular, to demonstrate the seriousness of the offense, those who disobey the directives or the teachings of Kim Il Sung and Kim Jong Il or policies of the party are deprived of even the most fundamental human rights given normal suspects. According to the defectors who entered South Korea during 1997, these sorts of human rights violations continued in North Korea.

The punishment of political prisoners and their families is particularly cruel when compared to that for other crimes. These prisoners are assigned to such facilities as the "Special Dictatorship Target Areas" (concentration camps) without trial by law or any clear pronouncement regarding the length of sentences. All fundamental rights are deprived upon entry into the facility. Visitation by family and all mail correspondence is prohibited. These inmates must endure forced labor at mines or logging operations located within the concentration camps. Most prisoners are sentenced to life imprisonment, and releases are limited to a very small number.

### Unfair Trial Procedures

In North Korea, it is routine for political prisoners and some economic prisoners to be imprisoned without due process or fair trial. Kim Il Sung clearly declared the class nature of the law when he stated that "(o)ur law is a socialist law and it is the law of our national sovereignty that fulfills the dictatorship of the proletariat." By strongly sanctioning all factors that interfere with the development of the socialist system, North Korea provides that the law, especially criminal law, is a "(p)enetrating weapon of the proletarian dictatorship" that exists to protect the rights and interests of the masses.

According to a book *On Criminal Law* (1986) written by Kim Kun Shik, a scholar in North Korea specializing in criminal law, the penal code is "(a) totality of legal norm that aims to suppress anti-revolutionaries and general criminals." The order of wording in his definition obviously suggests that the first goal of the law is to prevent political crime. Section 2 of the penal code says the state "(s)hould strongly uphold the principle of the working class and place weight on social education while combining it with legal sanction in the struggle against

crime.” Here is the fundamental spirit and principle underlying North Korean criminal law.

Anyone who denies the socialist institution is brutally suppressed, and the heaviest punishment is imposed on those who injure the authority or prestige of the two Kims. Moreover, the North Korean authorities argue that because the interpretation and application of penal law is inseparable from politics, judges should “understand the principles of class struggle” and receive party guidance in order to administer proper sentencing. In other words, they are expected to rule more harshly against people outside the core class. After all, North Korean penal law is a tool of the proletarian dictatorship and a means to support the two Kims and the policy of the KWP.

North Korean criminal legislation has been widely assessed as a most undemocratic penal code that has nothing to do with the very root of the liberal democratic states, rule by law. First, it permits arbitrary interpretation. Not only does Section 9 read in an abstract way that: “(C)rime is any action deemed dangerous that violates state sovereignty and the legal order, purposefully or by negligence,” but Section 10 states, “(I)f a crime is not defined in the penal code, it shall be punished in accordance with similar crimes and in accordance to the degree of danger.”

Second, not only is there no statute of limitations, but the law is even applied unrestrictedly. Section 42 renders a transgressor liable to prosecution until his very death: “(R)egarding anti-state crimes and deliberate murder, penal responsibility is applied without respect to any given period.”

Third, those convicted who plead not guilty and criminals that attempt crimes are punished the same as those who plead guilty (Section 15). Abettors are also applied the same degree of punishment as perpetrators (Section 18).

Fourth, those who denounce or oppose the two Kims are prosecuted based on Sections 44 to 55, and Section 105 of the legislation. They are treated as anti-state criminals and sentenced to death or subjected to the confiscation of all their property.

Fifth, failure to report or failure to interfere with a felony (Sections 54 and 55) are criminal offenses, and crimes against the state are prosecuted according to this standard. This is nothing other than guilt by association, an antiquated and inhumane form of criminal law.

The DPRK constitutional law guarantees by power of the state the

right to possession of material things, which actually means only personal goods, but it provides no device to redress violations committed by the state against the individual. Even though rights such as equality, participation, and freedom of the press, expression, association and assembly are listed in the constitution, based on the principle of collectivism they cannot be exercised against the state.

North Korea provides for the right of petition and *shinso* found in Article 69 of the constitution and Article 172 of the penal code, and the right to legal representation seen in Article 169 and 174 of the Criminal Procedure Code. Petition is formal complaint through the courts for the improvement of state or social organizations. *Shinso* is an appeal, outside the court system, about unsatisfactory administrative affairs of the state or social organizations.

The reality is, however, that a submitted *shinso* is passed to the SSA and Ministry of Public Security (MPS) for handwriting analysis in order to determine who complained. Anyone appealing state policy guidelines is punished in accordance with Sections 103 and 105 of the penal code. Section 103 says, "(T)hose unwilling to follow state orders or who disrupt the social order are subject to up to five years of corrective labor." This disallows any group protest and discourages petition. Section 105 prescribes up to one year of corrective labor for those who proliferate rumors, and thus this law is used to prosecute acts of petition and *shinso*. According to testimony from North Korean defector Kim Woon Hak, his friend Kim Duk Chul submitted an anonymous *shinso* at the end of February 1988 declaring that DPRK economic policy was incorrect: a policy of privatization would be needed for economic development. His handwriting was analyzed and he was arrested; he was soon reported missing and his family was sent to prison camp.

The right to appoint an attorney and to receive representation is extremely important because it is the only way an individual's rights can be protected against a challenge from the state. The importance of legal representation in human rights cases depends on the independence of legal activities from the state. It is critical in criminal procedure law that for a fair trial to occur an individual must be permitted to appoint a conscientious and able attorney, who is independent from the state, to represent them in a court of law.

The North Korean attorney system also serves the proletariat dictatorship. Although the system in principle does not differ much from

that of Western countries, there are great gaps in actual practice. By the very fact that lawyers are employed by the state, their scope of action is quite restricted. Rather than rendering functions such as providing legal counsel, they actually play the role of a political educator to facilitate the penetration of party and regime policy into the population. Article 11 of the Legal Representation Law provides that an attorney's responsibility is to "(e)xplain the national laws and regulations to the people, and to help the people obey these laws and regulations." This indicates that the duties of an attorney in North Korea are to make sure that the policies of the party and government are injected into and carried out by the people. Lawyers usually serve to help persuade defendants to confess their crimes.

The DPRK revised its criminal procedure code on 15 January 1992 and declared the protection of human rights (Section 4). Criminal cases are now to be managed based upon concrete evidence in the process of criminal proceedings. The DPRK has thus adopted an investigation approach based on legal procedure and is administering justice grounded on evidence (Sections 35 and 36). In Section 11 there is an emphasis upon deliberation in arrests and legal disposition. These changes show that there should be some improvement in human rights, but elements still exist in the revised procedure code that allow for human rights violations.

North Korea has also adopted a people's review system which appears to resemble a jury system but in practice is not objectively used in trial decisions. Instead it is used to confirm unilaterally the crimes of a suspect. The true nature of the people's review system can be found in Article 230 of the Criminal Procedure Code which provides that "when laborers and farmers participate in the review of a trial they must first expose and denounce the suspects wrongful actions."

Political criminals accused of having committed anti-revolutionary crimes against the state are to receive preliminary investigation by the SSA (Section 74), even though it will be the provincial and city courts that will end up trying them (Section 181). Spies, anti-party and anti-system criminals arrested by other institutions are transferred to this agency. Its exclusive right to investigate and punish political crimes is a major reason for frequent human rights violations.

In the DPRK government power configuration, the central court can be seen as an affiliate of the Supreme People's Assembly, the president, the Central People's Committee and the Administration Council. This

in itself reveals that independence of the courts cannot be guaranteed.

Hwang Jang Yup testified that the “Socialist Law-abiding Life Guidance Committees”(SLLGC) which have been installed at every level of the society, are in charge of criminal dispositions. In the case of the county, the “County SLLGC” carry out these duties, and the committees consist of 1) a chief party secretary of the county, 2) a chairman of administrative-economics of the county, 3) a commander of SSA of the county, 4) a commander of MPS of the county, 5) a chief of a public procurators’ office of the county, a county chairman of administrative-economics committee, a county commander of SSA, a county commander of MPS, and a county prosecutor. Nominally, the duties of the “SLLGC” are to educate on crime prevention and on how to observe socialist laws. However, in reality the committees routinely exercised controls over the inhabitants and Party-government cadres. This was particularly true as acts of social deviation steadily increased under deepening economic difficulties.

### Human Rights Violations at Rehabilitation Centers

The prison facilities in North Korea are a two-tiered system that differentiates and manages crimes according to whether they are political or economic offenses. In the 1970s, Kim Il Sung attempted to separate the responsibilities of what was to become the SSA (it was then located within MPS and called the Political Security Department) from the MPS because of internal tensions between the two offices. Based on this separation, Kim Il Sung decided that the SSA would handle political prisoners and the MPS would oversee all other crimes.

First, *economic criminals and criminals guilty of violent crimes* would be separated from political prisoners and held in “rehabilitation centers” much like common prisons. Rehabilitation centers are managed by the Rehabilitation Bureau of the MPS and divided into rehabilitation facilities, and labor rehabilitation facilities (labor training camps).

In contrast, political criminals are held in “management centers” supervised by the SSA, the Seventh Bureau. These management centers are concentration camps that are often called “restricted areas” or Special Dictatorship Target Areas.

Rehabilitation centers are like correctional institution prisons and, among the facilities that the MPS manages, hold persons found guilty

Table 2-1-1. Confinement Facilities in North Korea

	Economic criminals and criminals found guilty of violent crimes	Political criminals
Supervising institution	Ministry of Public Security	State Security Agency
Confinement facilities	Rehabilitation Centers, Labor Training Camps	Concentration Camps

of the most serious crimes. People who have been sentenced by a court to death or penal servitude are held in these facilities, and each North Korean province contains one or more of these facilities.

Rehabilitation centers run by the MPS are Numbers 11, 13, 17, 18 and some others, however the Number 11 facility appears to have been closed. According to recent testimony from a defector, these facilities are where persons who had held high positions are incarcerated.

According to the defector Ahn Sun Kuk who entered South Korea in May 1997, North Korean authorities are consolidating corrections facilities for reasons of food shortage and increases in death ratios. For example, the Chunnae Rehabilitation Center at Chunnae, Kangwon Province was merged into the Third Corrections Facility at Shinuiju, North Pyongan Province.

Those criminals whose crimes are lighter for accommodation at these corrections facilities are sent off to the "Labor Training Camps" for one-to-six months forced labor. The defector Ahn further testified that since August 1995 labor rehabilitation camps disappeared and instead new "labor training camps" (North Koreans call them the "labor ganglands") appeared under the jurisdiction of the MPS.

Labor training camps can usually hold between 500 and 2,500 inmates, and each province has two or three of them, with a total number in the entire country of between twelve to sixteen. Those at the labor training camps do not lose their civic rights. The facilities usually hold thieves and those who disassociate themselves from group life.

The former "re-education centers" hold people who have not committed crimes but need education such as those who "do not obediently follow instructions." These persons receive education and engage in

unpaid labor at such places as farms and construction sites. They are usually held for one to six months. Most cities and counties have re-education centers and each facility usually has a capacity for one to two hundred persons. Because these facilities hold many delinquent students or juveniles, they are sometimes referred to as "juvenile education centers."

In addition, the DPRK established "juvenile relief centers" to guide youths. These centers were overseen by such organizations as the SLLGC. There are also "detention centers" to hold short-term petty criminals such as travel area violators, persons who exceed authorized travel periods, vagabonds, and those with pending cases.

North Korea also disclosed to Amnesty International officials visiting the country for the International Festival in April 1995 that it has three rehabilitation facilities, including the Sariwon Rehabilitation Center, which holds between 800 to 1,000 persons. In addition, Pyongyang said that 240 anti-national criminals are held in the Hyungsan Rehabilitation Center.

The Hyungsan Rehabilitation Center that North Korean officials mentioned to Amnesty International officials is presumed to be the Headquarters of the Prosecutors Section and Trial Bureau of the MPS, located in the Kumkang Mountains across from the North Korean Film Studio. Most believe that it is probably not a rehabilitation facility. The *Prosecutors Section and Trial Bureau of the MPS are responsible for conducting preliminary criminal reviews.*

An account of the average day of a person held in a rehabilitation center and the various human rights violations that occur can be obtained from the testimony of Lee Soon Ok, who was held in the Kaechun Rehabilitation Center.

Originally a female rehabilitation center under the SSA, located in South Sinuiju, the Kaechun Rehabilitation Center became a management facility under the MPS when it moved to Kaechun in March 1982. The Kaechun Rehabilitation Center has one of the largest capacities in North Korea, built to house over 600 persons (approximately 20 persons per prison cell). Yet, this facility holds approximately 6,000 prisoners, 2,000 of whom are female inmates. A single cell (eight by six meters) usually holds eighty persons. Most are economic criminals guilty of such offenses as dealing in the blackmarket or theft. Some are burglars or murderers. Eighty percent of the female inmates are former housewives. Husbands may receive automatic divorce deci-

sions if their wives are imprisoned.

The Kaechun Rehabilitation Center contains twenty-two factories for male inmates and eleven for females. Each factory consists of a rehabilitation section of around 300 persons which is further divided into groups of 40–50 and subgroups of 4–7. The factories for women include shoe factories, military shoe factories, textile factories, daily necessity factories, export factories, and sewing factories, and they usually produce textiles, shoes, bags, belts, and gun cases for MPS personnel, military dog collars and muzzles for their dogs, and exportable items such as knitwear, artificial flowers, undergarments and ashtrays. The MPS manages all rehabilitation facilities in the country and therefore gains a sizeable income from the labor of these prisoners.

In addition, such forced labor as the raising of livestock, farming or tailoring is carried out at the Jungsan Rehabilitation Center and, in fact, a considerable amount of military supplies such as military uniforms are made through inmate labor from facilities such as these. Juveniles and women are usually held in the centers. There is said to be an even ratio of males and females. The Wonsan Rehabilitation Facility is large and the basic necessities produced here play an important role in the light industry of North Korea. Under the auspices of the Wonsan Rehabilitation Center there are various regional rehabilitation facilities.

Most inmates produce a single product at the same factory until they leave the facility. Although DPRK labor law provides that general labor should be eight hours per day and prison labor should be ten hours per day, inmates here normally get up at 5 A.M. and work seventeen hours until 12:30 A.M. the next morning. Total rest time during those hours, including meal time, is only about an hour. Twice a year usually for ten days each in the spring and in the fall healthy people may be sent to work in areas outside the rehabilitation facility for planting and harvesting.

Meals consist of 300 grams of corn and cabbage soup per day even though the regulations provide for 700 grams, and the penalty for underproduction is reduction to 240 grams. For underproduction three consecutive times, only 180 grams, and for those in solitary confinement or preliminary review confinement, 90 grams is issued.

However, since normal operations of rehabilitation centers became impossible under the deteriorating food situation, North Korean authorities decided to consolidate the facilities, and to impose forced

labor at labor training camps even on those whose crimes were relatively light.

Inmates in the rehabilitation facility who do not obey prison regulations called "Living Guidelines," who do not reach required production levels three consecutive times, or who damage manufacturing equipment or produce defective products can be sentenced to solitary confinement in "preliminary review rooms" so tiny that it is impossible either to stand or lie down (1 meter x 60 cm x 60 cm). Also, they receive a ration of 90 grams of leftover rice. People who are found not to follow the socialist rehabilitation policies are subject to corporal punishment (beating or torture), and in extreme situations they are executed.

## 2. Right to Equality

It is an evident truth that because all people equally have sanctity and value they should all receive equal treatment. The principle of equality requires that all people be treated equally and it is based on such tenets as the prohibition of discrimination and the principle of equal opportunity.

Article 6 of the Universal Declaration of Human Rights provides that people, regardless of who they are, have the right to be recognized as human beings and Article 7 of this Declaration further provides that all people are equal before the law and have the right to be protected by the law without any type of discrimination.

The right to equality under the law is an indivisible civil right that provides that one will not be discriminated against by the state, and allows one to demand equal treatment from the state. The right of equality under the law is not a right granted by public law; rather it is a natural right that humankind has long enjoyed. Therefore, the right to equality is not a part of various natural rights but is a means and method to fulfill fundamental rights and as such this characteristic is seen with regard to all fundamental rights.

In the economic sector this means that there must not be any discrimination in hiring, pay, working conditions or taxation. In the social sphere, it means that in social participation or in the activities or the pursuit of ones development there must not exist any discrimination based on ones family background, gender, or for any other reason. In the cultural sphere, it means that everyone must be guaranteed all their

freedoms and rights to enjoy equally all social facilities such as the right to participate in cultural activities and the right to equal education.

### Social discrimination based on family background

Article 65 of the DPRK constitution stipulates, “(C)itizens in all walks of life shall have equal rights.” It is asserted that “equal” here means equality in realizing the rights provided by the constitution, but Pyongyang strictly classifies everyone by family background (or class origin) and by the degree of loyalty to the regime. For example, on numerous occasions since liberation from the Japanese in 1945, North Korea has conducted loyalty surveys.

Having completed socialist institutional reforms by August 1958, the DPRK began in December of the same year to classify everyone by family background with a view to converting everyone into workers and to facilitate socialist construction. It was part of a socialist class policy designed to control the people more effectively by surmising everyone’s political inclinations based on family class background and social activities, then categorizing them by their degree of loyalty.

The loyalty surveys were conducted in phases. They included an intensive guidance program by the central party staged from December 1958 through December 1960; a residents re-registration program between April 1966 and March 1967; a project from April 1967 through June 1970 to classify the people into three classes and 51 sub-classes; a program toward naturalized foreigners and defectors from the South in January through October 1980; and a program toward repatriates from Japan in January through April 1981. In the 1980 project toward naturalized foreigners and defectors conducted at Kim Jong Il’s instructions, thirteen sub-classes were added to the list.

Former KWP Secretary Hwang Jang Yup who came to South Korea in April 1997, has testified that after the Korean War the North Korean authorities organized special “residents registration groups” and conducted background checks eight times on all residents. These checks covered family backgrounds, the history of relatives, wartime experiences, etc.

Through this classification system the authorities ferret out political forces rallied against the North Korean system, suppressing their anti-party and anti-revolutionary activities before they act and thus further tighten their grip of surveillance. Those classified as reaction-

Table 2-2-1. Family Background Investigation Projects

Project	Period	Description
Intensive guidance by the Central Party	Dec. 58 – Dec. 60	Exposing, punishing and forcing relocation of impure elements to remote mountain villages
Re-registration of the people	Apr. 66 – Mar. 67	Classification based on family background to arm a million-man Red Army (investigate 3 direct generations and all relatives of the wife and mother that are removed up to the 6th degree)
Division into 3 classes and 51 sub-classes	Apr. 67 – Jun. 70	Based on the re-registration project all people are divided into Core Class, Wavering Class and Hostile Class, and then further divided into 51 sub-classes
Understanding People Project	Feb. 72 – 74	Investigate and determine the inclinations of people based on discussions concerning North-South relations and then classify people based on those whom everyone can believe, those whose beliefs are somewhat dubious, and those believed to be renegades
Civic Pass Inspection Project	Jan. 80 – Dec. 80	To expose impure elements and increase control, inspect and renew citizen's certificates according to Kim Jong Il's orders
Project concerning naturalized foreigners and defectors from South Korea	Apr. 80 – Oct. 80	Divide those outside people who entered North Korea such as those who defected to North Korea into 13 categories and update monitoring data
Project concerning those compatriots who were repatriated to North Korea	Jan. 81 – Apr. 81	Segment the data on former Korean residents in Japan who were repatriated to North Korea and reduce material monitoring of recent scientific activities
Citizenship identification card Renewal Project	Nov. 83 – Mar. 84	Renewal of citizen's certificates and revision of documents for all residents

Source: Ministry of Unification, *An Overview of North Korea* (Seoul, 1995), Ministry of Unification Press, 1995, p. 275.

ary based on family background are discriminated against in every area of life ranging from food rationing to the distribution of dwellings, social mobility and the execution of legal provisions.

The entire North Korean population is classified into core, wavering and hostile classes. The core class, comprising about thirty percent of the population, is the ruling class that spearheads the North Korean system. Included in it are the family members and relatives of Kim Il Sung and Kim Jong Il, high level cadres estimated to number about 200,000 or one percent of the population, and mid-level cadres who account for about 28%. The mid-level cadres comprise mostly anti-Japan partisan fighters and their families, and the families of those killed in battle or otherwise during the Korean War.

For the education of core class children, North Korea runs various special schools including the Man-kyong-dae and Kang Ban Sok Institutes for the bereaved children of revolutionary martyrs. High cadres live in luxurious residences, send their children to special schools and possess up-to-date home appliances. They have personal telephones, are allowed to subscribe to foreign publications, and have radios capable of picking up foreign broadcasts. Most of them live in Pyongyang and other major cities, enjoying privileges such as recruitment for the party, administration and military positions. In effect they form a feudal hereditary class entitled to favors in all areas such as education, promotions, rations, dwellings and medical services.

The wavering class is the basic stratum of North Korea, comprising those ordinary workers, technicians, farmers, office workers, teachers and their families who do not belong to the core class and who are not party members. They represent about 45% of the population. They lead lives with extremely limited income and food rations. Most of them live in small cities and in rural areas. Health service for them is insufficient. They can travel to Pyongyang only with special permits. Yet, there have been some instances in which these people have been elevated to the nucleus class.

The hostile class consists of "national enemies," those branded as impure elements and reactionaries. They are alienated from the rest of society and their human rights are often trampled. The hostile class accounts for about 27% of the population. They are families of previous landowners and capitalists, public officials under the Japanese rule, religiously active persons and those who collaborated with the advancing South Korean forces during the Korean War. They are denied the

Table 2-2-2. The 3 Classes and 51 Sub-classes

Core Class	People from the families of laborers, hired peasants (farm servants), poor farmers, and administrative clerical workers during the Yi Dynasty and Japanese occupation, Korean Workers' Party cadre members; bereaved families of revolutionary (killed in anti-Japan struggles); bereaved families of patriots (killed as noncombatants during the Korean War); revolutionary intellectuals (trained by North Korea after liberation from Japan); families of those killed during the Korean Wars; families of the fallen during the Korean War; Servicemen's families (families of active People's Army officers and men); and families of honoured wounded soldiers (family members of service members wounded during the Korean War).
Wavering Class	People from the families of small merchants, artisans, small factory owners, small service traders; medium service traders; unaffiliated persons hailing from South Korea; families of those who went to the South (1st Category); families of those who went to the South (2nd Category); People who used to be medium-scale farmers; national capitalists; families of those who went to the South (3rd Category); those who repatriated from China; intellectuals trained before national liberation; the lazy and corrupt; tavern hostesses; practitioners of superstition; family members of Confucianists; people who were previously locally influential figures; and economic offenders.
Hostile Class	People from the families of wealthy farmers, merchants, industrialists, landowners, or those whose private assets have been completely confiscated; pro-Japan and pro-US people; reactionary bureaucrats; defectors from the South; members of the Chondoist Chongu Party; Buddhists; Catholics; expelled party members; expelled public officials; those who helped South Korea during the Korean War; family members of anyone arrested or imprisoned; spies; anti-party and counter-revolutionary sectarians; families of people who were executed; anyone released from prison; and political prisoners; Members of the Democratic Party, capitalists whose private assets have been completely confiscated.

Source: Ministry of Unification, *An Overview of North Korea*, 1995, p. 276.

right to receive a college education, join the party or to be an officer in the military.

The loyalty classification policy unfavorably affects the wavering class, checking their advancement to leading positions in society. Those hardest struck by the policy, however, are the hostile class. It includes those sacrificed in power struggles and alienated elites and bureaucrats such as those expelled from the party, dismissed cadres, the family members of those arrested or imprisoned, people released

Table 2-2-3. Categories of the Hostile Class

Dictatorial Target	People charged with trying to overthrow the existing system. To keep them away from the ordinary people, North Korea keeps them isolated in "safe areas" such as mountain zones and coal mines and adjoining areas.
Isolation Target	People regarded as considerably dangerous, who are prone to side with South Korea in the event of an emergency. They are exposed to the general public for collective surveillance.
Absorption and Indoctrination Target	The type whose social deviation is relatively minor and who are considered likely to return to the system if they are given intense ideological indoctrination.

from concentration camps, economic offenders, and anti-party and counter-revolutionary sectarians.

Those classified as part of the hostile class will receive discriminatory treatment in all phases of social life including hiring, education, housing, medical benefits, and criminal punishment. In general the hostile class does laborious and hazardous manual work. For societal management, they are classified into "dictatorial targets," "isolation targets" and "absorption and indoctrination targets." Dictatorial targets are held in separate areas, isolation targets live in society but are kept under close round-the-clock surveillance. Recruitment and indoctrination targets are intensively indoctrinated for possible absorption into the system.

However, according to defector Lee Soon Ok, a former cell secretary who previously participated in the reviews, the secretaries of primary party committee, secretaries of branch party committee and cell secretaries review everyone's family background on a quarterly basis and during each of these evaluation periods one's standing can change.

In general, she says, party members, laborers, office workers, families of soldiers who died in battle, or wounded veterans and others will be categorized as "core masses" or "wavering masses" depending on the relevant standards. Moreover, she said that revolutionary intellectuals can belong to the wavering masses or "hostile masses" (see Table 2-2-4).

One way of determining the degree to which people are controlled

through discriminatory policies based on family background is through examining the forced relocation of families. North Korea has been classifying a massive group of separated families, which comprise 25–30% of the entire population, as “traitors who defected to South Korea” and is treating them as part of the hostile masses. These people continue to have their fundamental rights deprived and they receive various disadvantages because of the behavior of their ancestors or events which occurred during the Japanese occupation or during the Korean War. The defector Chung Jae Kwang who came to South Korea in April 1996, testified that the family of his classmate Kim Yong Kak, who at the time was a senior in high school, was banished to Jagang

Table 2-2-4. Categorization Division Based on Family Background

Special classes	Families of revolutionary martyrs and patriotic martyrs
Core Masses	Korean Workers' Party members, families of soldiers who died or were wounded in battle (if the death in battle has been confirmed), honorable families, families of soldiers, hired peasants, poor farmers, office workers, laborers
Basic Masses	Korean Workers' Party members, families of soldiers who died or were wounded in battle, office workers, honorable families, office workers, laborers, former South Koreans (those who enlisted with the DPRK Volunteer Army during the Korean War), new intellectuals
Wavering Masses	Former South Koreans (those who entered North Korea voluntarily or as refugees), those repatriated prisoners of war, those with family that defected to South Korea, former small and medium merchants or those engaged in manual industry, those repatriated from China, families of former hostesses or practioners of superstition, those who studied overseas, former provincial gentry, economic criminals, old intellectuals
Those to be Monitored (Hostile Masses)	Families of former landowners or small or medium businessmen, families of those who behaved pro-American or pro-Japanese, families of those who previously worked at enemy institutions, families of former religious people, ex-convicts, ex-party members, those who have been purged, families of those who were arrested or imprisoned

\*Compiled based on testimony from the defector Lee Soon Ok

Province, Yongrim County, because it was discovered that his father had been a South Korean law enforcement official during the Korean War.

Those from the hostile class are monitored and controlled even more strictly once they leave detention facilities or rehabilitation facilities. Suh Byung Rim, who defected in May 1996, said that once he left the Yoduk Concentration Camp he was constantly followed by an information officer from the State Security Agency who would regularly report on his activities. He also added that most people keep a distance from or discriminate against former political prisoners from concentration camps and that the North Korean authorities give these people relatively smaller food rations for the same amount of labor.

This classification system is difficult to assess precisely because many sub-classes have been deleted, or added, or shifted from one class to another. North Korean authorities do not admit that it exists. However, instructions to relax the loyalty classification policy were given by Kim Jong Il in the mid-1980s. On the surface North Korea has recently changed its policies based on family background, and it is pursuing a new family background investigation project as part of Kim Jong Il's "Magnanimous Politics" which is supposed to encompass even the "wavering masses."

Many people are deprived of their political and social rights due to the background check policies. The defector Ju Young Hee and Suh Chang Eun who came to South Korea in May and August 1997, respectively, testified that between 50 and 60% of ordinary people regarded their personal background to be bad.

The film, "Guarantee," produced in North Korea and screened there in 1987, clearly shows that this policy had been in force. The movie was produced with a view to publicizing Kim Jong Il's order to ease the classification system, and accents the need to rectify the discriminatory classification policy. The film vividly describes a worker suffering great social and psychological pain as he undergoes various disadvantages because he has family in the South.

### Oppression of the disabled

The protection of the rights of disabled people has not been made manifest through an international convention. The 1993 World NGO Forum strongly proposed that UN member states pursue an interna-

tional convention to realize the "equal opportunity of disabled people," and the 1993 UN Vienna Declaration also demanded that physically and mentally disabled people be guaranteed their right to equal opportunity.

The world has over 500 million disabled people, and due to such events as the Korean War, North Korea is known to have a considerable number. It has been made clear that the disabled may not live in Pyongyang. Physically and mentally disabled persons and the deaf and their families are deported from Pyongyang and other major cities such as Nampo, Kaesung and Chongjin, where foreigners frequent, for resettlement in exclusive areas. They have been shipped to remote mountains or isolated areas. Foreigners invariably testify that they saw no handicapped people during their visits to Pyongyang. Recent defectors say that such people are dispatched according to the degree of their disability.

Yet testimony indicates that depending on their physical characteristics these disabled people receive severely discriminatory treatment. According to Hwang Jang Yup's testimony, Kim Il Sung had instructed in the 1960s that "since midget persons should not be allowed to reproduce, bring them together and put them in one place." Subsequently, a "concentration camp for midget persons" was established at Jungpyong County, South Hamkyung Province.

Yoon Sung Chul, who defected in March 1996, testified that genetically handicapped people may be allowed to live in general living areas, excluding of course special areas such as Pyongyang where foreigners visit, and then only if they are sterilized and receive party permission. Oh Su Ryong who defected in March 1995 testified that Kim Ki Hwa, a dwarf, was banished to a remote mountain region in North Hamkyung Province but returned after he had been castrated. According to the defector Chung Jae Kwang, an unnamed security guard in the Moranbong region, poisoned to death his 16-year-old paralyzed son to avoid being banished from Pyongyang. This is why foreign visitors never see disabled people in large cities such as Pyongyang.

## Gender Discrimination

Article 3 of the Universal Declaration of Human Rights provides that signatories to the Declaration promise to guarantee, with regard

to all the civic and political rights provided in the Declaration, that men and women will have equal rights, and emphasizes the importance of gender equality. At the 18 December 1979 UN General Assembly, the Convention on the Elimination of All Forms of Discrimination against Women was adopted.

North Korea argues that because it has been pursuing all policies based on socialistic equality of man and woman there does not exist any discrimination against women. But the truth is that the concept of equality is quite alien to the lives of the North Korean women, primarily due to paternalistic customs and the social structures that demand subservient roles for women. Women in North Korea have been mobilized for the task of legitimizing the Sole Leadership of Kim Il Sung-Kim Jong Il and the succession issue. Furthermore without ever being allowed to question their own status they were forced to participate in the socialist revolution and nation-building, to obey the orders of the Party and the State, and to practice paternalistic ethics.

Emphasizing the socialistic equality between man and woman, North Korea has, since 1945, been taking legal and institutional measures to identify women as working class and to socialize domestic workloads. In the early days of its inception, North Korea promulgated such laws as "the Statute on the Equality of Man and Woman," ostensibly to liberalize women. Additional measures have been taken to establish nurseries and kindergartens, to socialize domestic workloads and the rearing of children, and to organize the "Korean Democratic Women's Union" for women's political participation.

However, the socialistic reforms of domestic workloads and the policies for women's social participation were pursued as part of the class theory rather than for women's liberation and thus secured an additional workforce for economic growth. As a result, the social perception of women, formed under the feudalistic paternal tradition, has not changed significantly. Furthermore, in the 1970s North Korea introduced the theory of the "socio-political organism" and the concept of "extended socialist family" to further strengthen the Sole Leadership of Kim Il Sung-Kim Jong Il and the hereditary succession, and emphasized loyalty to a paternalistic state. From this point forward, a significant gap began to appear between the nominal liberation of women in policy and reality in their daily lives.

In the field of politics, the ratio of women's participation in the Supreme People's Assembly is higher than that of other advanced

countries. But, because the deputies to the Supreme People's Assembly are symbolic representatives, and in reality do not perform supervisory or critical roles in state affairs, the political influence of North Korean women is not as high as the share of their Assembly seats would suggest. Only five women have been appointed to cabinet-level posts with political power and administrative responsibilities. The average ratio of women's participation in the Central Committee of KWP, which wields real power in North Korea, is less than 4.5%.

The most representative women's organization in North Korea is the "Korean Democratic Women's Union." This, however, is not a voluntary organization geared towards helping solve women's issues, but an organization responsible for women's ideology education and mobilization of women for the Party and the State. This "Women's Union" has been active from the early days of the North Korean regime in mobilizing women for socialist nation-building, and in strengthening the *juche* ideology and hereditary succession. But, as a social organization, it has almost never been allowed to exercise political influence for the protection of women's rights, the elimination of discrimination, or the solution of social irregularities.

In the economic field, however, women's participation was encouraged in order to fill in for the woeful shortage of labor throughout the process of socialist nation-building and postwar reconstruction. As "proud workers pulling the cartwheels of revolution" most women between the ages of 16-55 have been arbitrarily assigned by the Party and government organizations to specific posts in accordance with the workforce supply plans of the State Planning Commission. Once assigned to a worksite, they were then forced to perform the same kind of work as men on the basis of equality of man and woman regardless of hard labor or hazardous work. Exactly like their male counterparts, women had to carry out heavy-duty work in the heavy industries: as rockdrillers, machinists, carriers, drivers, and metal casters at coal mines, steel mills, railroad yards, construction sites, and the like.

As postwar rehabilitation and collective farm projects progressed and as numerous administrative measures were taken to expand the participation of women in a variety of economic activities, discrimination against women began to emerge in the form of differentiated pay scales and inequality in types of work. Under the guidelines that men would be assigned to important, complicated, and hard jobs, while women would be assigned to relatively less important and less paying

jobs, the criteria of sex and lines of work became more serious. As a result, a new phenomenon developed in which women were assigned to special fields where a "women's touch" was required, such as in light industries, agriculture, commerce, communications, health, culture, and education.

Accordingly, most of the North Korean women, whose numbers reached as high as 49.5% (as of 1993) of the entire North Korean workforce, are working as workers in specially assigned fields. The ratio of women engaged in physical labor categories such as farmers and workers is 52% and 51.7%, respectively, and exceeds the male ratio. Considering the fact that the ratio of males engaged in government organizations and office work amount to 66.4%, the work exploitation of women is serious, indeed.

Meanwhile, the status of women at home, too, reveals serious divergence from the socialist principle of equality between man and woman as advertised by the socialist regime. In the early days of the regime, North Korea declared that the then existing man-centered and authoritarian Confucian traditional family system was not only a hurdle to a socialist revolution but that it also oppressed women politically and economically. Therefore, it adopted as "(a)n important task at that stage of anti-imperialist, anti-feudal democratic revolution to liberate women from the colonial and feudalistic yoke and oppressions and to guarantee them equal rights with men in all realms of social activities."

Even though superficially legal and institutional measures were taken to provide socialist equalities between men and women, in reality the traditional paternal family structures were maintained in the families. Moreover, as the Sole Leadership of Kim Il Sung-Kim Jung Il was solidified in the 1970s, pre-modern traditions began to be emphasized again in family lives. One result of this development was the 1990 "Family Law," which contained elements of a pre-modern paternal family system such as the principle of assuming father's last names, a broader definition of family support, and the broadening of scope of intra-family-marriage restrictions.

Contrary to North Korea's insistence that it has guaranteed equal opportunities to women for social advancement through the socialization of domestic workloads and child-rearing, women's traditional roles are emphasized in North Korea. The idea that domestic workload and child-rearing are a woman's responsibilities, is deep-rooted, while

the idea that the household work also is a type of labor, is non-existent. Consequently, North Korean women have endured a heavy dual burden of fulfilling family roles and participating in social activities on equal standing with men. In fact, Kim Il Sung himself emphasized women's roles in the family when he said, "(n)aturally, the basic role of women is to rear children." The regulations of the Women's Union also stipulate that "(c)ooking is something that women have been doing traditionally, and women are born with this duty."

As North Korea's economic situation worsened in the late 1980s, the rights of women deteriorated further. Generally speaking, if economic conditions deteriorate, women's quality of life is directly threatened. This is more so in the case for North Korean women, because due to the paternal family system the food is served in order of father-son-daughter. Furthermore, since the provisioning of needed food is the responsibility of women, the worsening food shortage is a serious threat to the status of women in North Korea.

The most basic human rights violations against North Korean women are sex assaults. According to testimonies of defecting North Korean residents, sex assaults are secretly committed in North Korea, using such incentives as Party membership and improved treatment. For example, Party cadres would routinely induce women staffers into having sex and commit sex assaults, and in return would grant qualifications to Party membership.

Party cadres' sex exploitations against women simply reflect the common views of the powerful class in North Korea that women are objects of sex and pleasure. We can detect their lowly views from the fact that in North Korea today there is jargon depicting sex offenses, such as the "cadre head-cutter," "rainbows," "spread," and the like. It is also noteworthy that Section 5 of the Protective Department, which is a part of Kim Jung Il's Secret Service, is charged with selecting and exclusively maintaining a group of comfort girls (otherwise known as the "pleasure units").

As the number of sex offenses by the cadres increased, incidences of punishments also increased. The defector Suh Chang Eun who came to South Korea in May 1997, testified that a total of 12 persons, including a manager and a secretary of primary party committee at Kosang-li, Yangduk County, South Pyongan Province, were removed from their jobs for having committed sex assaults on women. However, due to a social atmosphere which values women's purity, most women

would try to hide the fact that they were victims of sexual assault.

Also routine are suggestive remarks and rude behavior at workplaces. The defecting North Korean residents plainly testify that these triflings with sex could be found routinely in daily lives and that such acts went unpunished. But, most of the ordinary people do not seem to comprehend the serious nature of these sex offenses. Because of the social atmosphere in which women are looked down upon and even the legitimate protests by women are declared as “unruly behavior,” North Korean women generally must endure suggestive remarks and behavior by men.

With the influx of foreign trends in the 1990s, dating between men and women has increased, and premarrital and extra-marrital sex cases are also increasing. North Korea prohibits immature persons from having premarrital sex, and premarrital and extra-marrital sex is punishable by law. If social scandals are caused by abnormal relations between men and women, they will be punished by law. However, due to increases in premarrital pregnancies and sex crimes, North Korean authorities try to be reticent if “workers” get married 2-3 years earlier than discharged soldiers or college graduates.

On the other hand, North Korea’s hygiene policies for women fall far short of acceptable health standards. North Korea insists that it maintains consulting centers and pregnancy centers to protect and treat women and new-born babies. However, due to the ill-equipped medical facilities and shortages of medicine and supplies, as well as to the near paralysis of its overall medical service system, North Korea is unable to give desirable levels of medical attention to women.

### **3. Civil Liberties**

The most important aspect of human rights is the limitation of totalitarian power and the guarantee of individual freedoms and equality. Together with equality under the law, freedom is an important factor in human rights and is a fundamental necessity for all people to enjoy a happy life. Freedom has historically been a great human concern. Civil liberty as a fundamental right has been a passive and defensive public right free from state interference or infringement of one’s individual livelihood. At the same time freedom and equality are supranational rights of humankind.

Freedom based on natural law is a right that human beings must be able to enjoy. The responsibility of the state is to confirm the inviolability of civil liberties and it is obliged to not destroy the fundamental nature of civil liberties. Therefore all countries are responsible for maintaining civil liberties to their utmost ability. The guarantee of civil liberties is a supra-constitutional issue that is universally accepted, which signifies the ultimate value of a constitutional state. Constitutional amendments concerning these liberties can only be made within certain limitations.

### Freedom of residence, movement and travel

The freedom of residence and movement concerns the right to determine by oneself where to live, to relocate freely from that place, or not to be relocated against one's will. As a fundamental freedom throughout the existence of humans, by expanding a person's area of activity, the freedom of residence and relocation allows the creation of a forum for free human exchange which contributes to the character development of individuals. By contributing to people's character formation and human growth this freedom maintains and develops human sanctity and value.

Article 13 of The Universal Declaration of Human Rights stipulates that "(E)veryone has the right to freedom of movement... to leave any country... and to return to his or her country."

North Korea not only does not guarantee the freedom of residence or travel but it strictly limits travel in order to help control society. Free travel is virtually impossible for all North Koreans other than high level officials.

With the exception of special occasions, it is impossible for North Koreans to make personal trips. Even when they travel on official business they have to carry their citizenship certificates, identification cards, letters of credence and official travel certificates. Even such an array of documents does not guarantee the bearer unencumbered travel, travel arrangements are heavily dependent on many other factors. A trip to Pyongyang, for example, can only be taken for certain reasons including participation in large public rallies or college entrance, and it is allowed only to those who have no defect in social status.

The Asia Watch reported that in the 1980s a limited number of

foreigners were permitted to visit North Korea, and that Pyongyang residents told American visitors that they were not allowed to travel outside of the city by train or by bus without authorized permits and that in order to travel to other regions they needed travel passes.

Decision No. 56 of the Central People's Committee stipulates, "(A) person who wishes to stay more than ninety days in an area out of his residential district must have a permit from the Ministry of Public Security (MPS)." Decision No. 57 says, "(T)ravellers or anyone wishing to accommodate temporary guests outside the family must obtain a permit from the MPS." According to regulations, when a guest leaves, the head of the family with whom he stayed issues a certificate ascertaining his stay, which is required to be submitted to security authorities and to his employer upon return home.

According to the testimonies made by Kim Chang Hwa and O Song Il, both of whom defected to the South in 1987, a travel application is filed with the workplace chief fourteen days before a planned trip. It is reviewed based upon the applicant's work performance and ideological purity.

If the initial application is approved, the would-be traveller applies for a travel pass at the Certificate Division of a regional MPS office three days before the planned departure. The application is reviewed based upon social status; if approved, the office refers it to a regional State Security Agency (SSA) office, which issues the pass through the secretary of the primary party committee of the applicant's work place.

After arrival, the traveller reports to the head of the local neighborhood unit or *inminban*, registers on the travel roster, and gets his travel pass stamped by a local MPS official. A travel pass carries the date of return, and a traveller can get a train ticket only after applying at the railway station security office four days beforehand. These complicated procedures convince most people not to travel to attend funeral services of relatives, even their parents.

Even during travel people are not free from psychological stress. Since work norms are assigned to all workshop members, a person's work evaluation is unfavorably marked when he cannot fulfill his quota due to a trip. Unsatisfactory work appraisals cause one to be branded as a shirker, which in turn could affect his food rations and even his children's education.

When Pyongyang introduced a ration system for food and other daily necessities it emerged as yet another effective means to control

the population. A person is entitled to food only when he belongs to one of the established social organizations. With the exception of cooperative farm areas, there are also differences in distribution ratios. Working persons get more food than non-working people, that is, dependents. This of course helps stifle, any tendency to shun work.

In a socialist society travel is considered a work-loss factor and this is part of the reason North Korea restricts it so rigidly. The more fundamental reason, however, is that discipline might slacken and people might criticize government policies through the exchange of information during trips. The government often assigns people to change their location, but most North Korean people reside their entire lives in their birth place and are stuck in the work place to which they were initially assigned.

In addition to prohibiting the free movement of residence, North Korea forcibly resettles anyone deemed politically unreliable. It is a common practice. Moreover, residents are forced to relocate to wherever a need arises for labor. Examples are new industrial districts in the Jagang and Yanggang Provinces or the newly established Rajin-Sonbong Special Economic Zone.

The former secretary of Korean Workers' Party (KWP) Hwang Jang Yup stated that after the Korean War North Korean authorities conducted evacuation exercises in Pyongyang every 3-4 years as part of war preparations and for population adjustment purposes. According to his testimony, at the time of the abduction of the USS Pueblo in 1968 a large number of Pyongyang residents who were identified as bad elements, were relocated to other regions. And, after the Panmunjom "axe-murders" in 1976, a sizable number of Pyongyang residents were moved out of the city under the pretext of war preparations. In 1994 when they renewed the Pyongyang "citizen IDs," many citizens who were identified to have committed punishable crimes, bad behavior, or frequent job changes, were evicted to other provinces.

As food shortages exacerbated in recent years, there appear to be sizable increases in the number of illicit travelers and peddlers who bribe their way in search of food and work. Foreigners who have visited Pyongyang testified that they frequently saw people carrying bags of food. One said he saw many train passengers carrying food from China. According to testimony of the defector Choi Dong Chul, in the 1980s one could travel without a pass only during such special holidays as *chusok* (or the harvest moon festival on August 15 in lunar calendar)

and *hanshik* (or the 105th day after the winter solstice), but in the 1990s travel by residents from urban areas seeking food substantially increased.

The recent defectors Kim Won Hyung and Ahn Sun Kuk who came to South Korea in May 1997, testified that every railroad station they saw was crowded with people looking for food. And, a great many people have gathered together in cities and towns bordering China (Shinuiju, for example), in the expectation that food shortages there would be less harsh owing to border (mostly barter) trade. Most of them ventured to move about without travel permits, but they stated that if one was financially well off travel permits were easily available.

### Freedom of speech and press

The freedom of speech and press signifies the freedom to publish one's opinion. A broader meaning includes not only the freedom to publish an opinion, but also people's right to know; the right to access, use, or refute a press institution or to establish a new one; and such procedural freedoms as the press's right to report, edit and compile.

In Article 19 of the Universal Declaration of Human Rights, it is guaranteed that "(e)veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers." The International Covenant on Civil and Political Rights, too, stipulates in Article 19 that "(e)veryone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice."

Article 67 of North Korea's 1992 constitution provides that "(c)ivilians have the freedom of press, publication, association, demonstration and assembly. The state guarantees a democratic party and free activity of social organizations." Yet, the North Korean press disregards the proper function of the press such as critical thought and provision of information, and focuses instead upon the unilateral propaganda of Kim-Il-Sungism based on the *juche* ideology and upon instigating the population. The press is used as a tool to mold North Koreans into good communists. Freedom of the press is only guaranteed to the extent that it "(h)elps the masses participate even more

vigorously in the construction of socialism.”

Therefore, the press in the DPRK is an advertiser, instigator and organizer for the KWP designed to help achieve its goals and it exists only as an education tool. Under no circumstances may the North Korean press engage in any type of criticism toward the fundamental leadership principles, “the instructions of the great *suryung* Comrade Kim Il Sung.” The press’s only function is to exist as a means for the party to fulfill these instructions.

Broadcast networks function as the “most incisive and combative, mobile weapon” among the “ideological weapons” of the class struggle. As Kim Il Sung pointed out, broadcast networks “(e)xplain and publicize the party line and party policies; they are a powerful advertising and inducement means to mobilize the masses to revolution and socialist construction.” Broadcasting is responsible to “(i)nstigate strongly the fight against class enemies such as the Americans and the construction of socialism while upholding absolute confidence in the victory of the masses as a whole.”

The role of the press in North Korea is not to improve the quality of life for individuals by functioning as an information provider, protector of individuals, monitor of the government, conveyor of culture or for entertainment or advertisement. It exists only to justify the line of Kim Il Sung and Kim Jong Il as well as to monitor and reproach the people. It is in fact an accomplice in and a concealer of violations of human rights. The Universal Declaration of Human Rights, the International Covenant on Human Rights, and the various constitutions of the democratic countries all consider freedom of the press to be one of the most important fundamental rights of man, yet in North Korea it is totally disregarded.

Publications are also used as a means for ideological education and the party directly manages, censors and controls all publication materials. Publications inculcate the communist ideology and fulfill their organizational role as instigators of the revolution. They act as a means of publicizing the policy of the party based on party and class consciousness, the line of the masses and revolutionary zeal. “(P)ublications are an important means of connecting the party and the masses and a strong organizational weapon used to mobilize the laboring masses to enact the construction of politics, economics and culture of the party.” In other words, all publications support *juche* ideology and the unitary ideological system of Kim Il Sung. They seek

to realize the party line and the line of the masses and to solve theoretical and actual problems such as those discussed in revolutionary principles. In the end, publications must devote themselves to the worship of Kim Il Sung, and the systemization of the unitary ideology. Publications have promoted the establishment of the Kim Il Sung–Kim Jong Il hereditary succession and have fostered participation in the construction of the North Korean-style “live in our own way” socialist economy.

Freedom of the press is guaranteed in Article 67 of the constitution but only under the guidance and control of the party and the state. The North Korean press serves as a mouthpiece of the KWP. Every publication without exception trumpets the activities of Kim Il Sung and Kim Jong Il and their relatives, and serves as propaganda for government policies. Contents must support Kim Il Sung’s *juche* ideology and the unitary ideological system, realization of class and mass party line and revolutionary principles. Private publications are permitted only if they pass KWP censorship based on the above standards.

Based on Section 46 of the penal code, anyone caught publishing anything that violates these standards is either put to death, sentenced to forced labor, or at the minimum is subject to having all their personal belongings confiscated. This section on, “Crimes of Reactionary Propaganda and Agitation,” defines such transgression as “political crime instigating the people to digress from the party and state policy and leading them to oppose the state and socialist institution.” It is defined in a comprehensive manner so that anything aired or printed that criticizes the KWP or anyone in Kim Il Sung’s family would be construed as a violation.

Every single issue of every North Korean publication and broadcast service contains something that eulogizes Kim Il Sung and praises Kim Jong Il. Reports on the two Kims occupy newspaper front pages and their names are printed in special bold fonts. The news is all written for the purpose of embedding the supremacy of the North Korean system in the minds of the people. There are no critical reports or discussions on touchy issues regarding the system. News on negative aspects of the United States or South Korea are normally dealt with quite concretely.

Pyongyang blocks the inflow of information. All radio dials are fixed to the DPRK official broadcasting service channels and sealed. An official of the MPS visits each home every three months; if a seal

is found broken the person concerned is assumed guilty of listening to South Korean or other foreign broadcasting services and treated as a political criminal. In areas near the DMZ all television sets have their channels fixed. Chinese TV programs as well are blocked in border regions.

Likewise, Pyongyang controls all access by foreign reporters. For example the US State Department's *1997 Human Rights Report*, published by the US State Department, pointed out that "(a)lthough more foreign journalists have been allowed into North Korea, the government still strictly maintains the strictest control over the movement of foreign visitors." Foreign journalists are often threatened to write favorably, or admonished to write nothing more than what they actually see and hear.

For criticizing official propaganda, even a foreigner can be arrested as a spy. Ali Lameda, a Venezuelan Communist poet and translator, was invited to work in the Pyongyang government as a translator in 1966. As North Korean propaganda usually lacks proof when he requested revisions for the sake of more effective foreign consumption he was accused of espionage and imprisoned for over six years in solitary confinement.

Not only are DPRK residents totally ignorant of political changes outside of the country but they are also unable to criticize the wrongdoings of the authorities. Residents learn about domestic affairs and about events in the outside "through the grapevine," a substitute that serves as the only true news media.

North Korea regulates literature and the arts as a "(m)ean of educating workers in the communist way and for turning the whole communist society into the working class." In other words, literature and art in North Korea is an important ideological tool utilized to attain complete socialist revolution. It functions as an important device for ideological mobilization, a device that functions with military precision at the orders of the party.

In purging his foes and consolidating his one-man dictatorship, Kim Il Sung acutely felt the need to thoroughly control and use writers and artists. He organized the General Federation of the Unions of Literature and Arts of Korea (GFULA) in March 1961 as an umbrella organization in the area of literature and arts.

Since the creation of the GFULA, the emphasis in North Korea's literature and arts policies has switched from creativity to satisfaction

of the demand to respect “socialist realism,” carry through the principle of imbuing party, class and people’s traits into works of art, and creative works based thoroughly on the party policy line. In addition, Pyongyang has been strongly insisting that all literary and artistic pieces be composed with an emphasis on the four themes of revolutionary traditions, war, construction of socialism, and the reunification of the fatherland.

The fact that literary and artistic works should be thoroughly integrated with the party line means that (1) all works should be produced in a plan dictated by the party, (2) works should be subject to party orders and be controlled in the course of production, and publishing and (3) all stage art activities should be done subject to rigid party supervision and within the scope demanded by the party.

A 1966 meeting of KWP delegates called for arming the North Korean society with *juche* ideology. The literature and arts area, responding to the call, produced a literary and artistic concept based on *juche* ideology, that is, “the concept of *juche* literature and arts.” This is a fusion between *juche* ideology and socialist realism, a new concept emphasizing that to communicate the socialist and realistic traits of the party, working class and people, the party’s unitary leadership and unitary thought systems need to be solidly established. These traits are considered in North Korea to be prototype socialist literature and arts theories.

The federation has under its control the Writers Union, Artists Union, Drama Workers Union, Musicians Union, Filmworkers Union, Dancers Union and Photographers Union. Under each union there are subcommittees, and in the provincial areas there are branch offices of the GFULA and their unions.

The *juche* theory of literature and arts, therefore, sets forth as its first task depicting Kim Il Sung as the “prototype of an absolute communist.” The theory also calls for the deification of Kim Il Sung’s family, in a manner that parallels his own idolization.

In the meantime, the *Juche* Literature and Arts Theory demands “collective creative artwork” in the context that because Kim Il Sung is an “absolute being,” his depiction cannot be rightfully accomplished through any single individual’s ability alone. North Korea, which regards creative artwork as similar to material production, has come to emphasize the importance of the combination of the party’s “political projects” and revolutionary organizational activities.

In this way, North Korea's literature and arts policies are focused primarily on depicting, under the slogan of "literature and arts revolution," the revolutionary nature of, and struggles by, Kim Il Sung and his family members and followers.

The Culture and Arts Department of the Party Central Committee is directly responsible for rigid, merciless control of writers and artists in order to materialize the literature and arts policies. This is accomplished through the GFULA, which although on paper is a social organization is in effect a front organization for the KWP.

Control of writers and artists begins with handing down plans for their creative or stage activities. The party obliges writers and artists and their respective unions, to forward to the party their production plans by month, quarter and year, which are to be worked out based on quota and by theme.

Production plans forwarded to the respective unions are organized by the unions before being submitted to the Culture and Arts Department of the Party Central Committee. Writers and artists are obliged to create in strict accordance with the plans under the overall control of the leadership of each union controlled by GFULA.

To ensure effective control over artists, each union holds a session for the general review of party activities once each quarter and the GFULA once a year, in which the activities of the writers and artists are examined and new tasks are assigned.

The decision of whether there or not to permit publishing or staging of creative works is controlled very strictly, and the party is directly involved. The assignment of themes on works to be published or staged is made at the session discussed above, and the annual work plan of each publishing house and stage performance company is reviewed by the politburo of the Party Central Committee after first being examined by the central committee of the union. The GFULA together with the union routinely supervise works to be published, while both the Ministry of Culture and Arts of the Administration Council and a relevant social organization in charge of stage performances control the stage performance company.

The process of control and supervision is divided into reference, inspection, and publishing or performance stages. In the reference stage, a work is reviewed between the author and an editorial department or a stage performance company, which, along with the author, is supposed to be held responsible for anything published or staged.

Thus a manuscript is generally reviewed and rewritten some three to four times to improve its ideological implications and artistry.

A manuscript approved by an editorial department or a stage performance company must next pass inspection by the General Bureau of Publication of the Administration Council. Inspection is very rigid. Even if only a few problematic points are found, a manuscript is returned for rewriting.

Any novel, poem, play, opera, art piece or musical item can be published only after it passes inspection and receives an inspection stamp. In particular, meticulous attention is paid to the works of "revolutionary traditions" designed to salute, or to invent, the struggles of Kim Il Sung.

In effect, the most important criterion for inspection is whether or not a work can cater to the taste of the top leaders. An inspector's duty is very delicate. Inspectors are held responsible if defective works are passed on or if something intended to praise Kim Il Sung is rejected due to poor artistry.

### Freedom of Association and Assembly

The freedom of association and assembly permits a large number of people to gather freely and unite for a common goal. If freedom of speech and press could be considered as an individualistic type of freedom of expression, then the freedom of association and assembly could be considered as a type of freedom of expression with a broader meaning, carried out by a group.

The Universal Declaration of Human Rights in Art.20 guarantees that "(e)veryone has the right to freedom of peaceful assembly and association. (And) (n)o one may be compelled to belong to an association." The International Covenant on Civil and Political Rights also stipulates that "(t)he right of peaceful assembly shall be recognized." (Art. 21) And, "(e)veryone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of their interests." (Art. 22). So, it is quite clear that the freedom of assembly and association is a civil and political right in its truest sense to protect one's own interests.

Article 67 of the constitution states that "(t)he citizens have the freedom of association and assembly. The state guarantees this condition for free activities of democratic party and social groups." In reality,

however, only association and assembly required by the party are permitted. If a gathering occurs that is based upon individual free will, it is regarded as group action that creates disorder and thus carries a sentence of up to five years in prison.

Anyone appealing state policy guidelines is punished in accordance with Sections 103 and 105 of the penal code. Section 103 says, "(T)hose unwilling to follow state orders or who disrupt the social order are subject to up to five years of corrective labor." This disallows any group protest and discourages petition and *shinso*. Section 105 prescribes up to one year of corrective labor for those who proliferate rumors, and is thus used to prosecute acts of petition and *shinso*.

Social groups in North Korea represent the interests of the KWP and play the role of providing ideological education. All North Korean residents must be affiliated with social groups from six years of age until retirement. These groups include kindergarten, the Children's Union, various educational institutions, the Kim Il Sung Socialist Youth League, the General Federation of Trade Unions of Korea, the Union of Agricultural Working People of Korea, or the Korean Democratic Women's Union. The KWP controls free thought and group action by means of mutual surveillance, critique, and education within the permitted social groups.

According to the US State Department's 1997 *Human Rights Report*, "(T)here are no known organizations other than those created by the Government. Professional associations exist primarily as a means of government monitoring and control over the members of these organizations.

According to the testimony of Yoon Ung, in April 1992 at a soccer game celebrating the April 15, birthday of Kim Il Sung held in Chongjin Stadium, North Hamkyung Province, a young man was arrested by state security members and beaten to death on site. Yoon had been disseminating leaflets to the effect, "We have no freedom. Kim Jong Il is deceiving us. Let's gain back our freedom." Yoon also testified that when the Soviet and East European communist system fell, Korean students studying there were summoned back to Korea to check for any possible ideological contamination and reassigned to local universities. He said that the ones at Kim Il Sung University were all reported to have been arrested in May 1991 by the SSA for attempting anti-government activities. Kim Dong Kuk, a thirty-year-old student who had been studying in Czechoslovakia and who was

sent to Mine and Metallurgy College in Chongjin where the defector Yoon was also studying, was arrested in connection with the Kim Il Sung University students.

The defector Chung Jae Kwang testified that in the 1980s there were several incidents at Kim Il Sung University where anonymous complaints were made criticizing economic policy. Chung mentioned a 1983 incident of anonymous complaints lead by the Math Department where a faculty member was also implicated.

The North Korean *Encyclopedia* (1982) explains that “(t)he freedom of association is one of the most important desires of social mankind who value their autonomy and is a fundamental right of the so-called civic persons. In our country where the labor masses are considered the masters of society and of national sovereignty, socialist democracy has been completely adopted and all laborers participate as masters of national politics; the freedom of assembly is an absolute constitutional right given to the laboring masses.”

Despite this declaration, the North Korean people do not have an institution or organization that represents their interests. Only those associations formed based on orders from the party, or associations and assemblies carried out for the needs of the party, are permitted. Social organizations are not interest groups or pressure groups in the Western sense. They are instead as provided in Article 56, Part 9, of the Party By-laws, party auxiliary organizations that faithfully fulfill the orders of the KWP, and “function as transmission belts between the party and people.” All organizations including women’s organizations, religious groups, labor unions and parties and their assemblies are controlled by the North Korean authorities, who promote the party members and supporters through these organizations. The existence of independent institutions or assemblies is not permitted.

The KWP has the responsibility for monitoring all mass organizations. The main purpose of social organizations is to support the party and to facilitate loyalty to Kim Il Sung and Kim Jong Il. These social organizations act as primary control mechanisms over the people and also serve as means for mobilizing people for mass rallies and marches at national events such as movements to accomplish the goals of authorities, movements to increase productivity, such as the Chollima Movement, and the birthdays of Kim Il Sung and Kim Jong Il.

## Freedom of thought and religion

The freedom of mental activity is a fundamental condition necessary to maintain the sanctity of humans beings. The formation and conveyance of thought, the maintenance of conscience and faith, and research of scholarship. Due to their nature these activities all lose their significance without freedom from oppression and the interference of state power. In a democratic society the freedom of mental and social activity must be respected to its utmost in order to maintain the system itself and to secure a democratic tradition.

Article 18 of the Universal Declaration of Human Rights guarantees that "(e)veryone has the right to freedom of thought, conscience and religion;" and the International Bill of Rights in Article 18 also declares that "(t)his right shall include freedom to have or to adopt a religion or belief of one's choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

Since founding of the regime, pursuant to Karl Marx's statement that "(r)eligion is the opiate of the masses," the DPRK has steadily persecuted religiously active people. It explains religion as a tool for the ruling class to exploit the masses. The North Korean *Dictionary on Philosophy* states that "(h)istorically, religion was seized by the ruling class to deceive the masses and was used as a means to exploit and oppress. And that recently it is being used by imperialists as an ideological tool to invade underdeveloped countries."

Many religiously active people in North Korea have been branded as disloyal and brutally tortured or executed for their beliefs. In particular, immediately before and during the Korean War, a large number were arrested and executed or banished. Most religiously active people were categorized as anti-national and counter-revolutionary hostile elements and subjected to ruthless persecution. Christians in particular were purged because they were regarded as "tools for imperialist aggression."

All religiously active people have disappeared as a result of the central party's "intensive guidance program" begun in 1958. Only 60 out of the total of 400 or so Buddhist temples survived. The 1,600 monks and nuns and 35,000 Buddhist followers were either killed or forced to recant their faith. Likewise gone are some 1,500 Protestant churches and 300,000 lay, person followers three Catholic dioceses

and 50,000 Catholic followers; and 120,000 followers of Chondo-kyo (a Korean traditional religion).

Kim Il Sung reminisced in a speech made at the MPS in 1972:

(W)e cannot carry such religiously active people along our march toward a communist society. Therefore we tried and executed all the religious leaders higher than deacon in Protestantism and Catholicism. Among other religiously active people, those deemed malignant were all put to trial. Among ordinary religious believers, those who repented were given jobs while those who did not were held at concentration camps.

Freedom of religion is guaranteed in Article 68 of the DPRK constitution. The 1972 constitution mentioned not only freedom of faith but also freedom of anti-religious activity, thus in effect denying freedom of religion. The revised constitution of 1992, however, reflected changes in social conditions in which Pyongyang found it unavoidable to authorize freedom of religion, at least on paper. Paragraph 1, Article 68, of the amended constitution authorizes the erection of religious buildings and the staging of religious activities while the clause "freedom of anti-religious activity" has been deleted.

Nonetheless, limits to freedom of religion were not overlooked. Paragraph 2 says, "(N)o person may bring in alien forces under the cloak of religion and use them in damaging the state or the social order."

After building the Bongsu Church (Protestant) and the Changchung Chapel (Catholic) in 1988, North Korea announced to the outside world that it had started to guarantee freedom of religion. On 15 January 1989 a Buddhist Sungdojul ceremony (the memorial day of Buddha's attainment of Great Wisdom) was carried out for the first time since the Korean War in temples throughout the country. Also, during a visit to the United States in May 1991, a North Korean religious mission admitted frankly to the persecution by the North Korean authorities of many religiously active people due to "past misunderstandings."

Yet in contrast to North Korea's assertions that it has over 10,000 Christians and 500 home churches there are virtually no people practicing religion. The fabricated announcement was to avoid being internationally branded as a country without religion. The churches,

chapels and temples serve only political purposes as foreign propaganda facilities for visitors such as foreign faithful believers and tourists. The US State Department's 1997 *Human Rights Report* pointed out that "(t)he regime discourages all organized religious activity except that which serves the interests of the State."

Defector Oh Su Ryong testified that he never met a person who believed in religion and that he only heard rumors that there were a number of Christians in Sunchun, North Pyongan Province. He also stated that due to policies to oppress religion that have been conducted for dozens of years religious people are considered ignorant and mentally impaired. All defectors testified that there can be no religiously active people in North Korea. Nevertheless, based on all the testimony of these defectors, it is estimated that some former religiously active people are still alive in concentration camps.

Access by people to the newly built religious facilities is strictly controlled. People living nearby believe that these facilities are merely a "visiting site for foreigners." At the Bongsu Church constructed in September 1988 at Gunguk-dong, Mangyungdae District, Pyongyang, during normal hours only the manager's family lives there, and only when foreigners visit will forty or fifty selected people from the Mangyungdae district participate in a church service.

The North Korean authorities do not permit any ideology other than the *juche* ideology. Based on the "sociopolitical organism theory", the *suryung* Kim Il Sung and Kim Jong Il are worshipped absolutely. Nothing else may be worshipped other than *juche* ideology and its founders the *suryung*. This is why the authorities prohibit all forms of religious organization, thus violating the freedom of thought and conscience of the North Korean people. The worship of Kim Il Sung and his family does not remain simply a political ideology. It demands a system of strict control and a monitoring network. Within this system no objecting ideological differences in opinion or protestations to outside authorities are permitted.

The basic perception is that in a classless North Korea, where there is a "perfect religion" called *juche* thought, religion is entirely meaningless. Many religiously active people in North Korea have been branded as "disloyal" and brutally tortured or executed for their beliefs. North Korean people must make decisions and act according only to the instructions of Kim Il Sung and Kim Jong Il and the *juche* ideology and therefore individual conscience and thought are oppressed. The

worship of Kim Il Sung and Kim Jong Il has now obtained a religious status. The US State Department's 1996 *Human Rights Report* points out that "the worship of the *juche* ideology and Kim Il Sung and his family has reached the level of a state religion."

The worship of Kim Il Sung and Kim Jong Il is specifically stipulated in the Ten Great Principles of Unique Ideology. The principles of being unconditionally loyal to Kim Il Sung and adopting Kim Il Sung's instructions for absolute guidance are provided for in this document. As the so-called Ten Commandments of North Korea, these ten principles form the basis for determining who can be judged a political or ideological prisoner. They act as the ultimate method of controlling all aspects of the life of people.

No trace of guarantees of the basic rights stipulated in the constitution can be found in the Ten Great Principles enforced upon all party members as well as upon the rest of the people in 1974 when Kim Jong Il seized party hegemony.

Major contents of the Ten Great Principles are as follows:

1. Struggle with all your life to paint the entire society with one color of the Great Leader Kim Il Sung's revolutionary thought.
2. Respect and revere highly and with loyalty the Great Leader Kim Il Sung.
3. Make absolute the authority of the Great Leader Kim Il Sung.
4. Accept the Great Leader Kim Il Sung's revolutionary thought as your belief and take the Great Leader's instructions as your creed.
5. Observe absolutely the principle of unconditional execution in carrying out the instructions of the Great Leader Kim Il Sung.
6. Rally the unity of ideological intellect and revolutionary solidarity around the Great Leader Kim Il Sung.
7. Learn after the Great Leader Kim Il Sung and master Communist dignity, the methods of revolutionary projects, and the people's work styles.
8. Preserve dearly the political life the Great Leader Kim Il Sung has bestowed upon you, and repay loyally for the Great Leader's boundless political trust and considerations with high political awareness and skill.
9. Establish a strong organizational discipline so that the entire Party, the entire people, and the entire military will operate uniformly under the Sole Leadership of the Great Leader Kim Il

Sung.

10. The great revolutionary accomplishments pioneered by the Great Leader Kim Il Sung must be succeeded and perfected by hereditary successions till the end.

The Ten Great Principles serve as an expansive norm that control and manage every word and expression of the North Korean people. Those who disobey the norm will be designated as political or ideological criminals and be punished. Because they are so vague, these ten principles can be interpreted arbitrarily; they are frequently the first tool used to designate people who are considered political discontents as political and economic criminals; they then may serve as a legal means to punish them. For example, two entire families disappeared because in one case a nine-year old second-grade student scribbled over with pencil the faces of the Kim's in his text book; in the other an elderly grandmother used issues of the *Rodong Shinmun* as wallpaper. Of course, they contained pictures of Kim Il Sung and Kim Jong Il. Both families were punished on the basis of the Ten Great Principles.

The inhumane practice persists in North Korea of forcing people even to sacrifice their lives to save portraits of Kim Il Sung and Kim Jong Il in accordance with the Ten Great Principles. In *Stories on Revolutionary Optimism* authored by Ahn Chang Hwan and published in 1991 by the Pyongyang Working People's Organizations Publishing House, there exists the story of a person named Park Young Duk who sacrificed his life to protect a portrait of Kim Il Sung. It is reported that while working in the Yellow Sea Park Young Duk died when his boat capsized and while it was on the verge of sinking, "(h)e carefully wrapped a portrait of Kim Il Sung with a plastic cover, attached a heavy weight to himself and jumped into the sea."

Based on this example, the newspaper *Rodong Shinmun*, in its 28 April 1993 issue, highly praised two young women who died while trying to remove portraits of Kim Il Sung and Kim Jong Il from a burning factory. The newspaper described it as "beautiful conduct" in which they practiced the leader's instructions to the fullest. The article stated;

(C)omrades Chu Soon Hee and Suh Ryong Hwa who work in the same factory as Ga Young Hwan sacrificed their young lives to protect the portraits of the great *suryung* and the dear comrade leader

during an emergency fire at the factory. . . . By protecting with their lives the great *suryung* and the dear comrade leader, this act clearly demonstrates the ideological heights of the youths of our generation. Upon receiving the report of the acts of Chu Soon Hee and Suh Ryong Hwa, our dear comrade leader praised their valor and bestowed upon them an eternal honor that will forever remain in the memories of the people.

In preparation for Kim Jung Il's accession to the position of Party General Secretary, North Korean authorities in 1997 tightened the observance of the Ten Great Principles and demanded more acts of self-sacrifice for Kim Il Sung-Kim Jung Il. For example, the North Korean Central Broadcast Agency on June 4, 1997, reported that a fishing boat assigned to the North Korean People's Security Forces was sunk by typhoons on its way back to Nampo harbor in April 1997, and all aboard the boat perished. Moments before the boat went down, the sailors tied their "Work No.1," the portraits of Kim Il Sung and Kim Jung Il, to life-tubes and the portraits "returned home safely." It further reported that the fishermen were awarded the posthumous title of "Heroes of the Republic" in a ceremony attended by Minister of Public Security Paik Hakrim.

Article 1 of Principle 5 stipulates, "(W)e should regard the instructions of Great Leader Comrade Kim Il Sung as laws and paramount orders, and unconditionally and thoroughly carry them out without excuse, displaying the unbounded spirit of dedication and sacrifice." Article 1 of Principle 8 says, "(W)e should regard our political life as the primary life . . . . We should be able to give up our physical life as if it were a piece of straw in favor of our political life."

As such, North Korea is trying to justify the father-son hereditary succession by deifying Kim Il Sung and his family over other religions. In this connection, it is useful to note that North Korea has adopted Kim Il Sung's year of birth (1912) as the base year of a new "Juche Era" and began to use the new era from 1997. The date used to begin the new era was September 9th, the day the North Korean regime was established in 1948.

## Right to Privacy

The guarantee of privacy exists so that people, who are beings of character, can maintain their human dignity. From a passive view the purpose of privacy is to protect the content, honor and credibility of one's private life from interference. From a different perspective, privacy exists so that the formation and enjoyment of freedom is guaranteed. Therefore, the right to privacy is an inviolable right that exists primarily to protect the legal development of individual character, which is crucial for the respect of sanctity and dignity of human beings as well as for legal stability.

Article 17 of the International Covenant on Civil and Political Right guarantees that "(n)o one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. (And) (e)veryone has the right to the protection of the law against such interference or attacks."

Article 78 of the North Korean constitution provides that "(c)ivilians are guaranteed the non-violation of personal residence and the secrecy of communications by post. Unless based on the law, civilians are not to be arrested or detained and their houses may not be searched." It thus legally guarantees the inviolability of privacy. Yet in practice these legal provisions have little significance. The right to privacy according to North Korea remarkably differs from the right to privacy seen in Western countries. Violations of privacy can be found everywhere, a leading example being widespread wire-tapping. North Korea violates the privacy of individuals through an expansive reciprocal monitoring system under which average people and even the homes and automobiles of senior information officers are bugged with monitoring devices.

Hwang Jang Yup testified that North Korean intelligence agencies would conduct much closer surveillances over the Party cadres than the general public, and that they even would mobilize eavesdropping devices to monitor their every word and every move. He explained that one of the reasons why the high-ranking cadres were watched so closely was that they had the highest potential to rebel against Kim Jung Il.

North Koreans frequently tell foreign travelers of the atmosphere of terror brought about by the rampant monitoring of personal activities

in North Korean society. Those outside the ruling classes fear criticizing or even mentioning politics or discussing issues in a way that might deviate from what has been decided upon by the party. People seldom exchange words even within the same residential complex. Family members rarely exchange opinions on current issues.

North Korea routinely utilizes the security network to violate personal privacy. The Overnight Inspection Group at the MPS visits each family and carries out inspections between midnight and 3:00 A.M. to prevent such activities as impermissible stays and adultery. This group frequently visits and searches homes without warning under the pretense of inspecting for impermissible stays.

North Korea also utilizes the Summation Self-criticism Session to accomplish the dual purpose of organizationally controlling the personal lives of all people and to implement party policies. A weekly group study system is carried out, at which intensive mutual criticism is conducted. During self-criticism sessions, North Koreans must systematically report on such details as their personal life, family life and even aspects of conjugal relations.

Ostensibly to prevent fires or unexpected accidents, workers must give their house keys to the leaders of their people's neighborhood unit (*inminban*). These leaders in turn visit families without notice and inspect the sanitary conditions, as well as portraits and books related to Kim Il Sung and Kim Jong Il. Moreover, during census surveys uninvited officials from the county or city district enter and inspect houses.

At the various meeting of housing units, composed of twenty to thirty households, everyone must disclose and criticize all unlawful activities conducted by other families. Defector Chung Jae Kwang described how the head of the *inminban* could visit a family at any time. He said they were the most feared because not only do they monitor and control ideological inclinations and everyone's family situation, but also it is they who evaluate the labor mobilization and self-criticism sessions.

North Korean society is tightly organized for the purpose of thorough control over literally everyone. The KWP, the SSA and the MPS play central roles.

Under the pyramidal hierarchy of power, orders from above must be carried out without question. KWP members occupy major posts in institutions, groups and workplaces. Not only do they supervise and

control the people but they are also responsible for mobilizing them for political and military purposes.

Party cells composed of five to thirty party members are the base of operation for the KWP members, the centers around which to gather the people, and the party combat units that directly carry out the party line and policy (Section 41 of the KWP By-Laws). This cellular principle is extended from the workplace of primary party organization to branch party organization, and to cities and county party organizations. Section 11 of the KWP By-Laws reads, "(A)ll party organizations should unconditionally support and realize the party line and policy, and it is the obligation of the lower party organizations to follow decisions reached by the higher ones."

The Department of Organization Guidance of Party Secretariat controls party officials, members, social groups and individuals. Kim Jong Il took control of this organization in 1974. It comprises five sections and commands all state organs and the party organizations related to them through a system of three lines (party organization, government administration, and SSA) together with what is called the "three-day report control." In fact, this department is in charge of guiding party personnel matters regarding the executive officers as well as conducting probes into private lives.

The SSA, directly under the state presidency, has been the avant guard institution in the maintenance of the Kim Il Sung and Kim Jong Il system. Through writing and enforcing the ten regulations that parallel the "Ten Great Principles," delivered by Kim Jong Il at a "Lecture to Those in Charge of Ideology" in February 1974, this body has been exercising absolute power in North Korea.

This institution tracks down and arrests anti-party and anti-system conspirators, infiltrates special areas and arrests spies, collects and analyzes information related to domestic and foreign matters, and supervises the guard alert system in the border areas and extraterritorial regions. In wartime the SSA is to take full responsibility in ideological issues by culling out betrayers among the supposed supporters of the North Korean system. The institution accomplishes these tasks by closely watching the activities of officials and the general population as well as supervising what are termed "factional elements" and political criminals. The party cannot interfere with matters of the SSA and must render full cooperation.

The MPS is fully responsible for maintenance of social order.

Together with its predecessor forms, it is and has been the mainstay of the DPRK. It is the very institution that has maintained the society since liberation in 1945. First founded as one of the bureaus in the Ministry of the Interior in 1948, it developed into an independent department in 1951 and again merged into the Ministry of the Interior in October 1952. It was separated as an independent department in 1962 and became the MPS with the adoption of the new constitution in 1972.

At its incipient period, the ministry was devoted to eradicating the remains of Japanese imperialism immediately after liberation, and it later played a prominent role in purging factions belonging to the lines of the South Korean Workers' Party, the Yenans and the pro-Soviets. After the Fourth Party Congress in 1961 it became an independent body, which reinforced its role, and it started to conduct political surveillance with direct orders from the KWP. Its role of political surveillance continued until the SSA was established in 1973.

The MPS, professes to be a body of the dictatorship of the proletariat that maintains social order and protects people's lives and property. However, the MPS has as its main duty supervision of the entire population for the purpose of maintaining the North Korean system. Its purpose has been to eliminate any factors that might hinder the construction of socialism, and to suppress the people to render them obedient to the dictatorship of Kim Il Sung and Kim Jong Il.

The MPS is an organ of the Administration Council, and on the national level it is composed of the main body and affiliated bodies. In each province there is a Public Security Bureau and affiliated agencies, and there are Public Security Departments in all city and county areas. Its members, called "security guidance" personnel are also dispatched to factories and enterprises.

#### **4. The Right to Participate in Politics**

The right to participate in politics encompasses the subjective civic right of a people to participate directly in the formation of their country, to join in the election and voting process as election candidates or voting members and to be elected to public office. Everyone should have the right to participate or not to participate in the vote, and each person should have the freedom to vote for any candidate whom he or she wishes. Therefore, all persons should have the freedom to not be

forced against their will to vote for a specific candidate. In addition, balloting should be fair and done in secret and should be carried out in accordance with legal procedures.

Article 21 of the Universal Declaration of Human Rights stipulates that "(e)veryone has the right to take part in the government of his country, directly or through freely chosen representatives... The will of the people shall be the basis of the authority of government..." In Article 25 of the International Covenant on Civil and Political Rights, it is guaranteed that (e)very citizen shall have the right and the opportunity, ... without unreasonable restrictions: to take part in the conduct of public affairs, directly or through freely chosen representatives; (and) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors..."

As part of a tribute to Kim Il Sung, North Korea has suspended for three years all events related to political participation, including the Supreme People's Assembly, Party Congress, and elections at all levels. Since the death of Kim Il Sung in July 1994, North Korea has not conducted any official elections. Kim Jung Il succeeded to the position of General Secretary of KWP not through elections but through a consensus "nomination," and new deputies to the 10th Supreme People's Assembly have not been elected in seven years even though the Assembly term is limited to five years. These examples clearly show that in North Korea, elections and terms of office are meaningless, and that elections are held at the arbitrary needs of Kim Jung Il.

Article 6 of the revised constitution provides that: "(A)ll sovereign institutions from County People's Assemblies to the Supreme Peoples Assembly, based on the principles of universal, equal and direct elections must be carried out by secret ballot." Article 66 provides that all civilians seventeen or older have the right to vote and to be eligible for office. Yet, elections in North Korea are used, internally, to confirm the people's confidence in the party and to justify the single party dictatorship, while externally they are a propaganda tool used to demonstrate that democracy is being practiced. These characteristics are obvious if one considers the manner in which candidates are nominated, registered and elected, and the loss of suffrage rights if one is considered guilty due to family history.

The US State Department's *1997 Human Rights Report* found that "(F)ree elections do not exist, and that Kim Jong Il has criticized the concept of free elections and competition among political parties as an artifact of capitalist decay. Elections to the Supreme People's Assembly and to provincial, city, and county assemblies are held irregularly. In all cases there is only one government-approved candidate in each electoral district. According to the media, over 99 percent of the voters turn out to elect 100 percent of the candidates approved by the KWP. The vast majority of the KWP's estimated 3 million members (in a population of 23 million) work to implement decrees formulated by the party's small elite."

Because candidates are appointed by the KWP's Department of Organization Guidance, there is no way that people can freely exercise the right to be elected. Elections in North Korea are not a political process in which a plurality of political forces freely competes on the basis of ideals and policies, but a formalistic process designed to give post facto consent to the elite recruiting and power-building programs led by the KWP and a political mobilization process used to retain people's interest in politics.

Elections are held under a one-candidate system in which each electoral district has only one candidate. Theoretically, all workplaces, social organizations, peoples' assemblies, etc, are supposed to nominate candidates, but in reality KWP strictly screens and selects candidates beforehand. There are two nominal splinter parties in North Korea; the Korean Social Democratic Party, and the Chondoist Chongu Party. Their candidates, too, undergo strict screening by the KWP before any nominations. So, essentially they are also under the control of the KWP.

Through the *Rodong Shinmun*, the official Party newspaper, North Korea on October 5, 1997, criticized the Western-style multiparty political system and called for an absolute elimination of such systems. The paper pointed out that many African countries such as the Congo, Liberia, and Cameroon, have adopted the Western-style multiparty system, but that it "(o)nly caused ethnic rivalries and severe political struggles among different factions, as well as national strife." The paper then argued that "(t)he Western-style multiparty system is not a model for a democratic development but a source of socio-political chaos and confusion."

According to defector Oh Su Ryong, election committees are organ-

ized thirty or forty days before the election. The election committee consists of the responsible state security and public security personnel, two representatives from each factory enterprise and the *Inminban* leader. Election referees needed for each electoral district are chosen from each enterprise or *inminban*. An electoral district is usually composed of five or six *inminbans*, which means 120–130 households. Once the election committee is organized, the lists of eligible voters at the MPS and the local records office are compared. Citizenship's certificate are collected and compared with the list, everyone's participation is confirmed, and then the eligible voters list is disclosed to the *inminban*.

Voting results are mostly finished by 10:00 A.M. the same day because the voting districts compete for voting participation. According to the testimony of Oh Su Ryong, the *inminbans* must circle and sing songs in their respective areas beginning early in the morning to encourage voting participation. It is impossible to imagine a person's not participating in the vote because it would be considered as an act against the great *suryung*. Those travelling to other regions must first report their travel plans if they plan to vote in the region they are visiting. For overseas travellers and unconscious patients, the party cells or the immediate relatives can vote by proxy. The voting rate thus equals 100%.

As for the ballot boxes, North Korea had used a blackbox-whitebox system until 1957, but changed in 1962, to a one-box system. The defector Chang Ki Hong who came to South Korea in November 1991, explained that if you are for the candidate you simply put the ballot into the box without any marks on it, and if you are against the candidate you will have to mark as such by a pencil provided at the polling booth. However, it is impossible to mark your ballot under the watchful eyes of the election supervisors on the spot, and, of course, no pencils are to be found at the booth! Consequently, according to the defector Kim Won Hyung who came to South Korea in May 1997, there is no possibility of votes against the candidate. The result, therefore, is 100% support for the candidate at every election.

### III. The Violation of Economic, Social and Cultural Rights

#### 1. The Right to Food

The DPRK, much like other socialist countries, emphasizes the materialistic foundation needed to guarantee human rights but at the same time asserts that the human rights of the common people are protected by guaranteeing the right to engage in economic, social and cultural activities. In other words, they believe that human rights can be guaranteed through social welfare programs such as perfect full employment, free education and medical care. It is unclear, however, how economic, social and cultural rights can be guaranteed when the minimum material living standards are threatened as a result of North Korea's continued economic depression.

In October 1962, Kim Il Sung predicted at a Supreme People's Assembly that "(i)n three or four years . . . all of our people will enjoy affluent living standards and be living in *kiwajips* or tile-roofed houses, eating rice and meat soup and wearing silk clothes." Kim Il Sung repeated these Four Great Goals for the Economy (*kiwajips*, rice, meat soup and silk clothes) thirty years later in his 1993 New Years address. Kim Jong Il also emphasized in his 1997 New Years address the need to completely solve absolutely the "food problem" and improve the living standards of the people. From this perspective the fundamental living standards of North Koreans have remained unchanged since 1960.

North Korean people cannot buy food freely with money, but instead are distributed their life-sustaining food rations twice a month. The food distribution system, the most powerful control system in North Korea, began in 1952 upon enactment of a law on the national food distribution system.

The purpose of food rationing, which applies to everyone except members of cooperative farms, is to enhance the value of—or recog-

Table 3-1-1. Standard Daily Grain Rations per Person

(unit: grams)

Age	0-4	5-14	15 and older		
			General Laborers	Heavy Laborers	Elderly and sick
Grain rations standard	300	500	700	800	300
"Two days rations" deducted from monthly allowance from wartime reserves after 1973	260	433	607	695	240
10% deduction after 1987 when food situation deteriorated	234	390	547	624	234

Source: Ministry of Unification, *An Overview of North Korea*, 1995, p. 289.

nize the divinity of—labor performed within the system, as well as to supervise people and to eliminate idle life. Another purpose is to promote gratitude and loyalty to the distributor, that is, the *suryong*.

Laborers engaged in hard physical work or special tasks are supposed to receive at least 800grams of grain per day. For others, food distribution is differentiated into twelve levels by political standing and job type.

North Korea has not made an official announcement on the details of the food rationing system. However, in the highest two levels are found the Kim Il Sung family members and special foreign guests. Next is high-ranking party officials, cabinet members or above, whose food is distributed at "number 10 shops." Prisoners and people classified at the lowest level receive less than 200 grams—not enough to support life and thus some starve to death.

Due to the serious food shortages the government has under various excuses decreased rations. After 1973, five to ten days of grain rations were also subtracted every month in the name of military provisions, unification, cereal conservation, or "patriotic grain." In addition, recently, distribution has been delayed for several months.

Due to structural problems, North Korea has been suffering from a chronic grain shortage of about two million tons a year since 1992. The successive floods of 1995-1996 and the 1997 drought have further exacerbated the North Korean grain shortage problem. In addition, due to the shortage of foreign currency, North Korean authorities have been unable to import grain to meet the minimum demand requirements, and have thus been relying on the humanitarian assistance provided by

foreign sources such as the United Nations, China, and the like.

The causes of the continuing North Korean grain shortage stem from the structural flaws of the socialist planned-economy system. The collective production system has removed material incentives (hence motivation) and misplaced policy priorities emphasizing heavy industries have brought about backwardness in light industries and agricultural sectors. In addition, insufficient energy resources and shortages of supplies such as fertilizers, pesticides, and equipment, have served to weaken agricultural foundations, thus significantly hampering the efforts to increase grain production.

North Korea's food crisis nevertheless is not a recent phenomenon. Kim Il Sung considered the food problem a serious issue from early on when he would proclaim that "rice is itself communism," and in 1984 the term *ui-shik-ju* (clothes-food-housing) was changed to *shik-ui-ju* (food-clothes-housing).

The reduced rations caused by the continuing grain shortage are threatening even the people's right to sustenance. During the past several years, the North Korean people have been given grain rations amounting to far less than the marginal nutritional requirement limit of 458grams (or 1,603 calories) per person per day, as recommended by the World Food Program. In 1996, the amount of grain rations had dropped to 300 grams in some areas, and in other areas it even dropped to 200-250 grams in August and September, the months just before the harvest. The defector Ahn Sun Kook who came to South Korea in May 1997, testified that in early January 1997 that grain rations given the people for the month at Shinuiju, North Pyongan Province amounted to only two-weeks' worth.

The continuing food shortage is a serious blow to residents in some areas and workers in medium and small cities. The food shortage is very serious in the mountainous regions such as Hamkyung, Jakang, and Yangkang Provinces. The inhabitants of these remote regions are suffering from severe food shortages due to the collapse of public distribution systems, the concentration of international assistance in select areas, the scant energy resources, and the paralysis of transportation networks.

The continuing food shortage has driven many North Korean people into a state of malnutrition or starvation. It also is a life-threatening factor for senior citizens and infants in some areas. In their efforts to induce more assistance from the international community, North

Korean authorities even seem to intentionally reveal and exaggerate the dreadful lives of people in certain areas. A *Washington Post* correspondent was allowed a visit to North Korea and reported on October 19, 1997 that the food shortage plight was forcing unspeakable levels of sacrifice on the part of North Korean children, and he described what he witnessed at an orphanage in Hamheung city, as follows:

Almost all the children are malnourished, with browning hair, bald patches on their scalps and sores on their heads and faces. The most severely malnourished are listless and unresponsive. There are 198 children under age 4 at the orphanage, and about 20 percent are expected to die because they arrived too late to be helped. About 70 percent of the children here were orphaned when their parents died of malnutrition or disease... The other 30 percent simply were abandoned and left for dead by parents too poor and too hungry to feed them.

The chronic food shortage and the repeated natural disasters have resulted in reduced rations, and the people have set out on their own methods for self-help. A majority of North Korean people fill the gaps in grain shortage by asking for grain assistance from their relatives in the farmlands and through farmers' markets or blackmarkets. Because the central distribution networks do not function smoothly, local residents frequently engage in illegal private grain deals, exchanging daily necessities, housing coupons, or ration cards for grain. Since people with no purchasing power will inevitably have to face starvation, every able bodied person will try to engage in peddling chores of one kind or another.

For purposes of peddling and food purchase, many people set out to roam around different areas, sometimes taking or stealing items for trade such as factory installations and scrap iron. They then exchange them for food at the Chinese border. Some residents will illegally cultivate vegetables on marginal patchland and sell the leftovers in the marketplace. The gaps between the rich and the poor are widening as a result of the food shortage and acts of illegal trade. Also increasing are problems relating to homeless children, divorce, broken families, prostitution, and even human trade. Even though their numbers are unknown, an increasing number of North Korean residents are re-

ported to be escaping across the borders and moving to China or Russia.

The South Korean government has recently published an assessment of North Korea's grain supply/demand situation, taking into account overall 1997 climate conditions, estimates and reports of major countries, and those of the international and non-governmental organizations. According to this report, North Korea's 1997 grain situation was truly dire, but thanks to active assistance from the international community the supply situation in the second half of 1997 had improved from the first half. South Korea's National Unification Board had estimated North Korea's total 1996 grain production to have been about 3.69 million tons and total demands to be about 5.7 million tons. The supplies from foreign sources were about 1.69 million tons (700,000 tons through trade and 990,000 tons through aid), with a net shortage of 320,000 tons. (Table 3-1-2)

For the year 1997, the Ministry of Unification estimated that North Korea's total grain productions in 1997 amounted to about 3.489 million tons (including 1.503 million tons of rice and 1.599 million

Table 3-1-2 Ministry of Unification and WFP/FAO Estimates on the North Korean Grain Situation

(unit: 1,000 tons)

	Categories	Ministry of Unification	WFP/FAO
Grain year 1996/97	Total production	3,690	2,874
	Total demand	5,700	4,961
	Shortfalls	2,010	1,934
Grain year 1997/98	Total production	3,489	2,663
	Total demand	4,764	4,614
	Shortfalls	1,275(*)	1,951(**)
	Promised assistances	241	241

\* Calculated using the minimum nutritional requirement of 475 grams / per person / per day. If the "reduced rations" amount is used, the shortfalls would be 1.924 million tons.

\*\* This 241,000 tons of as-yet-un-carried-out assistance will increase to 1.1 million tons if the non-grant trade totals are added to it.

tons of corn). Compared to the 1996 total of 3.69 million tons, this represented a 5.4% reduction. The Ministry of Unification estimates analyzed a list of possible causes for the reduced output: the unusually low temperatures during the month of May which would have hampered the rice-farming schedules; the severe drought in June and July (only 36.5% of normal rainfall for this period) which would have ruined vegetables and produce of all kinds; the tidal wave damage in mid-August all along North Korea's westcoast areas (North Pyongan, South Pyongan and Hwanghae Provinces); the shortage of agricultural supplies; and the lack of motivation. However, thanks to sufficient sunlight, rice production increased in areas where irrigation systems supplied enough water, resulting in an increase of 12% over the previous year.

On the basis of this estimate, the Ministry of Unification has calculated North Korea's 1997/98 grain-year shortage to be about one million tons. Based on minimum nutritional requirements (458 grams/person/day), the total grain demand would be about 4.764 million tons during 1997/98 grain-year with a shortage of 1.275 million tons. If we subtract from this 241,000 tons of grain promised by various international programs, a net shortage for the 1997/98 grain-year would stand at about 1.034 million tons. However, if another standard is applied, such as the reduced rations (in which military, heavy laborers, and special classes receive 700 grams/person/day; and ordinary people receive 546 grams/person/day), total grain demand would increase to 5.413 million tons with a shortage of 1.924 million tons (assuming no foreign assistance).

Meanwhile, the World Food Program (WFP) and United Nations Food and Agriculture Organization (FAO) estimated the 1997 North Korean total grain production to be about 2.663 million tons (including 1.525 million tons of rice and 1.138 million tons of corn). This represents a drop of 7.3% compared to the WFP/FAO estimates of 2.874 million tons for 1996. Using the minimum nutritional requirement criteria, the WFP/FAO estimated total grain demands for the 1997/98 grain-year to be about 4.614 million tons. According to this estimate, North Korea's own grain production will result in a shortfall of 1.951 million tons. (Table 3-1-2)

The reasons why these estimates differ between the South Korean government and WFP/FAO are basically two: First, each party relied on different methods of estimation, given that no one was able to

conduct realistic on-site surveys in North Korea. And, second, and perhaps more importantly, North Korea itself, without publishing accurate statistics, announced arbitrarily reduced production numbers or exaggerated demand numbers in order to induce more international assistance. The South Korean government has been test-growing grains in areas of South Korea that share similar climate conditions

Table 3-1-3 Other Estimates on the North Korean Grain Situation

(unit: 1,000 tons)

	Categories	IFRC	U.S. survey team	North Korea
Grain year 1996/97	Total production			2,000
	Total demand			6,270
	Shortfalls			4,270
	Source			Disclosed to U.S. survey team(Oct. '97)
Grain year 1997/98	Total production	3,000-3,500	3,500	2,685
	Total demand	3,860 (450gpd) 4,320(if 500gpd applied)	4,000-4,500	4,022
	Shortfalls	1,600	500-1,000	
	Required total foreign assistance	241		700
	Source	Disclosed Nov. '97	Visited NK Nov. '97	North Korea's Deputy Dir. of Agriculture Cha Rin Suk, Shinhwasa (New China News Agency) Jan. 20, '98

with North Korea, to accurately estimate the production totals. Even though both the South Korean government and the international organizations publish revised estimates of North Korean grain production totals, it would be more important to assess a realistic picture of the overall grain situation in North Korea rather than looking for accurate statistics.

The international community has been extending assistance to North Korea through various channels to help relieve the food shortage situation there. The total amount of assistance to North Korea by the international community as of January 1998 was \$458.5 million (including South Korea's contributions). Under a North Korea assistance plan, the United Nations has provided North Korea with material assistance equivalent to \$208.8 million as of January 1998. (See Table 3-1-3)

Various materials equivalent to a total of \$249.7 million (including \$2.951 million from the International Federation of Red Cross) have reached North Korea through individual countries and through international non-governmental organizations. (See Table 3-1-4)

The South Korean government, also, has continued in 1997 to extend assistance to North Korea on the basis of its fundamental position (1) to provide realistic help to the North Korean people, (2) to help fundamentally resolve the North Korean grain shortages, and (3) to contribute to improved inter-Korean relations. Accordingly, South Korea has fully participated in international efforts to help North Korea over the past two and a half years (June 1995-January 1998), and has extended to North Korea material assistance totaling an equivalent of \$284.71 million through such channels as the WFP, the International Federation of Red Cross Societies(IFRC), the United Nations International Children's Fund, and the Korean National Red Cross. (See Table 3-1-5)

The South Korean government has extended material assistance to North Korea totaling some \$262.42 million between 1995 and 1997 (\$27.37 million in 1997). South Korea's non-government sectors also assisted with food and supplies worth \$22.29 million between September 1995 and October 1997. During 1997, the Red Cross societies of South and North Korea have been able to maintain direct contact and direct assistance has been given through these organizations. A total of \$17.33 million worth of relief items have been sent to North Korea.

Meanwhile, the international community's efforts to assist North

Table 3-1-4 International Community's Assistance to North Korea  
(as of January 1998)

(unit: \$1,000)

	Time period	Amount of assistance	Goals achieved	Remarks
UN Organs	Sept.95-Jun.96 (1st round)	9,270	46%	US \$2,225; Japan 500; Eu 200
	Jul.96-Mar.97 (2nd round)	34,700	80%	US 7,170; Japan 6,000; South Korea 3,400; EU 9,300
	Apr.97-Mar.98 (3rd round)	157,810	84%	US 45,370; South Korea 25,330 (*); EU 24,660; Japan 27,000;
	Subtotal	208,800		Includes South Korea's 28,730
International Red Cross	Oct.95-Mar.96 (1st round)	3,490	84	
	Apr.96-Oct.96 (2nd round)	4,430	77	
	Nov.96-Jun.97 (3rd round)	7,560	70	
	Jul.97-Nov.97 (4th round)	14,030	81	
	Subtotal	29,510		Includes South Korea's 4,960
Direct assistance by individual countries and NGOs		172,730		(**)
	Koreans Federation in Japan	6,300		
	NGOs	41,160		AMERICARES, Eugene Bell, others
	Subtotal	220,190		
Total		458,500		Includes South Korea's 33,690

\* Not added to this total are contributions of \$700,000 to WHO and \$500,000 to FAO.

\*\* This amount was tabulated on the following basis: Japan (150,000 tons of rice worth \$22.5 million), China (120,000 tons of rice worth \$30.55 million in 1996 and in 1997 195,000 tons of corn worth \$34.34 million, 12,000 tons of rice worth \$3.34 million), Taiwan (2,000 tons of rice worth \$600,000), USA (55,000 tons of corn in 1997 worth \$12.07 million), EU (71,000 tons of rice and 24,000 tons of corn worth \$28.4 million, plus medical and hygiene items worth \$77.68 million, all in 1997), Switzerland (In 1995, 8,000 tons of rice and other items worth \$2.46 million, in 1996, medical and hygiene items worth \$280,000, and in 1997, \$1.97 million worth of rice and corn), Italy (In 1997, \$290,000 worth of rice), Vietnam (In 1995, 100 tons of rice worth \$40,000 and in 1997, 10,000 tons of rice worth \$2.78 million), Russia (In 1995, 20 tons of rice and other items worth \$1.36 million and in 1997 \$290,000 worth of rice).

Source: The Humanitarian Affairs Bureau, Ministry of Unification "Status of Assistance to North Korea (June 1996-January 1, 1998)" (Seoul, 1998)

Table 3-1-5 South Korea's Assistance to North Korea  
(1995.6-1998.1.9)

(unit: \$1,000)

	Period	Amount	Vehicle	Remarks
Government	1995	232,000		150,000tons of rice
	1996	2,000	WFP	mixed grains
		1,000	UNICEF	dried milk
		50	WMO	meteorological equipment
	1997	6,000	WFP	mixed grains
		340	UNICEF	funds for ORS facilities
		10,530	WFP	corn, dried milk, relief equipment, etc.
		10,000	WFP, others	monitoring expenses
		500	IFRC	
Subtotal	262,420			
Nongovernment	Sept.95-May 97 (19 times)	4,960	IFRC	flour 3,664 tons, dried milk 94 tons, blankets 10,000 sheets, cooking oil 1.86 million tons, instant noodles 100,000 boxes, socks 35,000 pairs, potatoes 1,940 tons, corn 4,980 tons, turnip seeds 4.8 tons, lettuce seeds 6.4 tons
	Jun.97-Jul.97 (1st round)	8,500	KRC	corn 41,521 tons, flour 2,000 tons, instant noodles 150,000 boxes, fertilizer 2,000 tons
	Aug.97-Oct.97 (2nd round)	8,830	KRC	corn 17,082 tons, kaoliang 13,000 tons, flour 5,501 tons, cooking oil 270,000 litres, dried milk 100 tons, children's vitamins 30,000 bottles
	Subtotal	22,290(*)		
Total		284,710		

\* Dollar conversion rates at the time of assistance were applied.

Source: The Humanitarian Affairs Bureau, Ministry of Unification, "Status of North Korea Assistance (Jun.95-Jan.9, 98)."

Korea revealed some realistic problems. First, one of the more serious problems in these efforts was that accurate assessments on North Korea's crisis situation and on its overall supply/demand status were not available.

Thus far, North Korea has been imposing restrictions on relief workers, preventing them from making on-site surveys by requiring strict prior-clearances. This has effectively cut off the means to collect more detailed information on especially vulnerable sectors there. This unusual practice has led to divergent estimates between countries and organizations on North Korea's food situation. Also, the lack of information has led to overestimating, and overreacting to, the food shortages in some select areas that North Korea has chosen to reveal to the outside world.

Second, the international community's assistance could be being used as a partial complement to North Korea's public distribution system. The fact that international assistance had to go through North Korea's central distribution channels could mean that parts of the assistance would be diverted as special rations to the military and other powerful sectors on whom North Korea has always placed priority consideration. These practices would make it very difficult for the South Korean government and civilian organizations to continue their relief efforts for North Korea.

Third, the North Korean practice of concentrating the relief materials on chosen areas and diverting them for other purposes would hamper the efforts to reach the more vulnerable persons and vulnerable regions. It is widely known in the international relief community that only about 40% of the total relief material actually reaches the target groups. Even if room is allowed for such weaknesses, it would seem clear that the relief efforts thus far have been lopsided in favor of the western regions of North Korea, including Pyongyang. In addition, the possible leakages along the distribution channels would hamper the efforts to reach the vulnerable and the weak, and ultimately aggravate the situation for starving populations.

The North Korean food shortage problem is not likely to go away even with assistance from the international community, unless and until the North Korean government endeavors to help itself and the nation by resolving the energy shortage, increasing the production of agricultural supplies such as fertilizers and pesticides, and offering concrete incentives to peasant farmers. Indeed, North Korea has re-

cently taken a few measures in this direction; for example, encouraging a two-crops a year policy, which had previously been banned by Kim Il Sung, reducing total targets for the agricultural cooperative farms, and downsizing work units from the previous number of 15-20 to 7-8 workers per unit. But, again in 1998 North Korea is more likely to rely to a greater extent on assistance from international organizations, Western countries, and South Korea, rather than on self-help measures such as reductions in defense expenditures. Consequently, prospects are that North Korea will continue to experience a sizable grain shortfall even if international assistance continues.

## **2. Social Welfare Rights**

Social welfare rights consist of those specific rights granted to a person needing protection from such consequences as physical disability, illness, old age and loss of employment, can request from the state so that they may live like a human being with full human dignity. A society without poverty or disease is an eternal, idealistic goal of all humankind, and the world has continually attempted to attain this goal. Following mankind's horrible disasters of the First and Second World Wars, nations agreed that the needs for social welfare be recognized as rights.

In Articles 22 and 25 of the Universal Declaration of Human Rights it is specified that "(e)veryone, as a member of society, has the right to social security... (and) the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services..."

According to North Korea's Constitution and the Social Security Law, it appears that at least institutionally North Korea is set to build a welfare state where a perfect social security is possible. Article 70 of the Socialist Constitution of North Korea guarantees that "(c)itizens have the right to work... Citizens work according to their ability and receive remuneration according to the quantity and quality of the work they perform." Furthermore, Article 72 of the Constitution stipulates that "(c)itizens are entitled to free medical care, and all persons who are no longer able to work because of old age, illness or a physical disability, or the old and children who have no means of support are entitled to material assistance. This right is guaranteed by free medical

care, an expanding network of hospitals, sanatoria and other medical institutions, state social insurance and other social security systems.”

If we look at North Korea’s social security system, the pension system is the only social insurance, and the remaining portions are maintained through government contributions. The pension system is based on the “National Social Security Law (of August 1951)” and the “Socialist Labor Law (of April 1978),” and is applicable to those men who have worked until the age 60 (55 for women). Government contributions are designed to protect the daily lives of special target populations who qualify for such categories as disaster relief, veterans programs, and maintenance protection. The maintenance protection program covers expenses for the daily lives of National Awardees, families of military officers and men, retired soldiers, repatriated overseas residents, and defecting South Korean residents.

North Korea is advertising that its social security system is better than those of the advanced countries. (North Korean Central Broadcast Agency, December 5, 1997) But, in reality there is a significant disparity between the system and practice. The main reason is that due to the lack of necessary funding, the social security system cannot function properly. North Korea has adopted a “work-salary” system. But the government does not in reality guarantee a minimum living allowance for those who have lost the ability to work, such as old and sick persons. The government is supposed to look after for free those who have lost the ability to work, such as familyless senior citizens and physically disabled persons. But, under the “no work, no eat” principle, the rights of non-workers are not recognized in North Korea unless the government makes an exception.

In connection with social security, the one area that North Korea feels most proud of is the “free treatment system.” Article 56 of the Socialist Constitution declares that “(t)he State is consolidating and developing the universal free medical service and it promotes a policy of preventive medical care so as to preserve people’s lives and improve the health of the working people.” From this article, it appears that North Korea has adopted a health system that includes an overall free treatment system, a district-doctor assignment system, and preventive medicine.

In order to effectively manage the free treatment system, North Korea has implemented the district-doctor assignment system so that diseases could be prevented or contained at early stages. The objective

of this policy is to let all residents benefit from systematic health maintenance with the help of district doctors. This system, however, does not seem to function properly for several reasons: poor doctor qualifications, quality of diagnosis, and the number of people assigned to each doctor — a district doctor assigned to an area of 4-5 wards will have to handle a maximum of 4,000 patients.

The class discriminative application of medical benefits defies the “free treatment system.” All hospitals maintain a set of treatment priorities and grades so that people who fail to qualify for the grades or priority are not subject to treatment. Ordinary people are not allowed for treatment at such special hospitals in Pyongyang such as the “Bonghwa diagnostic center,” which only treats Kim Il Sung and Kim Jung Il, their immediate family members, and those above the minis-

Table 3-2-1. North Korean Medical Facilities

Type	Locations	No. of doctors	Specialists	Beds	Main equipment
Provincial university hospitals	Provincial peoples committee	200	all areas	800–1,200	All equipment for basic diagnosis and treatment
County people's hospitals	Each county peoples committee	50	internal medicine, surgery, pediatrics, obstetrics and gynecology, dermatology, ophthalmology, otolaryngology, radiology, clinical testing, rehabilitation, urology, tuberculosis, hepatitis, oriental treatment (14 departments.)	100–200	ambulance, X-Ray machines, Microscope
Township people's hospitals	Each township peoples committee	10	internal medicine, surgery, otolaryngology, pediatrics, obstetrics and gynecology, oriental treatment (6 departments.)	5–20	(large hospitals) X-Ray machines, Microscope
Clinics	Industrial sites, cooperative farms, villages	1–2		1–2	Stethoscopes

Source: Ministry of Unification, *An Overview of North Korea*, 1995, p. 314.

terial level of the Party and the government, the “Owun Hospital” for generals and colonels, and the “Namsan Diagnostic Center” for those above the vice-ministerial level, prominent “people’s actors,” and repatriated former overseas residents.

Ordinary residents have to use diagnostic centers or hospitals at their town, county or city of residence. But the levels of treatment facilities and medicine are extremely inferior. According to the defector Kim Soon Hee who came to South Korea in May 1997, because the hospitals are not equipped with basic medical supplies such as antibiotics and anesthetics, patients have to personally secure necessary medical supplies to receive treatment. For these reasons, many North Koreans ask people who travel abroad or their relatives abroad to secure necessary medicine. On October 19, 1997, the *Washington Post* reported on the inferior situation of the provincial medical hospitals and treatment centers in Hamhung, South Hamkyong Province:

(Y)ou can start at Humhung’s local hospital, a dilapidated, cavernous 1,000-bed facility without lights, where the stench of urine fills the dark corridors... There are no antibiotics, no intravenous drips and no stretchers, so workers carry patients on their back . . . (F)ew sick people bother coming, since the hospital has no food and no medicine . . . “We have a shortage of anesthesia, so the patients have to go through pain during surgery,” said Dr. Lee Hyun Myung, as he points to a man gripping his mattress after a colon operation. Most of the patients have rectal, stomach or liver problems, the result of slow starvation, he said . . . Many patients die here, but (Doctor) Lee says he cannot disclose the figure because death rates are kept secret in this strictly controlled society.”

The deceptive “overall free treatment system” that North Korea advertises, is also practiced in medicine provision. North Korean authorities have been deducting social security from salaries, 1% of which was for medical expenses. As the economy deteriorated, the production and import of medicine has drastically decreased and even those medicines manufactured in North Korea go to fulfill the needs of the foreign-currency drug stores or foreign-currency markets. One reason for this phenomenon is that the North Korean authorities have been encouraging the sale of medicine through the foreign-currency

stores so that the government could recoup foreign currencies.

In efforts to overcome the shortage of medicine, North Korea has devised other methods. Pointing to a number of examples, the authorities demanded that each hospital produce their own medicine through the “revolutionary spirit of self-revival” and the campaign of “anti-Japanese guerrilla struggles,” according to the Central Broadcast of the DPRK October 31, 1997. At the same time, the authorities called for a campaign of an “all masses movement” to revitalize traditional herbal treatments and to grow and reproduce medical herbs. They also introduced various folk treatment methods.

### **3. Environmental Rights**

Environmental rights consist of the right for people to protect the natural environment and their living environment from destruction and pollution, so that they and future generations are able to enjoy life as normal human beings.

The right to a clean environment, or this “cross-generational” human right, is increasingly emphasized in recent years as a fundamental right of citizens, particularly as serious voices and concerns are raised over environmental deterioration and pollution and the attending social disarray. The “Declaration on the Human Environment” (Stockholm, 1972) enunciated as the first principle that human beings are entitled to a fundamental right to enjoy freedom, equality, and an adequate standard of living in an environment conducive to the maintenance of human dignity and well-being.

North Korea’s basic perception is that pollution and environmental damage is a socio-political question, a function of the social system. Pyongyang contends that although environmental contamination and damage are closely linked to industrialization, they are by no means an inevitable by-product. Supposedly in a capitalist society the environment is viewed only from the angle of making money and there is no hesitation to damage or pollute for the sake of profit. Capitalists are supposed to be reluctant to invest in pollution control and environmental projects, which they regard as unproductive.

Recently, however, North Korea has become very critical of the environmental policies of advanced countries. While attending the 52nd United Nations General Assembly as the head of the North

Korean delegation, Deputy Foreign Minister Choi Soohon argued at a "Group 77 foreign ministers' conference" that the United Nations should pay a special attention to the development and growth needs of developing countries, and that the pressures exerted by some advanced countries concerning human rights and the environment should be rejected. (North Korean Central Broadcast Agency, Oct. 5, 1997) North Korea's official newspaper, the *Rodong Shinmun*, denounced the United States for "destroying the earth's bio-environment" and accused that the U.S. objective in pursuing an active environmental diplomacy was not because it was interested in the issue of global environmental protection, but in using the issue as a tool to increase interventions in the internal affairs of other countries.

Pyongyang's contention is that genuine environmental protection can be attained only when a socialist system sets in, under which the masses become the master of a state and its society. They say that among all socialist systems, that of the North Korean style, which they insist has embodied the creative *juche* ideology, is the best one for implementing environmental programs in the interests of the masses.

They argue that since the key environmental policy under the North Korean socialist system is to protect the environment primarily in the interests of the working masses, all programs designed to protect and manage nature and the living environment are undertaken in the North Korea with a view to assuring the masses of independent and creative living conditions.

These contentions notwithstanding, the DPRK does not recognize the people's right to a clean environment as a basic human right, or the right for people to ask the state to resolve environmental problems. The Labor Laws enacted on 18 April 1978 is purported to guarantee the protection and promotion of workers' lives and health in terms of the environment. On 9 April 1986 North Korea passed a law on environmental protection, and contended that it was newly enforcing principles and means to better protect and remodel the natural and living environments. And the constitution as amended on 29 April 1992 included a new clause in Article 57 that stipulates, "(T)he state shall, in advance of production activities, establish measures to protect the environment and preserve and improve the natural environment, prevent environmental pollution, and provide the people with a cultural and sanitary living environment and working conditions." The state guarantees a sound natural and living environment as a gesture or a

favor, rather than guaranteeing environmental rights.

Environmental pollution and damage has in fact emerged as a serious problem in North Korea. Timberlands have been devastated. Air, water and soils have been severely contaminated and animal and plant resources depleted. The people suffer enormously from environmental damage, not to mention from their false assurances of a healthy natural environment.

Hamhung is a petrochemical industrial area in North Korea. In the Hungnam district of Hamhung, seventy percent of whose area is zoned factory, there are several major industrial facilities including the Hungnam Complex of Fertilizer Industry, the Hungnam Pharmaceutical Plant, the 2.8 Complex of Vinalon Industry and the Hungnam Woolen Textile Plant.

North Korean defectors frequently testify that pollution in the Hungnam area is quite serious. This is due to such pollutants as chlorine gas and carbon monoxide. The seriousness of the situation can also be ascertained by remarks from Kim Il Sung that despite his almost yearly emphasis upon the need to reduce it, pollution has been getting worse.

That this pollution problem still lingers can be affirmed in his speech of 27 August 1989 entitled, "Taking Good Care of the Majon Resort." He said decisive measures were needed to check the pollution of the Hamhung area and that things would not improve with mere slogans or passive activity, and that obsolete facilities could not be successfully repaired in a piecemeal, patchwork fashion.

Damage from pollution is by no means limited to Hamhung. In a 29 April 1977 speech, "Concerning the Land Laws," Kim Il Sung said the citizens of Chongjin were suffering from factory smoke. Other areas where pollution is serious include; Wonsan, where the Munpyong Refinery and Wonsan Chemical Plant are located, Chongjin with its Kim Chaek Iron Works, Songrim, which is the location of North Korea's largest ironworks, Hwanghae Complex of Ironworks, and Rajin a nonferrous metal plant complex.

Water pollution is also a serious problem. In "Concerning the Improvement of the Urban Management and Supply Programs of Pyongyang City" of 20 April 1989, Kim Il Sung said, "(P)yeongyang uses water from the Taedong River as drinking water, and water from its tributaries is utilized for irrigation in adjacent areas. Yet, the Taedong has been contaminated because the cities and plants along the

river do not have their own waste water treatment facilities and dump their waste water into the river. . . . In the urban management programs of Pyongyang, there arises many problems such as piped-water management, sewer disposal and pollution prevention problems.”

In addition, the contamination of the Tumen River is serious because of industrial wastes and urban sewage from such cities, industrial areas as Namyang, Hoeryong and the iron mine area of Musan, as well as various industries in Chinese areas. The water of the Yalu River, too, has been contaminated so seriously that its water is no longer usable due to industrial and household wastes from both Korean and Chinese river basin areas. The waste water pollutes not only the rivers but also nearby seas.

North Korea has admitted that its rivers and shores as well as the adjacent sea were polluted. In connection with the Tuman River Regional Development Project, a North Korean delegate to the first Environmental Workshop held in Vladivostok in May 1997 reported that the waters of the Tuman River were polluted and so was ground-water waters. He added that the water quality of the sea areas near the harbors of the Rajin-Sonbong region were also in an inferior condition.

Of the films made in the North by the Institute for South-North Korea Studies in South Korea, the documentary “A Visit to Wonsan” shows that the sea nearby was heavily contaminated from waste water emanating from the Wonsan Industrial Estate and the Hamhung industrial zone.

The pollution of soil is also very serious in North Korea. The causes of soil pollution and deterioration lie in the indiscriminate use of fertilizers and pesticides to increase grain production. Apparently, North Korea is more highly dependent chemical fertilizers than other countries, causing rapid increases in soil acidity. Their indiscriminate use of pesticides also contributed to farmland pollution. Further degradation was inevitable as the farmers repeatedly cultivated rice and corn in the same land areas in order to earn their living, without proper crop rotations or periodic breaks.

Meanwhile, according to speeches of Kim Il Sung the soil has eroded in many areas due largely to extensive forestry damage. Not only have the people ravaged forests on their own, but damage has also occurred systematically through government policies. One typical example was the creation of terraced fields, a mistake even Kim Il Sung himself admitted to. In an 14 October 1976 speech, “Concerning

Energetic Promotion of the Nature Remodeling Project to Acquire a Ten-Million-Ton Mountain of Grain,” Kim Il Sung called for an extensive struggle to create terraced fields as a means of boosting grain production. He specifically ordered the cultivation of 200,000 hectares of terraced farmlands over a few years. In a speech on 20 April 1989, however, he said, “(W)e had better give up the plan to fell trees and create terraced fields. . . . We may end up on rendering vast areas of land useless. I am against felling trees and creating terraced fields.”

In addition to these terraces, there has been another major source of forestry damage. When food rations were not on schedule beginning in the mid-1980s, villagers felled trees on nearby hillsides and cultivated patches to raise corn in an effort to resolve the food problems on their own. Defectors testified that because of insufficient food rations, the authorities did not dare prevent them.

Forests are also being destroyed by indiscriminate tree-cutting. The rural area authorities have been involved in indiscriminate cutting of mature and old growth and have been transporting them across the border to China to barter for food or grains. These practices are easily spotted all along the North Korean-Chinese border.

The state of forestry devastation caused by the indiscriminate felling of trees and the creation of terraced fields and farm patches can be seen in the documentaries produced by the Institute for South-North Korea Studies. The documentary, “Chongjin and Rajin, the Northern Edge of the Nation,” clearly shows scenes of desolate forests, traces of landslides and barren hills near villages as seen through the windows of a train from Pyongyang to Chongjin. Scenes of the totally barren hills and mountains were commonplace in another documentary entitled, “Sinuiju and Yongsan, My Hometowns Left Behind.”

In view of the seriousness of environmental damage North Korea has promulgated enforcement regulations of the 1995 Environmental Protection Law. In 1996, it established the “Ministry of National Environmental Protection” within the cabinet by expanding and renaming the ad hoc “National Environmental Protection Commission” set up in 1993. On October 31, 1996, North Korea renamed the “model forest counties (of 1991)” the “model national environmental protection counties,” and on November 27 it declared October 23rd of every year as the “national environmental protection day.” Apparently, these measures are designed, internally, to encourage participation of the North Korean people in a nationwide campaign of land management

and to justify the mobilization of labor for this purpose, but, externally, their objectives are to protect North Korea's image in the face of increasing international concern over environmental issues.

As was seen in the foregoing, the state of environmental damage is well described in the speeches of Kim Il Sung and Kim Jong Il. Pyongyang tries to resolve environmental problems through stepped-up indoctrination and mobilization instead of through rectifying of poorly planned environmental policies. This approach only adds to the physical burden of the North Korean people, already overworked and leading destitute lives due to the short supply of daily necessities.

Pyongyang uses the need for environmental programs to further cement the party's unitary ideology system to exact loyalty and support, as well as to spur on the people to volunteer in public campaigns. The claim that the DPRK is a paradise on earth without environmental pollution is under dispute even by their own leader. Yet they who live in such circumstances are mobilized and controlled to protect the environment! The situation remains unchanged even in the age of Kim Jong Il who professes to succeed Kim Il Sung's spirit and instructions.

#### **4. Property Rights**

The most important aspect of the ownership system depends on whether an individual may own the means of production and whether it is guaranteed that he or she may possess the material means needed to live. The fundamental difference between capitalist countries and socialist countries concerning the guarantee of ownership rights is the ability to own the means of production.

Article 20 of the DPRK constitution states that "(t)he state and cooperative groups may possess productive means" and Article 21 says that "(t)here is no limit to the rights of state possession." The state is the sole owner of all natural resources, all major factories and enterprises, harbors, banks, transportation and postal services. The law prescribes that all state possessions playing a leading role in economic development be protected and nurtured.

Article 22 defines cooperative groups as the next most important ownership entity, whose possessions are "(c)ollective property of workers under cooperative management." The state is required to guarantee the property rights of cooperative groups. Cooperatives may

possess "(l)ivestock, agricultural equipment, fishing boats, buildings, small and medium factories and enterprises." The ultimate objective of cooperative property, stated in Article 23, is gradually to nationalize "(a)ll cooperative property to state property under the unanimous will of the members of the cooperatives."

North Korea does permit private property, though in a very limited sense. Article 24 defines it as "(p)roperty for the purpose of personal use and consumption." Workers' private property consists of "(s)ocialist distribution in accordance with labor and additional benefits provided by the state and society." Also, subsidiary income including "(p)roducts from private garden plots of cooperative farm members" may be considered as personal property.

Article 24 states that North Korea protects individual property: "(t)he possession of workers' personal property is protected and inheritance rights are guaranteed by law." State and cooperative property is sacrosanct, however (Article 84), and private property is secondary. The individual property rights, in practice, are not guaranteed even on a limited scale and they are frequently infringed upon justified by the state's powers of control and the demands of an economic crisis.

State and party control over the household extends even to the purchase of daily necessities. Items including dishes, a rice cooker, shoes, clothes, kitchen utensils, cookware, cupboards, and various textile goods are allocated to teams on a monthly basis. The supply is inadequate and it is often difficult to satisfy people's needs. During rationing, those who are recommended at the *inminban* meetings get priority for receiving purchase tickets. Without such a ticket one cannot buy anything officially, even with sufficient money, and shortages of basic supplies intensify this problem. Although goods are available on the black market they are too expensive for ordinary people.

Special purchase tickets are required to buy luxury goods such as watches and clocks, television sets, refrigerators and other household electric appliances. For ordinary people to obtain such things they have to curtail their spending for years; and even then they must either participate actively in party events or resort to bribery.

Only 10% of North Koreans, such as Party cadres and some repatriated former Japan residents, are said to have a full array of household equipment, including "5-jangs" (blankets, clothing, books, dishes, shoes) and "6-kis" (tape-recorder, wash machine, television, refrigerator, sewing machine, electric fan). And, those possessing two or three

of them are also regarded as relatively well off.

In some cases it is unclear if people have the right to possess certain private assets, and this applies to state-provided uniforms for children, students, and laborers and in particular, if Kim Il Sung or Kim Jong Il should bestow a gift such as a washing machine, television or electric appliance, the recipient should be very careful because it is regarded as unfaithful behavior to misuse or damage such an item. Anything given directly by the supreme leader should be considered a long-term lease.

Moreover, it is reported that the state frequently conducts arbitrary action against private property. When the government needed 580kg of gold to erect a plated bronze statue of Kim Il Sung it imposed a special tax. When the Democratic Women's Union in Pyongyang and in the outlying regions were ordered to collect a certain amount of gold, they coerced their members. North Korean propaganda stated that people voluntarily donated gold from their rings and the like, but the state simply took it from them.

Also, it is common place for the agents of the State Security Agency and Ministry of Public Security to engage in extortion schemes involving repatriated former Japanese residents and members of separated South Korean families. A significant amount of cash and merchandise sent to their North Korean relatives by families and friends in Japan end up in the hands of North Korean authorities under various official and unofficial pretexts. It has by now become an accepted practice to demand cash for opportunities to meet or exchange letters with families and relatives living outside of North Korea.

People are also inconvenienced in matters regarding residence because all housing belongs to the state. The state not only controls all housing affairs but is often careless in their management. Everyone must comply with orders from above, so whoever receives an order to vacate a house must do so, even though they might have been long time residents.

Of course the government is responsible for repairing houses, but in reality, individual housekeepers must first obtain building materials such as lumber, paint, and sand, then ask for technical support from the Housing Repair Office. The excuse offered is that the state does not keep enough materials on hand. Basically, people unable to improve their own lives are hopelessly inconvenienced.

All housing units in North Korea, in principle, belong to the State.

So, the possession, building, or sale of houses or housing units by private individuals is not permitted in North Korea. All allocations and the management of housing units is controlled by the Management Project Offices under the People's Committees of each Province, City or County. Therefore, North Korean people usually rent standardized, single-family-classified homes or apartments that have been allotted to them by the state according to their status.

As a result of North Korea's collectivist method of living, personal or family cultural life is not a consideration when building the average house. Houses are designed primarily for sleeping purposes and living areas are constructed for the purpose of collective life. Differentiating the size of houses and facilities according to class inspires people to want to increase their status and makes them more subordinate to party control. In addition, living environments are designed so that daily monitoring, mobilizing, controlling and directing can be done more effectively.

Distribution of housing depends on one's status and class; there are five housing grades between the special grade and the fourth grade. General laborers receive grade-2 or -3 housing whereas party officials receive grade-4 or special-grade houses that are between 130 and 200 square meters in size. Grade-4 houses make up fifteen percent of the total amount of housing.

Despite sustained efforts of North Korean authorities to construct massive housing units, woeful shortages of housing units persist in North Korea due to shortages of construction materials and equipment. As a result, many newly wed couples in the cities often live separately for one to two years due to a lack of housing units. And, in many instances two families "co-habit" in a housing unit with two rooms and a kitchen. According to defecting North Korean residents, cases of secret renting are increasing recently due to economic hardship and housing shortages.

## **5. Labor Rights and Resting Rights**

Article 23 of the Universal Declaration of Human Rights provides that "(e)veryone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment." In Articles 7 and 8 of the International Covenant on

Economic, Social and Cultural Rights (Covenant A) it is guaranteed that “(t)he States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favorable conditions of work... (and) to ensure (t)he right of everyone to form trade unions and join the trade union of their choice...”

Article 70 of North Korea’s constitution provides the people’s right to work. That is, “(A)ll persons with the ability to engage in labor may select occupations according to their choice and talents and are guaranteed the right to a secure job and labor conditions.” People are supposed to work based on their abilities and receive allocations based on their amount and quality of labor.

This provision is best interpreted as making labor a responsibility instead of a right. Article 29 of the Socialist constitution provides that “(t)he state must provide for laborers, who do not know what unemployment is, so that they can enjoy their labor and be satisfied with devoting and exerting their creativity for society, the group and themselves.” The phrase “(w)ho do not know what unemployment is” can be interpreted as meaning all persons *must* engage in labor, and the phrase “devoting and exerting their creativity” can be interpreted as encouraging laborers to step up their labor efforts. These interpretations are supported by Article 30 of the constitution which provides that “(t)he state must organize labor effectively and increase labor regulations to fully utilize all labor time.”

Article 83 of the constitution states: “(L)abor is the sacred responsibility and honor of the people. The people must voluntarily and diligently engage in labor and strictly obey labor regulations and labor hours,” and Article 82 further rationalizes the logic of forced labor when it states, “(C)ollectivism is the foundation of socialist life. Civilians must value the organization and group and must be willing to sacrifice themselves ardently for society and the people.” Article 34 requires that “(t)he state must accomplish the singular and specialized plans for, and guarantee high-speed production and balanced development of, the people’s economy” and, in essence, it provides that the state demand continuous and intensive labor to maintain “high-speed production.”

Therefore, in North Korea labor is the responsibility of all people because labor is not for the individual’s benefit: based on collectivist principles labor is a group activity for the benefit of everyone. One can find further support for this interpretation in the various sections of

Article 1 (Fundamental Principles of Socialist Labor) of the Socialist Labor Law enacted by the Supreme People's Assembly on 18 April 1978 which are as follows: Section 2 provides that "(L)abor is the most sacred and honorable thing"; Section 3 says, "(L)abor under socialism is a group activity by laborers for the benefit and interest of everyone"; and Section 4 states, "(U)nder socialism, civilians are responsible for participating in labor."

Under these regulations and under Article 31 of the Socialist Constitution, all North Koreans above the age of 16 are obligated to work at worksites directed by the Party, regardless of whether one likes it or not, until the legal retirement age (60 for men, 55 for women). With allocations depending upon the quantity and quality of one's labor, to survive in North Korea everyone must work or go without retirement, and to receive more one must work even harder.

Moreover, free labor unions that protect and represent the interests of laborers do not exist in North Korea. The only form of labor union that exists is the General Federation of Korean Trade Unions, but it does not have the right collectively to organize or bargain, or to strike. The KWP is solely responsible for representing the interests of the laborers, and the trade unions exist merely as a formality. Following the Ninth Plenum of the Fourth Party Central Committee held in June 1964, the trade unions' "monitoring and controlling role" of corporate management was abolished, and the interest of the laborers has been placed entirely under the control of the party. The General Federation of Korean Trade Unions merely acts as "(a) transmission belt that links the KWP with the labor classes, and an active supporter that strictly and unconditionally seeks to accomplish the directives of the *suryung*."

The North Korean authorities severely oppress the activities of any labor cooperative activity through the penal code. Article 59 provides that any person who uses his or her employment to destroy or damage the state's industry, transportation, commerce, circulation of currency or credit system will be executed, and Article 61 further adds that persons who carry out their work in an inattentive manner will be sentenced to at least five years imprisonment and cannot vote for four years after the completion of their sentence. These provisions make voluntary labor movements basically impossible.

In addition, Article 71 of the Socialist Constitution provides that "people have a right to rest," and Article 62 of the labor law adds that "(l)aborers have a right to rest . . . and this right is guaranteed through

the labor time system, holiday system, paid leave system, state sponsored rest system and the increasing number of cultural facilities.” The Socialist Labor Law specifically stipulates the number of rest days in the following manner, “(a)ll laborers have fourteen official days of leave [per year] and depending on their occupation may have seven to twenty-one days of additional leave.” Yet, despite these guarantees, most laborers cannot take advantage of this time because they are mobilized and pressured by the political organization at work. The only time people can really rest is during the one- or two-day celebrations of the births of Kim Il Sung and Kim Jong Il, and on certain national holidays.

The constitution states in Article 30 that laborers shall engage in eight hours of labor a day. Despite the proclamations in Article 33 of the labor law that the “(t)he state must strictly guarantee the principle of eight hours of work, eight hours of rest and eight hours of study in the life of laborers,” laborers rarely have eight hours of rest. This is because, in addition to their basic workloads, the people are exploited for additional labor mobilization programs and various study sessions. Labor projects are planned by daily, monthly and quarterly schedules and to surpass the goals of these plans socialist labor competition movements such as the *chollima* movement, the Three Revolutions Red Flag Movement, Speed Campaigns and the Speed Creation Movement have been established. Under these circumstances, the extension of labor hours is inevitable. Also in regards to workers rights there aren’t any provisions to prevent the coercion of labor by the authorities.

## 6. The Freedom of Employment

Article 23 of the Universal Declaration of Human Rights provides that (e)veryone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.” Furthermore, Article 6 of the International Covenant on Economic, Social and Cultural Rights stipulates that “(t)he States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which one freely chooses or accepts, and will take appropriate steps to safeguard this right.”

Article 70 of the North Korean Constitution provides that “people

have a right to choice of employment according to their desire and talent.” But employment decisions do not respect individual choice but are made according to manpower needs as determined by the party and state institutions. Work allocation is decided by central economic planning based on the needs among various sectors; individual desires, abilities and talents are secondary and the opportunity to independently change jobs is strictly controlled. The primary considerations in work allocation include such political aspects as one’s family history and party loyalty, and after that overall ability based on such factors as education, qualifications, abilities and efficiency ratings may also be considered.

High school graduates must first fill out documents provided by the labor department of the city or county people’s committee and then submit them to their schools. Based on these, the school then completes an efficiency rating report which is then given to the vice-principal in charge of political affairs. He in turn submits these evaluations to the labor department of the city or county people’s committee three months before the students graduate, and the labor department reviews the evaluations and assign students to a workplace.

On the whole, the government has already investigated the family lineage of high school students before they graduate. Students with low-class lineage—those with a relative who might have spoken out against the Kim Il Sung ideological system or with kin in South Korea, or students one of whose family members defected to the South or agreed to be a member of a South Korean security squad during the Korean War, or students from a family that previously owned land—will surely be assigned to work areas that require hard physical labor such as a farm, village or mine. Sons of the cadres of the party and government, that is, from top-grade lineage, are stationed at desirable workplaces regardless of their ability. However, the defector Kim Hi Keun who came to South Korea in May 1997, testified that one could be assigned to favorable worksites regardless of one’s background if one could submit bribes.

The allocation of work is usually based on group allocation. This means that people are assigned their job or workplace on a group basis to factories, mines or various construction facilities that the party or the *suryung* determines as needing more labor.

Recently, as tendencies spread across the North Korean society to avoid dirty and difficult work, the North Korean authorities began to

sponsor “loyalty resolution rallies” and to send “handwritten letters” of Kim Jung Il to the discharged soldiers and graduates of high schools before “group-assigning” them to coal mines and construction sites. For example, the North Korean Central Broadcast Agency on December 12, 1997, reported that in late 1997 some 5,000 discharged soldiers gathered in a “loyalty resolution rally” and have hence been assigned to the Consolidated Coal Mines Enterprise in the Dukchon-Bukchang-Dukjang region.

High school graduates and discharges from the military cannot help but report for work because food rationing would be suspended. Chin Kwang Ho, who defected to South Korea in 1990, said, “Anyone who is assigned by collective assignment is never given the opportunity to go home. In most cases his family will not see them before they die.”

No one can change their post on their own volition. On 31 August 1953 a law was passed banning laborers and office workers of any enterprise or organization from walking off the job—ostensibly to prevent loss of labor and carry out the planned economy in a systematic fashion through the full command of labor. To regulate people by job control, however, is also to inculcate obedience and induce their loyalty to the party.

However, despite strict labor law regulations and the ration system, labor relocations are rather active in North Korea today. And, as the economy worsened, rapidly increasing in number are those who gained early retirements through bribes or influential persons so to enter the peddling market or the food/marketing sectors. Also increasing are the instances of “buying bogus diagnoses” from hospitals for hepatitis or tuberculosis to gain job relocations by way of local sanatoria.

## **7. The Right to Education**

Everyone has the right to be educated without interference from the state and everyone has the right to request that the state actively seek to provide education. In a free democratic state, the main characteristic of the right to education is that it is a socially fundamental right. This means that an able person who cannot receive an education for economic reasons has the right to request the state to provide it through such means as the establishment of educational facilities and the

operation of a scholarship system.

Article 26 of the Universal Declaration of Human Rights guarantees that "(e)veryone has the right to education...(and) (e)ducation shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms..." Also, Article 13 of the International Covenant on Economic, Social and Cultural Rights stipulates that "(t)he States Parties... agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace."

The North Korean constitution provides in Article 73 that all persons have the right to education, yet education is not equally available to everyone and depends on one's political and class, rank and status. No matter how gifted or how diligent a student may be, without the requisite of status he or she cannot enter college.

Education in North Korea has varied depending upon such aspects as the construction of socialism or the development of the revolution, but the fundamental goals of training "communist revolutionary talents" remains unchanged. Article 43 of the constitution provides that the goal of education is for the "state to fulfill the teaching of socialist educational principles and to train for posterity solid revolutionaries who will struggle for society and for the people and be new communist citizens with intelligence, wisdom and health."

Based on these goals, North Korea emphasized the need to occupy an "ideological fortress" for the construction of socialism. To this end it has increased investments in education, setting the immediate education goal as "raising the whole population as intelligentsia." The eleven-year free compulsory education system in force since 1973 and the Thesis on Socialist Education introduced in 1977 were both designed to facilitate the training of communist-type human beings. It is not a true education system but is rather one aimed at infusing Kim Il Sung's unitary thought into the minds of the people with a view to producing uniform "*juche* men and women."

The entire North Korean educational system operates under strict control of the "department of science education" under the Secretariat of the Central Committee of the KWP, which establishes important educational policies, and guides and supervises their implementation processes. The Education Commission within the government is the

administrative enforcement arm that carries out various educational policies and administrative tasks decided on by the Party. The actual teaching and educational affairs at each level of school are directed and supervised by the department of elementary education and the department of high school education under the Education Commission.

The basic educational structure consists of a 2-4-6-4 system where one attends 2 years of kindergarten, 4 years of primary (people's) school, 6 years of high school (4 years of middle school and 2 years of high school), and 4 (or 6) years of college. In addition, there are 3-year researchers who are equivalent to graduate students and 2-year doctoral candidates. There also are special educational institutes and systems for children of the higher classes and a set of separate systems for technical education and adult education. Finally, North Korea operates specialty schools outside of the regular school system, such as the "art and sports institute" and "the revolutionary school (such as those found in Mankyungdae, Kangbansuk, and Haeju)"

All education in North Korea focuses on political ideology education and technical education. During the fourth grade students learn about "The Days When Dear Suryung Kim Il Sung Was A Boy" and "The Days When Comrade Leader Kim Jong Il Was Young." First and second graders learn Korean language, math, physical education, music, drawing, and the "The Days When Dear Suryung Kim Il Sung Was A Boy," the seven morals of communism, and third and fourth graders also study natural science and health.

During the four years spent in primary school, education time allotted to Kim Il Sung and Kim Jong Il idolization and communist ideology occupies over 44% of the total time. Grammar, vocabulary and writing sections of the 1990 Korean language textbooks published by the Pyongyang Education Textbooks Publishing Company make up only 33% of the textbooks; the remaining 67% are sections on political ideology. Regarding children's books, 73% concern such political thoughts as collectivism, loyalty to Kim Il Sung, *juche* ideology, and revolutionary consciousness. Only 27% concern non-ideological matters such as diligence, filial piety, frugality and friendship. Based either on the hours of education or the content of the education, children's education in North Korea is excessively ideological.

During the six years in high school students learn such subjects as "The Revolutionary Activities of the Great Suryung Kim Il Sung,"

“The Revolutionary History of the Great Suryung Kim Il Sung,” “The Revolutionary Activities of the Dear Leader Comrade Kim Jong Il,” “The Revolutionary History of the Dear Leader Comrade Kim Jong Il,” and “Current Party Policy.” In addition, during vacation students visit revolutionary and historic sites of Kim Il Sung and Kim Jong Il.

Starting from grade five, students study the theoretical basics of *juche* ideology. According to the educational policy for middle and high school students (grades five through ten), the goal is “(t)o arm the growing new generation with the revolutionary ideology of the *suryung* and the ideology, theory and directives of the party, and to raise them as trustworthy supporters of our revolution who possess a wide range of knowledge” so that students can receive an education in *juche* ideology. Although official ideological education in the last six years of high school occupies only 25% of the total course work, the actual amount of ideological education is quite considerable because other subjects such as Korean, Chinese characters, foreign languages, history and other natural science subjects, as well as art and physical education subjects, all contain political ideology content such as the idolization of Kim Il Sung and Kim Jong Il. Among the 74 total units in the Korean textbooks taught from the fifth through eighth grades, 54 units or 72% contain political ideology; of those, 45 units or 78% are concerned with the idolization of Kim Il Sung and his family. Starting from high school (ninth grade), students enter the Kim Il Sung Socialist Youth League and are educated in the ideological system of the party and the moral educational aspects of communism.

In addition, students are mobilized for “voluntary labor.” Based on the educational directive that theory and practice should be taught together, children in primary school even participate in labor mobilization through such organizations as student apprenticeship programs under the slogan “learn while you work.” Child labor is mobilized through such movements as “farm support,” “construction of the economy,” the Good Deeds Movement, Children’s Plans, “great propaganda activities,” and “nature reform projects.”

Students in their last six years (secondary school) and university students must engage in labor for one month of the year. Students are often used in nighttime construction projects and unskilled labor and farming projects such as rice planting and harvesting. Students must also work for 150 days out of the year as so-called volunteers.

On the occasion of the 20th anniversary of Kim Il Sung’s enuncia-

tion of the Thesis on Socialist Education, North Korea in 1997 pointed out that Kim Jung Il was “the outcome of this educational philosophy” and has sought to further strengthen its political education programs to raise “the upcoming new generation as the successors of the great *juche* revolution and as communist revolutionary talents.”

Subsequently, schools at every level have been concentrating on infusing the “greatness of Kim Jung Il” into students establishing new “education classes on the greatness of Kim Jung Il” to raise the level of loyalty to Kim Jung Il, and by expanding courses on Kim Jung Il’s revolutionary activities. To strengthen loyalty to Kim Jung Il, colleges were busy sponsoring debates and quiz contests on “Kim Jung Il anthologies.” The intensity of these studies was further reinforced as the professors and instructors were told to include the “Kim Jung Il anthologies” in their instructional materials.

North Korea is attempting to inspire and instill in all students the Sole Leadership ideology and collectivist spirit by forging war-like atmospheres and by imposing stringent military training and defense athletic programs. In an effort to build up war-like atmospheres, North Korea circulated the “July-October war” rumors in 1997, and encouraged students to participate in such campaigns as the “copying after the boy-hero movement,” the “petition for military service” rallies and the “our-school, our-guardpost movement.” The rifle-range training and bayonet exercises at high schools, parade exercises and first-aid training at primary schools have all been strengthened. North Korean authorities seek to smoothly infuse “uniform thinking” into students through these methods, thereby indoctrinating them to comply with the dictates of the *surjung*-dominated North Korean society.

As for the college entrance procedures, North Korea offers a nationwide examination for the 6th year high school graduating class. Depending on the results of the exam, the government’s Education Commission allocate a certain number of students to each college at provincial and county levels. The college departments at county districts will then conduct exams again to fill their assigned number of students from among the students selected through the high school graduate exams.

According to the testimonies of defecting North Korean residents, one cannot go to college, no matter how bright, if his or her family background is bad. College-aspiring students, even if their scores are sufficiently high in the national exam, will be replaced by the children

of the powerful or of the good-background if the student's qualifications contain flaws in the state background checks. Exceptionally bright students with background flaws will sometimes be allowed to take college entrance exams, but will not be accepted by "major" colleges, since they conduct a second round of more detailed background checks. The students poised to advance to leading institutions such as Kim Il Sung University and Kin Chaek University of Technology go through a rigid security clearance. The political status of relatives as distant as second cousins is checked. For ordinary universities of education the scope of security check extends only to first cousins.

Consequently, only children of the rich and powerful can enter colleges of their choice. This is the reason why the largest number from the college student quota is allotted to Pyongyang, wherein reside the largest number of people with power and favorable backgrounds. As the economic conditions deteriorated in recent years, children of those with large amounts of foreign currency are also given opportunities to take entrance exams for major colleges. According to the defector Kim Hee Kun who came to South Korea in May 1997, recommendations for this category included children of foreign currency seekers and of repatriated former Japanese residents. To gain entrance, they usually provide the college with various equipment and materials.

Recently, however, as economic hardship worsened, school education rapidly became abnormal. The defector Kim Hee Young who came to South Korea in May 1997, testified that the student absentee ratio in some areas exceeded 20%, and even the teachers occasionally skip classes to peddle or trade for necessities. Furthermore, under the spell of serious food shortages, the number of students who are unable to receive normal education is rapidly increasing as their families have to disperse and migrate elsewhere to secure food.

## IV. Major Human Rights Violations

### 1. Human Rights Violations at Political Concentration Camps

One place where human rights are known the world over to be commonly trampled is North Korean concentration camps. North Korean authorities refer to these political prisons officially as “Management Center No. XX” Unofficially, however, they are known as special dictatorship target areas, places of exile, sectarian dens or resettlement areas.

#### Concentration Camp History

North Korean authorities give the name of camps depending on either the numbers for a specific area or the document number regulating the crimes that were deemed to be harmful to the maintenance of the regime. For example, the “Yoduk Concentration Camp” in South Hamgyong Province is labeled “Management Center No.15.” These camps are camouflaged on paper as a unit of the North Korean People’s National Guard. For example, “Hyeryong Concentration Camps” in North Hamgyong Province are recorded as “No. XXXX unit of North Korean People’s National Guard.”

According to North Korean documents seized during the Korean War and later released by the US State Department, North Korea has been operating collective camps since 1947, two years after national liberation. The people confined there in the post-liberation years were “malignant” landowners, along with pro-Japanese and religiously active persons. After the war inmates consisted mostly of those who had served as local security unit members on the side of the advancing South Korean and UN forces during the war.

These detention camps were turned into banishment camps for political prisoners after the so-called “August Faction Incident” of 1956 (when Choi Chang Ik, Yoon Kong Heum and others conspired

against Kim Il Sung). The former KWP secretary Hwang Jangyup who came to South Korea in April 1994, testified that the “controlled districts” originated from the “August Faction Incident.” At first, according to Hwang, only the “sectarianists” were sent to these camps, but later on all political prisoners, including anti-Kim Il Sung elements were sent there. He further testified that at the time Kim Il Sung argued that “(t)he sectarianists were so wrong in their minds that they should be sent along with their family to remote rural mountain areas to lead segregated lives there.” Accordingly, the first “controlled district” was set up in the Dukjang Coal Mine region in Bukchang County, South Pyongan Province, at the end of 1958.

In the course of purging Kim Il Sung’s political foes such as those of the Yen-an Faction, the Pyongyang authorities retaliated against anti-party and anti-Kim Il Sung elements (and to contain the proliferation of their influence) by holding those involved in the incident but who had escaped execution, together with their families, in remote mountainous areas.

During 1966 North Korea began re-registering the people to prepare for the arming of one million people into the Worker-Peasant Red Guards. The project included information on everyone’s political bent, and the entire North Korean population was categorized from 1967 through 1970 into three classes and fifty-one subclasses.

About 6,000 people among those categorized as belonging to the hostile class who were branded as sectarians or anti-revolutionaries were executed through kangaroo court trials. The approximately 15,000 who escaped execution along with their family members which numbered about 70,000 were held in the remote mountains under Cabinet Decision No. 149. Confined separately were those who opposed the Korean Workers Party or Kim Il Sung himself.

In the process, the families of some political prisoners were driven out and forced to disperse across deep mountainous areas or to rural farm areas with certain restrictions. The defector Chu Young Hee who entered South Korea in May 1997, testified that 7-8 families whose heads of household had been involved in the “Kim Chang Bong incident” were sent away to Sangnam-ri, Hochon County, South Hamgyung province, and have been living there for over 20 years now. The former general and Minister of National Security Kim Chang Bong was purged during the Fourth Plenum of the Fourth Military Party Committee in 1969.

In the early stages the combined area of the camps was about equal to that of a small town. Since the Three Revolutionary team movements began in 1973 in a move to consolidate a base for Kim Jong Il's succession to power, the number of inmates swelled phenomenally.

In the course of purging the party, military and administration officials who were against Kim Jong Il's succession to power following his seizure of party control at the 6th Party Congress in 1980, created the need for at least four more concentration camps to be created. As of 1982 more than one hundred thousand were sentenced to hard labor at eight camps, isolated from the rest of the society for the rest of their lives.

The number of camps grew as the regime tightened its internal control to keep the wave of reforms from reaching North Korea following the fall of Eastern Europe in the late 1980s, with their inmates reaching about two hundred thousand. In terms of human rights conditions these camps are reported to be worse in many ways even than the infamous Soviet gulag.

### Scope and Punishment of Political-Ideological Criminals

In referring to politico-ideological prisoners, North Korea calls them vaguely "anti-revolutionaries," "people with unsound ideology" or "hostile elements," so that once a leader decides to eliminate someone, he can do it readily through an accusation under one of these counts.

Kim Il Sung once said, "(F)or the victory of the socialist revolution, we should oppress those anti-revolutionary elements who are opposed to and who impede the thought and passion of the revolution as well as hostile elements who stage a compromising struggle against unsound thoughts—especially, those who try to revive capitalism"

For North Korea, then, it is a matter of course either to execute or to hold in concentration camps not only the political foes of the Kim Il Sung and Kim Jong Il system but also those who are uncooperative in the construction of socialism. Such people are branded as politico-ideological criminals.

Under the penal code, acts subject to political crimes include "conspiracy to overthrow the state," or "reactionary propaganda and agitation" and "betrayal of the fatherland." The crime of conspiracy to overthrow the state as envisioned in Section 44 of the penal code,

means the act of “a person who took part in a conspiracy to overthrow the Republic or who participated in a revolt.” Anti-party and anti-Kim Il Sung elements have been executed or shipped to concentration camps on this criminal count: It is said that Kim Jong Il purged more than 15,000 people on this charge since the beginning of the 1980s.

The provisions of Section 46 on crimes of reactionary propaganda and agitation are designed to “discipline those who urge others to overthrow, disturb or weaken the DPRK, or to commit other anti-government criminal acts.” In short, the clause was intended to seal the flow of overseas information and prevent internal restlessness.

In the initial stage the clause was used to punish habitual complainers among those repatriated from Japan and those hailing from South Korea. Following the collapse of Eastern Europe, however, the provisions were used mainly in punishing those who, upon return home from overseas studies or duties, spread information on overseas situations.

The clause on treason against the fatherland in Article 47 is intended to punish anyone who, after betraying the fatherland and the people, tries to run away to another country or to the side of the enemy. As more and more people attempted to escape the extreme economic and food difficulties, the numbers executed or sent to concentration camps also swelled.

North Korea made specific provisions in Sections 44 through 55 of the penal code to punish politico-ideological criminals mercilessly without due trial.

Whether or not to send ordinary criminals to prison is decided through minimum reviews and trial procedures. Cases of politico-ideological criminals, however, are unilaterally reviewed by the State Security Agency(SSA) in a single-trial system without judicial trial procedures. Even an innocent politico-ideological suspect can hardly be found not guilty and set free. Punishment is not limited to the person involved; immediate family members and even more distant relatives are punished under the North's system of guilt by association.

## The Camps

Concentration camps in North Korea are located in remote mountainous areas in South Hamgyong, North Hamgyong, South Pyongan, North Pyongan and Chagang Provinces. Their total captives are estimated at about 200,000.

The true picture of the camps has yet to be grasped accurately. Mr. An Myong Chol, however, who before he defected to the South in October 1994 had worked as a guard at the camp at Hyeryong, North Hamgyong Province, said that under the control of Bureau No. 7 of the SSA alone, there were ten political prison camps.

Later five of them including two in Onsong, North Hamgyong Province, near the Chinese border, and ones near Pyongyang were closed or moved to prevent discovery by the outside world since Pyongyang, is frequented by foreigners.

With reference to remaining camps he mentioned Management Center No. 14 at Kaechon, South Pyongan Province; No. 15 at Yodok, South Hamgyong Province; No. 16 at Hwasong, North Hamgyong Province; No. 22 at Hyeryong, North Hamgyong Province; and No. 25 at Chongjin, also in North Hamgyong Province. He said at these camps the numbers of prisoners total around 200,000.

Most of these centers are located in remote mountainous or mining areas. As was the case with the Sungho-ri Camp which was closed down in January 1991, some are dug entirely underground to keep their secrecy intact.

An Myong Chol further told of another concentration camp, a "complete-control district" under the control of Bureau No. 3 of the SSA, where human rights violations have been perpetrated at a magnitude beyond imagination.

Meanwhile, as international opinion has risen against North Korean human rights abuses, Lee Chang Ha, chief secretary of the DPRK Human Rights Institute, invited a fact-finding team from Amnesty International to visit from 26 April through 3 May 1995. The North allowed it to tour a rehabilitation center at Sariwon.

The authorities told the AI mission that they had between 800 and 1,000 prisoners at three rehabilitation centers. Among them, they said, political prisoners numbered only 240 and because they were being held at the Hyongsan Rehabilitation Center. Defectors, however, have unequivocally stated that such assertions are untrue.

Concentration camps are divided into "complete-control districts" and the "revolutionized districts." The complete-control districts are exclusively for those given life terms. They slave at mines and logging yards under horrible working conditions. There is no need for them to be ideologically educated because they will never return to society alive.

The revolutionized districts on the other hand are divided into family and bachelor sections; prisoners held here may be freed depending on the outcome of reviews made after a specified period from one to ten years. Upon release prisoners must sign an oath not to discuss anything about their experience, and violating the oath means return to the camp.

As members of the hostile class, prisoners released from the revolutionized districts lead a low existence. They are the priority target of surveillance by the SSA so they suffer various restrictions in employment, travel, etc. If an ex-political prisoner commits an ordinary crime, ten years' imprisonment is added to the term he or she would normally draw.

Inmates of the revolutionized districts consist mostly of Pyongyang's ex-elites, repatriates from Japan who have personal connections with senior officials of the pro-Pyongyang association of Korean Residents in Japan, Chochongryon, and their families. The policy is to have them go through physical difficulties and thus make them more obedient to the Kim Il Sung and Kim Jong Il system for when they return to society.

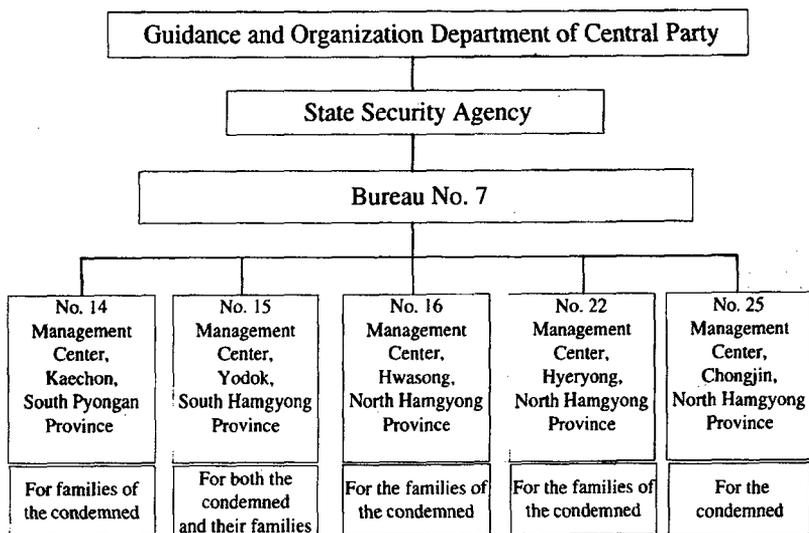
The great bulk of other political prisoners are held at the lifetime complete-control districts. Defectors have said that a very small number of life-term prisoners, exceptional cases, are transferred from complete-control districts to revolutionized districts.

## Organization and Size of Concentration Camps

North Korean concentration camps are said to extend from about 50 to 250 square kilometers holding between 5,000 to 50,000 inmates each. Prisoners sent to the camps are selected and managed in effect by the SSA under the supervision of the Guidance Department of the Secretariat of the Central Committee. The camps under the control of Bureau No. 7 of the SSA consist each of a political section, security section, management section, guards section and supply service section.

The duty of the political section is to watch the ideological behavior of people in the security and guards section and punish those who commit any irregularities. The security section watches the inmates and ferrets out, for execution or assignment to harsher labor, any malignant elements such as escape plotters, murderers and habitual

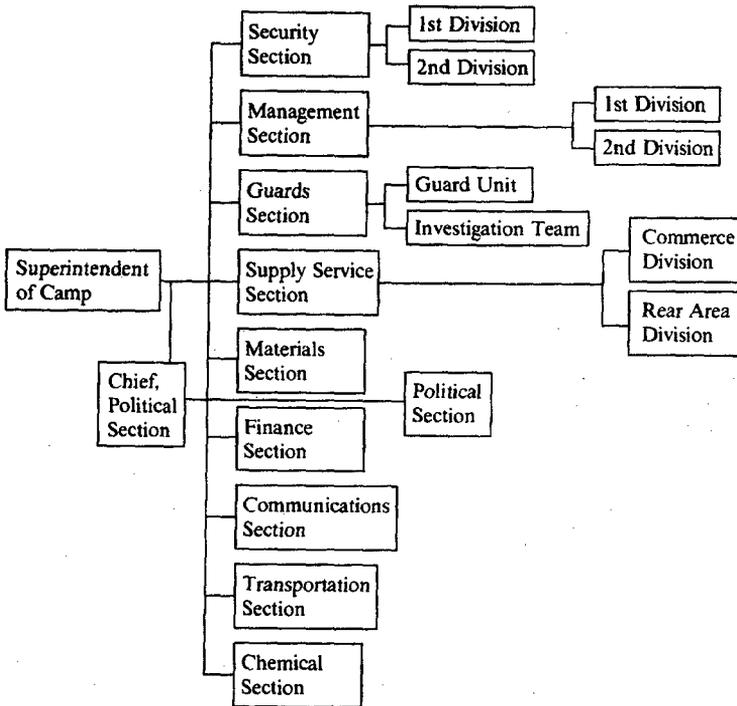
Table 4-1-1 North Korean Concentration Camps



Closed Centers

Name	Location	Time of Closure	Reason for Closure
No. 11	Kwanmobong, Kyongsong, North Hamgyong Province	October 1989	Construction of Kim Il Sung villa
No. 12	Changpyong Labor Region, Onsong, North Hamgyong	May 1989	Proximity to national boundary
No. 13	Chongsong Labor Region, Onsong, North Hamgyong	December 1990	Proximity to national boundary
No. 26	Hwachon-dong, Sungho District, Pyongyang	January 1991	Proximary to Pyongyang
No. 27	Chonma, North Pyongan Province	November 1990	Reason not known

Table 4-1-2 Organizational Chart of a Prison Camp



\*The official name for concentration camps is "management centers."

\*\*The organizational chart above is based on An Myong-chol's testimony.

complainers.

The management section is organized to maximize the work load and attain the production norms allotted to the camps. The responsibility of the guards section is to guard the outer perimeter of a camp and suppress by force of arms any revolt or other commotion inside a camp.

In addition, there are supply service sections responsible for supplying food for security and guards section personnel, the materials section for supplying materials for various construction projects inside the camps, and a chemical section for supplying dynamite to mines. Other sections include finance, transportation and communications.

Most dreaded by the prisoners are the security and guards sections, as both hold the right to determine their fates.

### Security at Concentration Camps

Around the perimeter of each camp are three- to four-meter-high double or triple barbed-wire fences, and seven-meter watch towers are installed at kilometer intervals along the fences. Manning the watch towers are guards section troops armed with automatic rifles, grenades and submachine guns.

Heavily armed guardsmen also patrol the perimeter area with military dogs day and night, and ambush teams watch security-vulnerable portions of the camp around the clock. Escape can hardly be imagined under such heavy security, but those who try are hanged or shot dead before a firing squad without trial. About fifteen or twenty prisoners try to escape each year. The other prisoners are forced to watch their executions as a means of terrorizing them into not trying to escape.

### Selection of Prisoners and Procedures

The SSA is responsible for catching anti-revolutionaries. Offenders are selected by local SSA officials and the central ministry makes the final decision concerning guilt without trial. The Maram Secret Guest House in the Yongsung District of Pyongyang is notorious for ferreting out political prisoners.

People subject to banishment are mainly those considered harmful to the Kim Il Sung and Kim Jong Il's system such as anti-party and sectarian elements and anti-revolutionaries, previous landowners and pro-Japanese, the religiously active, anyone opposed to Kim Jong Il's succession to power, attempted escapees and their families, and seditious people among those repatriated from Japan.

Following the collapse of Eastern Europe, those who returned from overseas duties or studies and spread knowledge of what they had seen and heard abroad were also targeted.

There are many cases where people are sent to prison camps for incomprehensible reasons. Kim Myong Jun, a bellboy at the Koryo Hotel in Pyongyang, was investigated at the Maram Guest House for espionage because he failed to report a tip he received for carrying a foreign visitor's luggage. Nothing substantiated the charge, but the

investigators unreasonably found him guilty of having “betrayed the fatherland” and had him serve three years’ hard labor at Yodok. According to the *1994 Human Rights Report* released by the US State Department on 1 February 1995, among some political prisoners there were those who were arrested because they sat on a newspaper containing a picture of Kim Il Sung.

Kim Kwang Ho defected to the South on 3 March 1987. He spoke of how he had suffered under the policy of control through *inminban* or neigh bombood units. *Inminban* heads sometimes keep the keys to unattended homes, and one day when a certain Kim and his wife were away from home, the *inminban* head and an inspector from a higher office entered their home and found a collection of Kim Il Sung masterpiece works which contained Kim Il Sung’s picture blurred because of their baby’s urine. The inspector accused him and his wife of improperly keeping the collection of the *suryong*’s masterpieces and the whole family was sent to a concentration camp.

In October 1992 at a rice ration center near Sunchon, South Pyongan Province, a woman receiving no rice on a ration day shouted, “This is worse than the Japanese rule.” Nearby people joined in her complaint and there was a collective protest. They were soon dispersed by Ministry of Public Security troops and that night the woman and her family disappeared, never to be heard from again.

People are swept away without advance notice or legal procedures, so that even their neighbors or relatives do not know what happened. For fear of harm, even someone who does know dares not protest to the authorities or inquire after the fate of missing people. Neighbors and relatives can only presume that they were arrested. Such a reign of terror is how people are made subservient to the system of Kim Il Sung and Kim Jong Il.

### Daily Duties

Once the condemned person enters a concentration camp, medical service is suspended and regular food rationing no longer applies. Prisoners are barred from marrying or delivering babies. They are completely insulated from the outside and no visits or letters are allowed from their relatives.

Prisoners finish breakfast and other preparation for a day’s work by 5:30 A.M. roll call. Being late results in a sharp beating, and three times

tardy means a loss of one day's food.

A day's work quota is assigned to five-person work teams. In general, prisoners often must work until 9:00 P.M. A lunch composed of boiled corn will typically be eaten at noon. Around 6:00 P.M. a security section officer, foreman or an *inminban* head makes an interim check on the extent of the work completed. When the completed work volume is found to be unsatisfactory, the team must work overtime.

To prevent group activity all mutual visits are banned even within the same camp. With the exception of going to work or class, inmates are prohibited from walking around in groups of more than two persons. Even in the daytime they cannot visit other living quarters inside the camp without a special permit. If anyone is found to be visiting without permission, an emergency alarm is sounded and a search is launched. Those violating the 10:00 P.M. midnight curfew are given one month extra-hard labor, and doing so three times means punishment in the camp stockade.

During curfew, security section officers and supervisors in groups of three or four patrol the camp area checking everywhere including the sleeping quarters. The security section also infiltrates undercover agents into the prisoners' world in order to monitor them.

## Diet

Amounts vary, but laboring prisoners are generally rationed 550 grams of corn per day together with a little salt and a spoonful of acorn paste every week. Rations are said to be reduced by 90 grams for those deemed negligent at work. People need to supplement their diet with wild herbs and roots, and those who cannot correctly identify edible wild plants and mushrooms sometimes poison themselves. Prisoners will eat scrap livestock feed if it is available and sometimes even kernels of corn or beans that might be found in cattle excrement. They catch on sight and devour frogs, frog spawn, rats and snakes. According to defectors Kang Chol Hwan and An Hyok, camp prisoners typically lose more than fifteen kilograms in weight within the first year. In the case of Ahn Hyuk, he used to weigh 78 kilograms before being sent to the concentration camps, but weighed only 38 kilograms after two years there.

## Dwellings and Camp Life

In these concentration camps, single people or those without their spouses lead collective lives in barracks while families live in huts they build themselves with wood, mud and straw mats. Because floors and walls are made of earth, the rooms are very dusty. Roofs are made in most cases with wooden boards and are covered with straw mats. Rain leaks in and it is extremely cold in the winter. Floors may be covered with mats made of bark. Therefore, conditions are similar to those in the dwellings of primitive humans.

Electric power is generated at the camps, but power output is so meager that only one light bulb is allowed for a family. Power will be supplied only between 7 to 12 P.M. and 2 to 5 A.M. The voltage is so low and the lights so dim that books and newspapers can barely be read. Still, camps with such power facilities are envied by others. At some camps a wooden torch is only lit during meals.

The supply of fuel, too, is so short that people barely cook their meals and never dare to heat rooms. On cold winter nights families usually sleep juxtaposed to share body warmth. Some freeze to death. Furthermore, there isn't enough clothing. For an entire internment period a single sheet of blanket material is issued to one family and one set of padded winter clothes to each person. To those living with their families work fatigues are rationed only once every three years. Fatigues are usually not issued to those in the bachelors' barracks; they use the same clothes they wore when they entered the camps, patching them up when needed.

Work shoes are issued once every one and half a years, and padded winter shoes only once every five years. No socks or underwear are given to the prisoners. Because of the lack of socks and underwear, many are frostbitten and toe amputations are not uncommon.

Under such miserable conditions, many prisoners suffer from pneumonia, tuberculosis, pellagra and other such diseases mainly due to malnutrition and heavy labor. Still, everyone without exception is forced to continue working. Many suffer from ailments such as testitis or hemorrhoids, but they are likely to be beaten if they walk or work slowly due to the pain.

When one's case of disease becomes so bad that a foreman decides he or she can no longer work, the patient is sent to a sanatorium and essentially abandoned, as there are no proper medicines or doctors.

They are said to be about 40-50 prisoners who die due to the lack of proper medical facilities at each center, every year.

### Executions and Mass Executions

There have been massacres at the North Korean concentration camps. According to An Myong Chol, political prisoners at the No. 12 Management Center in Onsong, North Hamkyong Province, enraged at harsh persecution attacked a security officers village inside the camp in October 1986. The group killed hundreds of family members of security guards. A battalion of security troops was mobilized which killed about 5,000 young and middle-aged prisoners including those who had no part in the riot.

Without any exception anyone who is unable to endure the harsh conditions, tries to escape, resist or who physically assaults security officers is hanged or shot to death at a gathering of the other prisoners.

Kang Chol Hwan, An Hyok and An Myong Chol testified that those who die due to such execution or accidents number in the hundreds in each camp every year. Kang Chol Hwan said that at the now closed Sungho-ri Camp, sometimes more than 300 prisoners died per month.

A prisoner set to be executed is confined in the stockade for a day or two before all prisoners at the work sites are mobilized, usually around 10:00 A.M. Two security officers tie the condemned to a pole, blindfolded and gagged. The camp director declares the opening of an execution ceremony, at which time an officer publicly details the crime for about five minutes. Then three security officers fire three shots each at the prisoner and the body is buried in a straw mat.

According to testimony by An Myong Chol, however, North Korea resorted to secret executions in place of some of public killing beginning in 1984. The reason was that although public execution is a device intended to terrorize prisoners into absolute obedience, frequent public executions had formed a sort of immunity of fear among prisoners. As well, a repercussion of such violence was anger among prisoners.

Anyone aware of irregularities on the part of security officers, attempted escapees, attempted murderers, habitual complainers, and expecting women and their lovers are all subject to secret execution. According to testimony, Security Section No. 1 of a camp would be in charge of secret executions. The method of death, decided by security officers, is usually quite brutal and includes beating with batons or

crushing with stones.

Defector An Myong Chol testified that at the camps under the control of Bureau No. 3, condemned prisoners have been used as living victims on which medical experiments were conducted by camp doctors—just like those conducted by the notorious Japanese army 731 Unit or by Nazi doctors on prisoners of war and other prisoners.

All these reports from defectors cannot be confirmed now but we need to remind ourselves that although in the extremely closed North Korea it is hard to verify if such brutality actually does take place in these camps, defectors' testimonies cannot be dismissed simply due to lack of proof. This is all the more so in view of the fact that the Nazi massacre of Jews could only be known wholly after World War II was over. The international community should pay more attention to these North Korea political concentration camps in the hopes of preventing further cruelty against the human rights of prisoners.

### Internment of Repatriates in Concentration Camps

There is little solid information on the present situation of the detained repatriates in concentration camps. We do have testimonies of defectors who themselves were in the camps. However, a recently published report by Amnesty International listed the names of some repatriates found in the Sungho-ri camp.

According to testimony from Kang Chol Hwan and An Hyok who had been imprisoned at Yodok, many are there including about 600 persons of 100 families who were first detained in early 1974. They also stated that from then on 100 to 200 more families were added every year; totalling as of 1987 about 5,000 repatriated political prisoners from 800 families, and 300 criminals. A total of 5,300, were living in the "Kueup and Ipsuk area" villages, a special zone designated to be revolutionized.

Meanwhile, according to the testimonies of Kang Chul Hwan and Ahn Hyuk, former staffers of the pro-Pyongyang association of Korean Residents in Japan, *chochongryon* and some industrialists were separated from their families and believed to have been detained in different camps. This suspicion is supported by the fact that of the many detainees they met in the camps a majority of them are never accounted for. Kang Chul Hwan still does not know the whereabouts of his grandfather "Kang Tae Whew" (who used to be the Tokyo

chapter chamber of commerce chairman of the *chochongryon*). He was reported missing in 1977.

When people are found missing overnight in North Korea, people assume they have been whisked away to prison. Repatriates deported to the camps are usually charged with espionage or provoking social agitation because they conveyed information about Japan and South Korea. But the repatriates concerned say they have no idea why they should be punished. Defectors say the members of the SSA who supervise the camps call these repatriate prisoners "semi-Japanese" and treat them worse than they do other prisoners.

The death rate of the repatriate prisoners is high because they are treated more severely than others and because they cannot easily adapt to the severe circumstances.

## 2. Abductees

A total of 3,745 persons have been kidnapped to North Korea since the Korean Armistice Agreement in 1953. Of them, only 447 persons (see the 'appendix') are known to be still under detention. During the 1997 interrogations of the North Korean espionage agents Choi Sung Nam and Kang Yon Jung, it was revealed that the five high school students who were believed to have been kidnapped by the North Korean agents toward the end of 1970, were included among the surviving detainees.

Beginning with the first kidnapping of 10 fishermen aboard the *Daesung-ho* on May 28, 1955, North Korea has abducted a total of 3,662 fishermen since the Korean Armistice in 1953. They subsequently returned 3,255 and are still holding 407 fishermen to this day. As recently as May 30, 1995, North Korea had kidnapped 8 fishermen aboard the "No. 86 *Woosung-ho*." Three of the eight were killed during the struggle against kidnapping. They were returned through Panmunjom on December 26, 1995.

In addition, North Korea has been forcibly detaining South Korean Navy's I-2 boat and her 20-men crew since the abduction on June 5, 1970, as well as the civilian Korean Airliner airplane and 12 persons aboard, including crew and passengers, since December 11, 1969. North Korea is also detaining a South Korean school teacher Ko Sang Mun since the abduction in April 1979 in Norway and the Full Gospel

Church Reverend Ahn Seung Wun since the abduction in July 1995 at Yenji, China.

The five high school students, Kim Young Nam, Hong Kun Pyo, Lee Myung Woo, Lee Min Kyo, and Choi Seung Min, have thus far been listed as missing until the new 1997 interrogations revealed their current status. Kim Young Nam who was at the time a student at Kunsan Technical high school, was kidnapped at Sunyoodo beach at Kunsan, North Cholla Province on August 5, 1978. Hong Kun Pyo who was a student at Chonan Commerce high school, and Lee Myung Woo who was a student at Chonan Agriculture high school, were kidnapped at Hongdo beach, South Cholla Province, on August 10, 1978. Lee Min Kyo and Choi Seung Min who were both students at Pyongtaik Taekwang high school, had been missing from Hongdo beach, since August 1977. They were all visiting the beaches during the summer vacation when the North Korean agents returning to North Korea kidnapped them.

In addition, there are suspected to be more unidentified kidnappees forcibly detained in North Korea, whose incidents have not yet been published. Amnesty International published a list of 49 political prisoners on July 30, 1994, and included in it were a few kidnapped persons. When the AI list drew international attention, North Korea put both Ko Sang Mun and Yoo Sung Keun, whose names were included in the list, on the North Korean and in statements similar to press interviews made them "confess" their "voluntary entry" into North Korea on August 10-11, 1994. The defector Ahn Myung Jin who came to South Korea in 1993, testified that the South Koreans who had been kidnapped to North Korea by its espionage agents, were engaged in spy training.

Some of the abductees from South Korea are being used in "broadcasts to South Korea" or in "espionage training." The Korean Airliner stewardesses Sung Kyung Hee and Chung Kyung Sook have been used in "broadcasts to South Korea." Other detainees are used as instructors for North Korea's espionage agents to be sent to the South. According to the testimonies of Ahn Myung Jin, about 20 unidentified detainees from South Korea are working as "spy-training" instructors" at the "Center for Revolutionizing South Korea" located at Yongsung district, Pyongyang. This center is a reduced model of South Korea designed to teach and train how to adjust to real life in South Korea and ways and means to get along in the South to the core graduates of

“Kim Il Sung Political Military College (renamed as such in 1992)”. The center is under the direct control of Operations Division in the Building No.3 of the Central Party, which is responsible for producing espionage agents to be infiltrated into the South.

The rest of the abductees whom North Korea found useless are presumed to be detained in various concentration camps. The fact that some abductees from South Korea are detained in the concentration camps can be ascertained from the AI report above. In a special report entitled “New information on political prisoners in North Korea,” published in 1994 by AI, abductees who were presumed to have been detained in the now defunct “Seunghori concentration camp,” were included.

Meanwhile, North Korea in a Red Cross statement on September 24, 1996, insisted that the Reverend Ahn Seung Wun who was abducted in July 1995, was not forcibly kidnapped but instead “voluntarily entered” North Korea. On the contrary, however, the Chinese government on September 13, 1996, sentenced Lee Kyung Choon, who was found to have been one of the two suspects involved in kidnapping the Reverend Ahn, to a two-year imprisonment for “illegal detention and unlawful border-crossing” and banished him from China. In short, the Chinese government in effect officially confirmed that the Reverend Ahn incident was a kidnapping perpetrated by North Korea. Accordingly, the South Korean government requested the Chinese government to restore the case status quo ante, and demanded North Korea to immediately return Reverend Ahn. But, North Korea is still refusing the return of the Reverend Ahn to South Korea.

### **3. Human Rights Violations of Korean Residents in Japan Repatriated to North Korea**

According to testimonies from Korean Residents in Japan who repatriated to North Korea as well as reports from defectors and human rights organizations, after the repatriates arrived they and their families have suffered because of poor food, clothing and shelter, and difficult work assignments.

A report from Asia Watch and the Minnesota Lawyers International Human Rights Committee said they are called *kuipo* by North Korean authorities, a derogatory term. The repatriates without economic

Table 4-3-1 . Yearly Numerical Trends of Korean Residents in Japan repatriated to North Korea

Year	Total	Koreans Residents in Japan	Accompanying Family members	
			Japanese	Chinese
1959	2,942	2,717	225	
60	49,036	45,094	3,937	5
61	22,801	21,027	1,771	1
62	3,497	3,811	186	
63	2,567	2,402	165	
64	1,822	1,722	99	1
65	2,255	2,159	96	
66	1,860	1,807	53	
67	1,831	1,723	108	
71	1,318	1,260	58	
72	1,003	951		
73	704			
74	479			
75	379			
76	256			
77	180			
78	150			
79	126			
80	40	38	2	
81	38	34	4	
82	26	24	2	
83	0			
1984	30			
Total	93,340			7

*Note:* There have been no Return-to-the-Fatherland group programs since 1985. Unknown statistics are left blank.

support from Japan are treated with contempt by other North Korean residents. It is said that such treatment has driven some to suicide and others to try to escape to China or Russia.

Worldwide attention turned to human rights of the repatriated and their Japanese wives when the issue was raised during recent negotiations over DPRK-Japan normalization. In addition, international

human rights organizations such as Amnesty International began an investigation of the missing repatriates. International concern, not to mention concern in Japan, led to the establishment of nongovernmental human rights organizations for the purpose of democratization in North Korea and improvement of human rights for the repatriates. They include the Association to Realize Free Travels for the Tapanese Wives, the Dietmen's League to Promote the Free Coming and Going of Japanese Wives. After 1993, organizations such as the Society to Help Returnees to North Korea (SHRNK: Tokyo), Rescue the North Korean People Urgent Action Network (RENK: Osaka) were established.

### Present Situation of the Repatriates

The repatriation of Korean Residents in Japan to North Korea began in December 1959 in conformity with an agreement concluded between the Japanese and North Korean Red Cross Societies. The misery started from the afternoon of 6 December 1959 when they arrived at Chongjin port. From that time until July 1984, through 187 separate voyages, 93,000 people including 6,630 Japanese wives went to North Korea. (1,830 of the Japanese wives had Japanese nationality) They had been deceived about the paradise on earth in nationalistic appeal and false propaganda by the North Korean authorities and by *chochongryon*, the General Association of Korean Residents in Japan, which is loyal to the Pyongyang regime.

The North Korean authorities promised Japanese wives that they would be allowed to visit Japan every two or three years, However, no one has ever been allowed to pay a visit or return to Japan. On the contrary, the whereabouts of wives of the many repatriated former Korean residents of Japan have been cut off. The only exception for the first time ever took place in November 1997 when a team of 15 wives of repatriated Korean-Japanese was allowed a seven-day visit to Japan.

Although there are no exact figures, from testimonies of the North Korean defectors we can estimate that great numbers of them were executed or sent to concentration camps.

## The Living Situation of Koreans Repatriated to the North

Treatment of repatriates is entirely different from what is claimed in propaganda by the Pyongyang government and Chochongryon. Most repatriates were forcibly allocated residence and jobs regardless of experience, ability or desire. Even until the 1970s, the repatriated were banned from joining the Korean Workers' Party and were not accepted in the DPRK People's Army.

Except for a very few who had good political background or who had given money and material to North Korean authorities, most of the repatriates were classified as the wavering or hostile class. Moreover, from January to April 1981, North Korea classified the repatriates into detailed sub-classes and began to keep a very close watch on their activities.

There is a wide difference in living standards between Pyongyang and the countryside. Living conditions differ highly in accordance with the amount of economic support sent by repatriates' relatives in Japan or other foreign countries.

Children of repatriates are also subject to severe control and discrimination. A Japanese visitor said that a Mr. Kim Won Jo wrote directly to Kim Il Sung about an unfair college admissions committee decision. He claimed that the committee rejected his application because he had not made a big enough donation and he was not connected to the party. He was accused as a counterrevolutionary and arrested; no one heard from him again and he is believed to be in a concentration camp.

Such infringement of repatriates' human rights came to be known to the outside by people who visited North Korea. One Japanese Korean revealed that when he visited his relatives they confessed their repressed lives to the effect:

We are still alive, but we are nothing more than dead bodies. Like captive birds locked in a cage, so are we deprived of our freedom. . . . If I want to travel anywhere I need a permit from the resident officer at the agriculture research institute, but that is very difficult to get. . . . We can say life is a kind of hell. We endure for days on thin porridge made from wheat or beans. There were days when I was forced to work on nothing but water. I have even eaten grass, snakes, frogs, and so on. . . . At first I suffered from diarrhea but

now I am accustomed to these things. (Indirect quotation translated from the Korean.)

When such news began to be made known in Japan, the number of repatriates decreased substantially. As soon as they arrived in North Korea, they realized they had been cheated and gradually began to speak out about their discontent.

The authorities then began to oppress them systematically. According to defector Oh Soo Ryong who escaped in 1995, North Korea began to detain repatriates in camps or execute in public those who submitted petition or protest. Also, every time a political change occurs in North Korea, repatriates who are low in their social position again become the object of purge.

When we piece together the testimony from defectors, it is estimated that many of the repatriates are either dead by now or in labor camps.

### Repatriates and Forced Donations

Not only do the North Korean authorities control *chochongryon*, they secure donations by holding their repatriated family members hostage. After having tricked the repatriates by offering them good housing and job assignments, Pyongyang raises money from their family members in Japan by selling party membership and tickets for university entrance—so families members and close acquaintances have been sending money to protect them. Some send goods such as trucks, engines, machinery for light industry, and so on.

It is said that these donations help their relatives obtain better jobs in the North, and a very big contribution will enable them to move to Pyongyang. According to Asia Watch and the Minnesota Lawyers Committee on Human Rights, one Japanese repatriate even became a representative of the Supreme People's Assembly through an extremely large donation.

Defectors and people who visited Japan testify that North Korean authorities demand large sums of money from repatriates' families and relatives in Japan in return for allowing them to see them, or for acquitting them for political offences. Party executives and members of the State Security Agency actively solicit these donations. According to the SHRNC(Tokyo), the amount of donation required to liberate a political offender is about 50 to 100 million yen. According to the

testimony of defector Chin Kwang Ho, a donation of at least 50 million yen or an equivalent amount of goods is required for permission to see one's relatives in North Korea. It is also reported that whenever funds are needed for celebrating Kim Il Sung's or Kim Jong Il's birthday or some other big event, the North Korean authorities call individually upon those repatriates who receive frequent remittances, and demand money. In this way the North Korean authorities systematically extort huge amounts of money.

### Japanese Wives

The predicament of Japanese wives who went to North Korea with their husbands has become an important question juxtaposed to the problem of Japanese compensation for past affairs in negotiations over normalization between North Korea and Japan. According to the press releases (December 1996) of the "Association to Realize Free Travels for the Japanese Wives," there are a total of 530 repatriated Japanese wives in North Korea today. The Japanese wives of the repatriates live in a kind of banishment due to an inhumane discrimination policy. We know of their economic poverty, lack of freedom and suffering from disease through the letters they send to their families and relatives in Japan.

In the 1960s the primary gist of letters concerned necessities of life such as provisions, stationery, medicine, etc. Such requests simply reflect hardship. Around the latter half of the 1970s, however, on top of the usual pleas, demands for financial support began to increase. Perhaps this was for their private needs—but the suspicion cannot be dispelled that Pyongyang is taking advantage of the Japanese wives to secure foreign currency. Suspicions grew stronger when they began to send letters begging for money and goods not only to their families and relatives in Japan but also to acquaintances from long ago.

Uncle and Aunt, you may think it strange to receive my sudden letter. I am Kumiko, the daughter of Yoshie. Do you remember me? . . . Please send me everything needed for the four seasons such as upper garments, pants and so on. I don't care whether they are new or not. . . . Please send only 30 thousand yen before January and a package of clothes for adults and children. It is safe to send clothes. . . . Also send 30 thousand yen this year and an additional sum of

money if it is not too much even next year, too.

*20 August 1990, from Kumiko*

These letters also share in common their dearest wish to meet their families in Japan and to return home. In 1990 alone the Japanese Red Cross received 771 letters through the North Korean Red Cross from Japanese wives inquiring after news from their families.

In April 1974 the Association to Realize Free Travels for the Japanese wives was organized in Japan. About two thousand family members took part in the meeting. Moreover, in 1988 every representative in the Japanese Diet excepting those in the Communist Party, 164 in all, started the Dietmen's League to Promote the Free Coming and Going of Japanese Wives.

This association has tried to realize the return of the Japanese wives who so desired. In January 1988 it began to send necessities of life such as provisions, clothes and stationery. The 450 to 600 boxes of relief goods sent by this organization every year has resulted in increasing numbers of letters of thanks. The letters contain expressions such as, "Thank you for giving sugar after I have not tasted it in thirty years," and "I owe you my life."

Who is Fumiko? Thank you very much. . . . I hid wheat noodles, cans, and sugar to eat them on New year's Day. I saw them for the first time in thirty years. Many clothes were lost. Two pairs of pants, a one-piece dress, a chemise, two skirts, and tools have also been lost. There are five packs of wheat-gluten. . . . Please never send anything else by mail. I cannot claim everything because the tax is too high. . . . Please don't send things made in the United States or South Korea because they are subject to confiscation.

*November 1989, Suzuki Dakeno from Eunpa County, North Hwanghae Province.*

In 1988, the first year such relief goods were sent to North Korea, about seventy percent of the addressees returned notification that they had received the goods. Since 1990 there have been few replies. President Fumiko Ikeda of the Association to Realize Free Travels for the of Japanese Wives, said, "Probably the North Korean authorities have prevented them from corresponding, as part of their efforts to intercept the wave of liberalization from Russia and the East-bloc

socialist countries and to prevent information from entering North Korea.”

During November 8-14, 1997, a team of 15 repatriated Japanese wives paid a week-long visit to Japan. They were visiting their homeland for the first time in 40 years. At the time the original repatriation agreement was signed between North Korea and the Japanese Red Cross, North Korea had promised that they would be allowed to visit Japan every 2-3 years, a promise which was never kept. As the Japanese news media and human rights organizations pointed out, these wives were carefully screened “model students” or “honor students” and they invariably stated that “for almost 40 years we have been living happily without any discrimination and still believe that North Korea is a paradise on earth.”

By partially allowing the visit of the Japanese wives, North Korea apparently has sought to allay the criticisms of Japan and the international community that they have been discriminated against, and it has used the case as a tool for leverage in its efforts to increase the support of food assistance and to improve North Korea’s position in the normalization talks with Japan.

#### **4. Human Rights Violations of People who Escaped North Korea**

##### **Persons that have Escaped**

A considerable number of North Korean escapees are currently living in third countries such as China and Russia. A total of 1,600 escapees live in China and Russia and, excluding known duplicate applicants, a total of 500 persons have requested asylum at South Korean embassies. Yet, the exact numbers cannot be accurately determined because most escapees cannot openly seek assistance.

Escapees living in third countries who are caught by local police officials or DPRK security personnel are forcibly returned. Although these people are refugees whose fundamental rights are in danger, they do not receive any type of protection from local countries or international organizations. The governments of China and Russia, the most likely destinations for these North Koreans, do not consider these people favorably and in fact regularly arrest them and turn them over

to the DPRK authorities. Therefore, escapees have to hide from local police as well as from North Korean security personnel, and only a minority of them can consider going to South Korea.

With more North Koreans escaping and international attention increasingly focusing on the human rights plight of these people, the North Korean authorities are increasing their monitoring activities. They have increased security by taking such measures as declaring the borders "war zones." They have tightened their civilian monitoring networks and suspect people who sell their household goods at markets of seeking escape. North Korean authorities are also increasing their arrest efforts through their various foreign embassies, and have organized "arrest teams" consisting of three or four State Security Agency(SSA) agents, local embassy personnel and students to find and arrest escapees.

In addition to tightening their monitoring activities, the authorities also summon persons living abroad back to North Korea for reeducation. Following the escape of persons from the elite classes such as Hyun Sung-Il and his wife in early 1996, all foreign embassies received secret directives to summon immediately all children of senior officials and students. Even as early as October 1989, the Party Central Committee ordered all foreign embassies to "summon all laborers, researchers and students living abroad."

Almost all repatriated escapees are detained in secret prisons or publicly executed. According to testimony by escapees, a secret prison managed by the local SSA in the city of Haesan in Yanggang Province holds most of the escapees who return from Russia and China, where they are tortured and executed.

### The Defecting North Korean Residents in South Korea

As of the end of 1997, a total of 866 North Korean residents defected to South Korea. Currently, 685 of them reside in South Korea, and the rest either passed away or emigrated to other countries. The number of defecting North Korean residents entering South Korea increased drastically since 1994, and in 1997 a total of 86 entered South Korea.

As the number of defectors increased, the motivations, size, routes and means, age, and occupation of defectors also varied widely. Extremely unusual have been the defections of such top-ranking personalities as the former KWP secretary Hwang Jang Yup and the

former North Korean ambassador to Egypt Chang Seung Kil. Also unusual were cases like Kim Won Hyung who came to South Korea in May 1997, and Lee Yong Wun who came in December 1997, the two defections which have been actively assisted by their families living either in South Korea or in third countries.

In terms of motivation, there have been more cases in the past in which the defectors had no other choice but to survive in the face of unbearable human rights violations or discrimination based on personal or family background. Recently, however, the number of cases are on the increase in which the entire family would decide on their own to take life-threatening risks to escape from the serious food shortages and economic hardship.

In a few cases, the earlier defectors have taken daring moves to help defect their family members who were left behind in North Korea. Hong Jin Hee is a second generation repatriated Korean Residents in Japan and she entered South Korea in January 1996. She successfully helped her mother Chu Young Hee and both her siblings, Hong Kyunghwa and Hong Jin Myung, successfully defect North Korea in May 1997. Chung Hyun who came to South Korea in August 1990, also helped his mother and two brothers flee North Korea. In terms of the size of defection, defections of large family units are on the increase. Kim Kyung Ho and his 17-member family who came to South Korea in December 1996, were the first of these cases. Subsequently, Kim Young Jin's and Yoo Song Il's family of eight entered South Korea in January 1997. Later in May 1997, Kim Won Hyung's and Ahn Sun Kook's family of 14 members came in, followed by Lee Yong Wun's family of eight. As a result, the defectors' groups as a whole feature wide age distribution from young children to senior citizens.

In terms of routes of escape, taking detours through third countries was one route and crossing the Demilitarized Zone in the middle of the Korean Peninsula was the other. But, recently, defections aboard boats became a third method. It has generally been known that defecting by sea through the tight surveillance networks on and off shore was far more difficult than crossing the DMZ. So, the successful defections through the sea route are evidence less of the flaws in North Korea's surveillance system than the defectors death-defying runs out into the high seas.

Defectors' occupations are also varied. Indeed, a full array of North

Korea's job categories and diverse citizen classes were reflected in them: Hwang Jang Yup was a high Party official, and there were diplomats, medical doctors, foreign currency business instructors, soldiers, students, teachers, peasants, and workers.

### The Background Behind the Escapes

Despite efforts by North Korean authorities, the escape phenomenon appears to be increasing due to the following factors:

First there is the continued negative economic growth in North Korea since the 1990s and the worsening food shortages especially due to the flood and drought damage of 1995 and 1997. Most people do not regularly receive food rations, and it is reported that in certain regions some have starved to death. The food shortage has brought increased international attention and North Korea has received international assistance through such organizations as the UN. Yet, the food crisis and overall economic condition cannot recover in the short term through such emergency measures as international aid or economic support and the number of North Korean people who escape to avoid starvation and poverty will increase.

Second, the economic and food crisis also has the effect of allowing North Koreans to come into contact with more outside information which further entices them to escape. They do so through Chinese-Korean merchants, foreign citizens of Korean heritage who visit North Korea, students studying abroad, and foreign correspondents. Many North Koreans are aware of the development of China and the ROK and it is believed that the number of people who secretly listen to South Korean broadcasts has increased. The development of China following its reform and market opening policies also causes North Koreans to compare their system with others. This increase in foreign information and the relative sense of deprivation it creates motivates even more people to escape.

Third, the weakening of the North Korean social psyche and the increasing isolation from society also results in more escapees. Starting from the mid-1980's the absolute materialistic attitude that "money is best" has rapidly spread in North Korea, and, with the increase in personal economic activity, bribery and economic crimes occur more frequently. The DPRK authorities severely punish minor offenses such as personal economic activity on the part of anyone they believe is

against the socialist system. Yet the increasing rejection of society and the changes in popular values due to economic and political instability are already too widespread for forcible control and many believe that the number of defectors will continue to increase.

Fourth, the changing values of laborers and others living abroad have also contributed to the increase in escapes as seen in the defection of Hyun Sung Il and his wife and Cha Sung Gun in early 1996. The financial crisis at foreign embassies due to the economic crisis at home, the poor living standards of embassy personnel, the smuggling of such products as narcotics, the manufacture and distribution of counterfeit money and finally the heightening tension, reciprocal monitoring, backstabbing and forced summoning of embassy personnel, have all contributed to the increasing number of defections among embassy personnel. Particularly those who have been in contact with South Korean businessmen and missionaries as part of their foreign currency operations are full of fear and are attempting to defect. As a result, North Korean authorities are summoning those citizens living overseas who seem problematic and are attempting to reeducate them. Yet, it is difficult to control the changing values of people working overseas when they were originally sent out to solve the growing economic crisis.

### The Human Rights Situation of North Korean Escapees in China

More than 1,000 escapees live in China, and most of them live and hide with relatives in the three northeastern provinces (Yonyung, Qilin, Hukryongkang) while they engage in odd jobs and assist farmers. A small number of these people eventually seek escape to Hong Kong, Vietnam or Thailand.

Those who escaped to China can easily be reported by *cho-gyos* (North Koreans living in China) and arrested by either special security agents from North Korea or Chinese police officials. If arrested, they are forcibly extradited according to the PRC-DPRK Escaped Criminals Reciprocal Extradition Treaty that was secretly concluded in early 1960. According to a copy of "Administrative Regulations for the Border Area" in the Province of Jilin obtained by Seoul's *Dong-A Ilbo* newspaper on 26 December 1996, more than 140 escapees living in China were arrested by Chinese police after these regulations were

passed in November 1993 and forcibly extradited in 1994 and 1995.

This activity by the Chinese authorities violates the 1951 Convention relating to the Status of Refugees. Article 33 of the 1951 Convention prohibits the extradition and forcible expulsion of refugees as follows:

No contracting state shall expel or return (“*refouler*”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

This provision of course does not apply to those “refugees” who are considered dangerous if not repatriated because they would threaten the security of the DPRK or because they have received guilty sentences for committing serious crimes. (Article 33, Section 2 of the 1951 Convention relating to the Status of Refugees). The escapees from North Korea have not committed serious crimes that threaten the security of the DPRK and, if repatriated, their lives will be in serious danger, so forcibly returning them is a significant human rights violation.

Classified as “national traitors,” those forcibly repatriated persons face execution or imprisonment in political concentration camps. Article 47 of North Korea’s penal code provides that those who cross the border into another country become “national traitors” and will receive serious punishment. This violates the International Covenant on Civil and Political Rights. Article 13, Section 2, of this covenant provides that “(E)veryone has the right to leave any country, including his own, and to return to his country.”

### The Human Rights Situation of North Korean Escapees in Russia

Those North Koreans who have escaped from logging camps or construction sites in Russia travel throughout the Vladivostok area, Central Asia and the Chinese-Russian border, selling such things as clothes, and live in hiding with the help of local Koreans. Technically, North Korean escapees in Russia may enter South Korea by receiving refugee certifications from the UNHCR, but usually regional Russian

officials arbitrarily decide what to do with them, and in certain cases they deport them back to Pyongyang.

North Korean laborers began working in regions of the former Soviet Union after logging facilities were established in the Khabarovsk and Amur regions according to a logging treaty signed in 1967 between Soviet President Brezhnev and Kim Il Sung. Although at one point the number of Korean loggers reached 20,000, presently it has been reduced to between 2,500 and 4,000 persons. In September 1997, North Korea and Russia concluded an agreement to adjust and downsize their joint forest and lumber projects.

In addition to logging camps, Korean laborers have also been sent to mines and construction sites in Siberia and to ones near Vladivostok and Moscow. Defector Yoon Sung Chul, who used to work at a mining site as a construction laborer, testified that at the site where he worked in 1990 there were over 2,000 North Korean laborers in eleven locations. Amnesty International's 1996 report quoted the testimony of a North Korean defector who stated that over 3,000 Korean laborers worked in mines near Khabarovsk.

North Korean laborers in Russia began increasingly to escape from their work sites before and after the collapse of the Soviet Union in the 1990s. More began to desert around 1990 as the excess labor that resulted from decreases in wood production was sent areas outside their logging sites to "collect foreign currency" or to work in "side jobs."

Those who have escaped their work sites live in dangerous conditions. They are constantly pursued by DPRK security personnel and if arrested and repatriated they may face execution. Previously, North Koreans were returned to North Korean authorities if arrested by Soviet police under a secret DPRK-USSR protocol. This secret protocol was declared illegal in 1993 by the Chairman of the Human Rights Subcommittee of Russia's Supreme People's Assembly, Sergei Kovalnov.

Despite this declaration, North Korean security personnel continue to pursue escapees in Russia and this has been justified by Article 14, Section 5, of a new forestry agreement reached in February 1995. It provides that all personal and "foreign currency collection" projects of North Korean laborer, need special authorization from the regional authorities. While telling international human rights organizations and Russian authorities that these escapees are criminals, North Korean

authorities attempt to prevent escapees from attaining refugee status and obtain information about hiding places.

In 1995, the UNHCR bestowed international refugee status upon the escaped loggers and permitted defection to South Korea in accordance with the will of the respective individuals. Refugee status from this UN organization means that North Korea can no longer argue that the South abducts loggers from Siberian camps.

As more and more loggers escaped and the problem became more severe, Pyongyang began to seek policies to induce their voluntary return but in the meantime reinforced arrest attempts. Kim Jong-il ordered that no punishment be imposed on anyone who voluntarily returns to camps, but the escaped loggers themselves think of this as ploy to ferret out runaways.

One of the monitoring activities carried out by North Korean authorities entails monitoring the people known to help deserters. Amnesty International reports that among those monitored are South Korean Embassy staff. North Korean security officials at times hire locals to monitor people suspected of helping the escapees, and under the tacit consent of Russian authorities they search the houses in which they believe escapees might be held. This violates Article 12, Section 2, of the International Covenant on Civil and Political Rights.

Moreover, the regional Russian governments apply their own autonomous policies concerning these escapees, and in some cases they do not want to recognize the existence of the escapee problem. Amnesty International reports that the Emigration and Immigration Bureau in Khabarovsk claims they have never seen North Korean escapees, and the Russian Foreign Affairs Department itself professes to believe that the issue of North Korean escapees is not within their legal jurisdiction. Therefore, regional Russian governments not only extradite these escapees but also at times cooperate with North Korean agents. Amnesty International also adds that most Russian police treat the escapees in a violent, ethnically discriminatory manner and do not recognize the identification cards that the UNHCR issues them. North Korean escapees therefore must not only avoid pursuit by DPRK authorities but must also avoid contact with Russian authorities.

Amnesty International found that these escapees are not sufficiently aware of the rights guaranteed them under international law. This is largely because no human rights organization exists in the Russian northeastern region and no one really shows any interest in their plight.

As a result, when the Koreans escape from their work sites, they destroy their identification cards (resident permit cards) because they fear the Russian police might send them back to these sites. Yet the lack of an identification card can be grounds for extradition. Amnesty International reported that in 1993 a North Korean escapee, Choi Kyung Ho, who was trying to register his marriage with a Russian woman, was instead arrested and extradited because he did not have an identification card.

The North Koreans who are arrested are handed over to DPRK security agents stationed in the region. Defector Yoon Sung Chul testified that those arrested are forced to sign documents arbitrarily prepared by security agents (which usually consist of confessions to crimes such as attempting to escape to South Korea or listening to South Korean broadcasts) and then they are deported. The forcible extradition is carried out by the SSA personnel or other security agents stationed in the region. Together with their documents, escapees are sent to the provincial political departments in their home towns. When sent back to North Korea, often their legs are placed in casts or in chains to make sure they do not attempt to escape again.

Those who try to resist the extradition process are summarily executed. In May 1996, one North Korean who tried to seek asylum in Seoul was arrested by Russian authorities and then was executed on site while he was being handed over to North Korean authorities. The Russian Maritime Province, governor Nazdrachenko explained that "(t)hree North Korean escapees who had been seeking asylum in South Korea with fake passports were arrested, and while they were being transferred to North Korean authorities at the border one was summarily executed on the spot." He continues, "(F)or humanitarian reasons we did not return the other two but brought them back instead and imprisoned them in a Vladivostok jail." Amnesty International demanded that the Pyongyang authorities investigate this incident and punish those involved, and later disclosed human rights violations suffered by these various escapees in a report that it compiled and published.

Those escapees who are returned to North Korea receive harsh punishment. According to Article 47 of the penal code, they are considered national traitors and face execution or concentration camp sentences. According to Amnesty International's report, a North Korean escapee named Song Chang Geun who was sent back to North

Korea in August 1995 was later executed. After Pyongyang began to receive international criticism regarding the execution provision in Article 47 of its Criminal Code, they informed Amnesty International in February 1996 that “this provision was amended in 1995”; yet Amnesty International’s repeated requests for clear confirmation regarding this provision have remained unanswered.

These escaping North Koreans risk their lives to avoid deportation. Amnesty International reports that a North Korean named Kim Sun-ho threw himself from a moving train near the city of Vellocost in the Russian northeast region while he was being extradited. Yoon Sung Chul successfully escaped during his extradition while he was still shackled. To avoid arrest and extradition, some escapees deliberately commit crimes so that they will be imprisoned in Russian jails. And as their sentences are about to finish, they commit another crime. Amnesty International believes that some of these escapees are being held in a prison for foreigners in Moldova.

빈 면

## **Appendix**

빈 면

## 1. Kidnapees and Detainees in North Korea

	Total	Fishermen	Crew of KAL	Navy Personnel	Others
Kidnapees	3,745	3,662	51	20	12
Detainees	447	407	12	20	8

Note: These statistics do not include unconfirmed reports on people kidnapped from third countries. They include the dead.

## 2. Detainees by Year

Year	Number of New Detainees	Cumulative Total	Year	Number of New Detainees	Cumulative Total
1955	10	10	1971	16	324
1957	2	12	1972	66	390
1958	23	35	1973	6	396
1964	16	51	1974	28	424
1965	22	73	1975	(1)	425
1966	2	75	1977	2(1)	428
1967	43	118	1978	3	431
1968	131	249	1979	1	432
1969	21	270	1980	(1)	433
1970	38	308	1987	13	446
			1995	1	447

Note: Figures in parentheses are unconfirmed.

## 3. Fishermen Kidnapped and Detained in North Korea

May 28, 1955	Cho Jong Il, Hwang Deuk Shik, Jung Tae Hyun, Kim Jang Hyun, Kim Sun Kwi, Lee San Eum, Park Pyo Man, Yu Jang Hwa, Yun Seong Woo, Yu Oe Taek
Nov. 9, 1957	Kim Seong Ju, Ma Seung Sup
April 28, 1958	Hong Bok Dong, Park Dong Keun
April 29, 1958	Kim Yung Bok, Park Yung Keun
April 30, 1958	Han Jin Yong, Kim Chang Hyun, Kim Myung Sun, Park Se-un
May 14, 1958	Jang Sun Jong
Nov. 7, 1958	Heo Jun, Lee Yong Taek, Park Dong Jun, Shin Kwang Pil, Song Sang In, Song Seong Rak
Dec. 6, 1958	Kim Beom Ju, Kim Ke Rak, Kim Myung Eun, Kim Won Ro, Kim Yeo Hun, Kim Yun Taek, Um Kwang Sup, Yun Seung Beom
March 1, 1964	Choi Dong Gil, Choi Jun Su, Choi Mun Gil, Choi Seok Yong, Kwak Hyung Ju, Kwak Jong Hyo, Kwon Oh Dong, Lee Jong Yun, Lim Kwi Bok, Park Tae Gil, Song Eun Seok
July 19, 1964	Han Sang Jun, Park Ki Jeong
July 29, 1964	Mun Seong Cheon
Oct. 16, 1964	Kim Kwang Ho, Yu Han Bok
May 8, 1965	Choi Dong Gi
May 31, 1965	Lee Jeong Ung
Oct. 29, 1965	Hyun Keun Hwa, Jung Yung Nam, Kim Bun Im, Mun Jeong Suk, Na Yong Yul
Nov. 15, 1965	Cheon Tae Ok, Jung Chang Kyu
Nov. 20, 1965	Choi Yung Jung, Han Dong Sun, Ju In Bok, Kim Jang Won, Kim Jeong Gu, Kim Kyung Su, Kim Seong Man, Lee Byung Gi, Lee Chang Yung, Seo Bong Rae
Nov. 26, 1965	Kim Tae Jun
Nov. 30, 1965	Kim Jong Ok, Seo Seok Min
Jan. 26, 1966	Hwang Chang Sup
June 24, 1966	Park Pal Man

April 12, 1967	Choi Hyo Gil, Choi Jong Deung, Choi Myung Hwan, Jang Kil Yong, Jang Yung Sik, Jin Jeong Pal, Jung Hak Myung, Nam Bok Yi, Kim Dae Gon, Kim Hong Il, Kim Jang Hun, Kim Sang Su, Kim Yung Il, Lee Jeong Sik
May 23, 1967	Hong Seung Gyun, Yun Kyung Gu
May 28, 1967	Lee Seon Il
May 29, 1967	Choi Chang Eui, Kim Ok Jun
June 5, 1967	Choi Won Mo, Mun Kyung Sik
June 15, 1967	Kim Bong Su
July 22, 1967	Lee Ki Chul
Nov. 3, 1967	Hong Sun Kwon, Jang Jae Cheon, Kim Ja Jun, Kim Sang Jun, Kim Seong Jae, Lee Chang Sik, Lee Jin Yung, Lee Tae Su, Ma Ki Deok, Oh Won Sup, Park Kyu Chae, Park Neung Chul, Park Rak Seon
Dec. 20, 1967	Kim Nam Hyun, Kim Seong Ho, Ki Yang Deok, Lee Chun Sik, Lee Jeong Hae, Oh Myung Bok
Dec. 25, 1967	Han Hae Jin
Jan. 6, 1968	Kim Ju Cheol, Yang Sang Eul
Jan. 11, 1968	Park Bok Taek
March 10, 1968	Seo Su Jung
April 17, 1968	Jung Jang Baek, Kang Myung Bo, Kim Hak Rae, Kim Hong Rok, Lee Ok Jin, Lee Tae Yong, Lee Yung Suk
April 27, 1968	Jung Yeon Tae, Kim Yong Bong, Lim Kyu Cheol, Yun Mu Chul
May 9, 1968	Kim Jeong Il, Oh Seong Jae
May 23, 1968	Han Ki Dol, Kim Hong Gyun, Lim Byung Hyuk
May 29, 1968	Jang Chang Su, Kim Jae Gu, Kim Myung Hak, Kim Su Keun, Lee Sang Won, Park Man Bok
June 1, 1968	Gong Mun Ik

June 6, 1968	Choi Dong Jin, Kim Il Oh, Kim Kil Oh, Kim Kyung Du, Ko Jong Hyun, Ko Ju Bong, Kim Yi Bae, Kim Yong Gil, Lee Il Nam, Lee Seon Ju, Oh Pan Cheol, Park Myung Ok, Seo Jong Sul June 8, 1968 Choi Dong Il, Cho Mun Ho, Chun In Man, Ju Jae Keun, Kim Byung Ho, Kim Yong Gi, Kim Yung Uk, Ko Jun Su, Lee Un Gil, Park Hyung Jung, Shin Seong Uk
June 12, 1968	Kim Do Kyung, Seo Yong Sik
June 16, 1968	Kim Kwang Un
June 17, 1968	Hong Sang Pyo, Kim Kwang Geun, Kim Yeong Gu, Son Cheol Sun, Son Eun Ju, Yu Byung Chun
June 21, 1968	Kim Chang Hyun, Shim Kwang Sik
June 23, 1968	Kim Jin Kyung, Lee Il Hwan, Lee Ki Jun, Oh Nam Mun
June 29, 1968	Cha Jong Seok, Kim Dae Man, Lee Sang Eun
July 2, 1968	Cho Kyu Yung, Ham Tae Cheon, Hwang Du Ho, Jang Myun, Ju Yung Sam, Kim Cheol Kyu, Kim Eung Kwon, Kim Myung Hi, Kim Nam Ho, Kim Yong Su, Ko Jong Hwan, Kwak Do Sang, Lee Chun Man, Lee Eun Kwon, Lee Jong Beom, Park Seong Mun, Seon Woo Seok, Yu Kang Yeol, Yun Du Chan, Yun Neung San
July 4, 1968	Lee Yung Cheol, Yun Kwi Nam
July 10, 1968	Choi Seung Bok, Choi Won Su, Cho Seok Won, Chun Seok Gu, Jang Jin Gu, Kang Bung Un, Kim Jin Yung, Kim Sang Yun, Lee Hae Jun, Park Heung Sik, Park Jong Up
July 12, 1968	Kim Chun Sik, Kim Nam Guk, Lee Yang Jin, Yeo In Eok
Aug. 6, 1968	Han Taek Seon, Hwang Myung Sam, Kim Jae Uk
Aug. 7, 1968	Jang Eul Seon, Jung Han Su, Kang Myung Hwa, Kim In Cheol, Kim Kwang Su, Um Ki Man
Oct. 30, 1968	Chun Man Su, Ham Ki Nam, Jin Ki Bong, Kim Jong Woo, Kim Yi Deuk, Lim Jae Dong
Nov. 7, 1968	Kim Dong Ju, Ko Sun Cheol, Lee Ki Seok, Lee Tae Un, Lee Yung Gi, Mun Won Pyo
Nov. 8, 1968	An Su Seon, Chun Do Min, Jung Yeon Bae, Kim Jong Sun
May 1, 1969	Han Jong Nam
May 5, 1969	Lee Kwang Won

May 10, 1969	Jung Heung Hae, Lee Dong Woo, Lim Pan Gil
June 10, 1969	Cheon Mun Seok, Choi Du Su, Jung Oh Seok, Lee Deok Pyo
April 29, 1970	Choi Jong Yul, Hwang Seok Gyun, Jung Yung Cheol, Kang Byung Il, Kim Tae Rang, Lee Jae Geun, Park Hwi Man, Um Seung Yung
June 22, 1970	Kim Heung Dong, Kwon Hyuk Geun, Lee Sun Bong, Oh Kwan Su
June 30, 1970	Kim Il Yung
July 8, 1970	Byun Ho Shin, Choi Sang Il, Jang Chun Bin, Min Kyung Shin, Sa Myung Nam
Jan. 6, 1971	Hwang Yung Sik, Jung Moksari, Jung Se Yul, Jung Wan Sang, Kim Chang Deok, Kim In Cheon, Kim Sang Dae, Park Cheon Hyang, Park Dong Sun, Park Jeong Gu, Park Gil Yun, Song Ok Cheon
May 14, 1971	Kim Jae Su
Dec. 25, 1971	Hwang Yung Cheon, Kang Heung Gi, Kim Bong Sik
Jan. 10, 1972	Kim Jeong Ok
Feb. 4, 1972	Bae Hyun Ho, Choi Bu Yung, Chun Seung Cheol, Dong Byung Sun, Gong Sun Gyung, Jung Dong Bae, Jung Tae Gap, Kim Cheol Ju, Kim Dal Yung, Kim Dong Sik, Kim Du Seon, Kim Hwi Nam, Kim Il Bong, Kim Im Kwon, Kim Kye Heung, Kim Seok Man, Kim So Ung, Lee Heung Sup, Lee Pyung Il, Lee Sang Rok, Park Bok Man, Park Dal Mo, Park Jang Hyun, Park Sang Guk, Shin Tae Yong, Wi Chun Hwan
May 4, 1972	Kang Yeo Jin
May 12, 1972	Kim Sun Sik
June 9, 1972	Bae Min Ho, Bang Seung Do, Choi Seong Hyun, Kim Jeong Gil, Lee Su Seok, Lee Won Jae, Lim Chang Gyu, Nam Jeong Yeol, Nam Mu Su
Aug. 14, 1972	Kim Yung Sik, Song Rae Gyu
Aug. 21, 1972	Kim Dae Bong, Lee Seok Ryong
Dec. 28, 1972	An Su Yung, Choi Yung Geun, Jung Do Pyung, Jung Geon Mok, Jung Hyung Rae, Kang So Dong, Kim Cheon Gu, Kim Eui Jun, Kim Il Man, Kim Jong Won, Kim Ok Ryul, Kim Tae Jun, Kim Yong Cheol, Lee Gong Hi, Lee Jae Myung, Park Du Hyun, Park Du Nam, Park Yang Su, Park Yong Gap, Park Yung Jong, Park Yung Seok, Seo Seok Gi, Seo Yung Gu, Yu Kyung Chun

July 27, 1973	Cho In Woo, Cho Sun Rae, Kim Sun Nam, Kim Yung Hi, Na Ki Yong, Seo Deuk Su
Feb. 15, 1974	An Byung Jin, Baek Heung Seon, Choi Bok Yeol, Choi Yung Cheol, Jang Yung Hwan, Jung Jong Yun, Jung Yu Seok, Kim Hyun Nam, Kim Jae Bong, Kim Jong Kwan, Kim Jung Sik, Kim Keun Sik, Kim Seng Rim, Kim Wol Geun, Kim Yong Geon, Kim Yong Gi, Kim Yong Gil, Ki No Seok, Ko Kwang Hi, Lee Cheon Seok, Lee Dae Hong, Lee Seong Yong, Lim Tae Hwan, Park Jong Ju, Park Kyung Won, Park Nam Ju, Song Min Gyung, Yu Yong Seok
Aug. 8, 1975	Kim Du Ik
May 10, 1977	Choi Jang Geun
Jan. 26, 1980	Kim Hwan Yong
Jan. 15, 1987	Choi Jong Seok, Chu Yung Su, Jin Yung Oh, Jung Il Nam, Kang Hi Keun, Kim Sang Sup, Kim Sun Keun, Kim Yung Hyun, Lim Kuk Jae, No Seong Ho, Park Kwang Hyun, Yang Yong Sik

#### 4. Crewmen of ROK Navy vessel I-2 Kidnapped and Detained in North Korea

June 5, 1970	Choi Ung Ho, Cho Jin Ho, Cho Tae Bong, Chun Hae Yeol, Do Jong Mu, Ham Yung Ju, Jung Kwang Mo, Jung Su Il, Jung Won Seok, Kim Ki Gang, Kim Tae Jong, Kwon Deok Chan, Lee Deok Ju, Lee Jae Yung, Lim Seong Woo, Meng Kil Su, Mun Seok Yung, Park Jae Su, Seo Keum Seong, Shin Yung Hun
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#### 5. KAL Korean Airlines crew members Kidnapped and Detained in North Korea

Dec. 11, 1969	Choi Jung Ung, Choi Seok Man, Chong Kyong Sook, Cho Uk Hee, Hwang Won, Im Cheol Su, Jang Ki Yung, Je Heon Duk, Kim Bong Ju, Lee Dong Gi, Song Kyong Hee, Yu Byung Hwa
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#### 6. Others Kidnapped and Detained in North Korea

August 1977	Choi Seung Min
April 13, 1978	Koh Sang Mun
August 5, 1978	Kim Young Nam
August 10, 1978	Hong Kun Pyo
July 20, 1987	Lee Jae Hwan
July 9, 1995	Ahn Sung Un

#### 7. List of Abductees and Retainees Sent to Concentration Camps

Cho Byong Wuk	A civilian working at the Naval Transportation Base Depot, Cho defected to the North in October 1976.
Jong Jong Do	A scientist in the United States, Jong was visiting Indonesia when he was abducted by North Korean embassy people. He died in 1989 according to the North.

Kang Jung Sok	Kidnapped to the North by North Korean agents in 1971 while working as a miner in West Germany.
Kim Bo Kyom	Formerly a taxi driver, Kim was abducted by North Korean troops near the truce line.
Koh Sang Mun	Formerly a teacher at Sudo Girls High School in Seoul. During his training in Oslo, Norway, Koh happened to drive to the North Korean embassy due to confusion on the part of a Norwegian taxi driver. He was held in captivity and later shipped to North Korea. Koh Sang Mun actually wanted to report to the South Korean Embassy that he had lost his passport. Soon after AI released the list of Sungho-ri Camp prisoners, a North Korea Central Broadcast Agency claimed that Koh had defected to the North on his own and has since been working in the North as a geography researcher. In a response to an inquiry appeal filed with the United Nations by Koh's family in Seoul, Pyongyang sent a letter to the family saying Koh had been married in North Korea. The ROK government, however, refused to accept this claim and is determined to continue to work to obtain his return.
Lee Chi Su	A farmer.
Lee Jang Su	Lee defected to the North along with Cho Byong Wuk.
Lee Jun Kwang	Lieutenant colonel, ROK Army. He was disgruntled at his failure to get promoted and defected to the North.
Roh Jun Woo	A farmer.
Ryu Seng Kun	A labor affairs attache at the South Korean Embassy in West Germany, Ryu was visiting West Berlin in April 1971 when he was abducted by a North Korean agent. He was taken to the North along with his wife, Chung Sun Sop, and two daughters, Kyong Hee, 7, and Chin Hee, 1.
Shin Sook Ja	A nurse. Accompanied by her husband, Oh Kil Nam, Shin defected to the North through a North Korean embassy in November 1985. The couple lived on Changwang Street in Pyongyang until her husband escaped from North Korea. Shin and her two daughters was taken to the Yodok concentration camp, where she worked as a nurse at the prison tuberculosis clinic from January 1988 through February 1989. She has never been detained according to the North.
Yom Kwi Whan	A pharmaceutical company employee. Yom was visiting Japan in 1981 attending an international meeting when he was kidnapped to the North by <i>chochongryon</i> .

Sources: Amnesty International reports and testimonies by North Korean defectors

### 8. List of Repatriates and their Families Sent to Concentration Camps

An Am Jun	Staff member of Chosun Credit Association, confirmed alive in 1990
An Hong Bok	Mother (committee chair of Women's League of <i>chochongryon</i> ) missing after arrest; grandmother, uncle, living in Japan
An Hung Gap	<i>chochongryon</i> staff, confirmed alive in 1990
An I Jun	
Bae Young Sam	Committed suicide; wife dead of malnutrition; sons (Bae Chong chol, Bae Jong Kwang), daughter (Bae Young Hwa) alive
Byun Joo Mee	Imprisoned with others who repatriated to North Korea as road construction team
Chang Baek Il	Father (Commerce Committee of the Kyoto headquarters of <i>chochongryon</i> ) and mother alive
Chang Byong Ryol	Dead
Chang Duk	Illegally entered Japan and returned
Chang Duk Soon	Drowned with her daughter; husband ( <i>chochongryon</i> staff) missing; three sons alive
Chang Hae Young	Parents alive
Cho Ho Pyong	During an investigation by Amnesty International in April 1995, North Korean authorities said that the Cho Ho Pyong family had been shot to death when they attempted to escape in October 1974.
Cho In chol	Arrested during student days
Cho Jin Hwan	Father missing
Cho Jong Kap	Confirmed alive in 1990
Cho Sam Rang	Died of starvation
Cho Sung Kee	Scholar, died of pellagra; wife (Japanese) daughters (Cho Sung Mee, Cho Sung Ae) alive

Choi Chol Ho	Father ( <i>chochongryon</i> staff) missing; mother, wife (Shin Soo Im), brothers and sisters (Choi Sung Jin, Choi Soon Hee, Choi Jong Soon), three sons and one daughter alive
Choi Chong Won	Repatriated to North Korea from Okinawa; stepson of <i>chochongryon</i> staff member
Choi Kyong Rim	In prison after divorce with her husband; son alive
Choi Sung Woo	Repatriated to North Korea as part of a team to celebrate Kim Il Sung's birthday, Father missing
Chon Tae Jong	Sons alive
Eom Kee Sung	Father (Kyoto <i>chochongryon</i> staff) missing after being arrested in 1975; mother, brother (Eom Kee Yong) alive
Han Hak Soo	Missing in 1976, president of education in Osaka headquarters <i>chochongryon</i> ; wife dead; sons (Han Sung Min, Han Sung Woo) discharged in February 1986
Han Young Duk	Father died of pellagra; mother alive
Hong Choong Il	Father ( <i>chochongryon</i> staff) missing; mother, brothers (Hong Choong Myong, Hong Choong Joo, Hong Choong Sae), sister (Hong Jung Mee) alive
Hong Man Duk	Died of malnutrition; wife, son (Hong Ryong Won) and daughter (Hong Jong Mee) alive
Hong Pak Sun	Wife (Japanese) discharged
Hu Chong Sook	Father (historian) dead; mother (Japanese) and sister (Hu Young Sook) alive
Hwang Chong Wook	Wife dead; sons (Hwang Young Soo, Hwang Young Ho) alive
Jong Chol Jin	Died of pellagra; wife and son (Jong Il Bong) alive; daughter (Jong Young Mee) died of pellagra
Jong Gil Song	World wrestling title holder; wife and son alive
Jong Jin Il	Karate practitioner, died of pellagra; son (Jong Tae Bong) alive
Jong U Taek	Vice chair of central foreign affairs, <i>chochongryon</i> , moved to labor reeducation center, possibly dead
Kang Dae Yong	

Kang Duk Hyon	South Korean repatriated to the North after illegally entering Japan; Sons (Kang Myong Il, Kang Myong Hak)
Kang Su Ho	Released; Pyongyang claims he died in 1991.
Kang Tae Hyu	Missing in 1977; chair of commerce committee of Kyoto branch of <i>chochongryon</i>
Kang Yong Su	Moved to labor reeducation center
Kim Ae Ryang	Husband missing; son (Paik Duk Soo) alive
Kim Byong Hun	Moved to labor reeducation center; Pyongyang claims he died in 1969.
Kim Chom Myoung	South Korean repatriated to the North after illegally entering Japan; Participated in Vietnamese War
Kim Chon Hae	Central Committee member of Japan Communist Party; the North claims he died in 1969.
Kim Jin Ho	Confirmed alive in 1990; Pyongyang claims he departed from North Korea.
Kim Kum chee	Family resides in Nagoya
Kim Ok Ryang	Husband ( <i>chochongryon</i> staff) missing; daughters (Hu Min Hyang, Hu Min Ae, Hu Min Hee) alive
Kim Sang Sae	
Kim Soon Ran	Husband (Kyoto <i>chochongryon</i> staff) missing
Kim Sung chee	<i>chochongryon</i> staff, served 14 years in prison; committed suicide after discharge
Kim Yong Kil	Opera singer, Pyongyang claims he died in 1986
Kim Yong Won	South Korean repatriated to the North after illegally entering Japan, son (Kim Kwang Sung), daughters (Kim Soon Ok, Kim Soon Bok) alive
Koh Chul Rim	Son of <i>chochongryon</i> staff member, has been serving life in prison since 1977; father missing
Koh Dae Ki	
Koh Hum	Kyoto <i>chochongryon</i> staff; wife, sons (Koh Chol Gong, Koh Chol Yong, Koh Chol Bae, Koh Chol Rim), one daughter still alive

Kwak Chol (Kwak Jong Ku)	Vice chairman of <i>chochongryon</i> political department; brother (Kwak Young Ho), wife (Shin Sung Ok), sons (Kwak Sung Il, Kwak Sung Kyoon) and daughters (Kwak Hyang Sook, Kwak In Sook, Kwak Jee Sook) alive; father died of pellagra in prison
Kwak Seung Il	Mother missing in prison; father ( <i>chochongryon</i> staff) and sisters (Kwak Sung Hae, Kwak Sung A) alive
Kwon Bong Hak	<i>chochongryon</i> central staff, moved to labor reeducation center
Lee Choon Yong	Repatriated alone; later induced his family to stay when they visited the fatherland with a group
Lee Dae chul	(name not clear)
Lee Myong Soo	Staff at Kyoto <i>chochongryon</i> , died of pellagra; wife (Kim Jo I) alive
Lee Sang chon	Businessman in <i>chochongryon</i> ; wife (Lim Choon San) and sons (Lee Woo, Lee Sung Woo, Lee Chon Woo) alive
Lim Pal Goo	Wife (Japanese) and sons (Lim Duk Won, Lim Hwa Won) alive
Min Hong Shik	Father (Osaka <i>chochongryon</i> office staff) missing in 1976, mother and brother (Min Kwon Shik) alive
Min Yong Il	Nikata <i>chochongryon</i> vice chair (Dept. of Organization), possibly dead of tuberculosis; Pyongyang claims he departed from North Korea in 1973
Oh Chol Shin	Second generation of Korean Residents in Japan
Oh Hyon (Kim Si Taek)	Confirmed alive in 1990
Park Jae Ho	Father ( <i>chochongryon</i> staff) missing; mother, brother alive
Park Kang Tae	Spent time as a newspaper reporter in Shineuijoo after repatriating to North Korea
Park Kee Hyon	Kyoto <i>chochongryon</i> staff, missing after arrest in 1976; wife dead; oldest son missing; son (Park Tae Yoon) and daughters (Park Myong Sook, Park Nam Sook, Park Yoo Sook) alive
Park Kee Young	Scholar; wife (Japanese) died of pellagra; daughter (Park Soon Ok ) possibly dead of tuberculosis and malnutrition
Park Mu	Possibly dead; Pyongyang claims he lives in Pyongyang and works as an instructor in the Mansudae Creation Company

Park Sang Kee	Missing after imprisonment for one year with Kim Jae Won (Management Committee, Hamhung Province) on charges of espionage
Park Soon Dae	Wife (Japanese) died of pellagra; son (Park Joo Shik), daughter (Park Young Mee) alive
Park Soon Dal	Husband (staff Osaka branch, <i>chochongryon</i> ) missing; sons (Hyon Ryong, Hyon Duk Ryong) and daughters (Hyon In Soon, Hyon Jong Soon
Park Tae Jong	Mother living in Kyoto, Japan
Park Un chol	Japanese Communist Party staff, Pyongyang claims he died in 1973
Seo Il Sun	Father (central committee member of <i>chochongryon</i> ) missing; mother and sisters (Seo Hae Won, Seo Hae Ok, Seo Hae Sook) alive
Seo Jong Bok	Illegally entered Japan and repatriated to North Korea; imprisoned for espionage
Seo Yong chil	Discharged
Shin Hak Shik	Died of pellagra; wife (Chinese Korean), son (Shin Yong Bum) and daughters (Shin Do Yon, Shin Chae Yon, Shin Seo Yon, Shin Soo Yon) alive
Shin Jae Wha	Pyongyang claims he died in 1975
Shin Muk	Possibly dead
Son Jae Sok	Discharged
Son Jong	father ( <i>chochongryon</i> staff) missing; Mother, brothers (Son Koo, Son Ryong) and sister (Son Jong Ok) alive
Son Jong Eui	Wife, son (Son Chon Kee) and daughter (Son Chon Hae) alive, discharged with the help of his wife's family in Japan
Song Kwan Ho	Director of the Nikata <i>chochongryon</i> , the North claims he died in 1988
Son Kwi Ik	Moved to labor reeducation center
Sung Ho Il	Father ( <i>chochongryon</i> staff) missing; mother (Japanese) died of malnutrition, brothers (Sung Eui Ho, Sung Young Ho) and sisters (Sung Hyon Sook, Sung Young Sook) alive
Sung Shin Hee	Father (businessman in <i>chochongryon</i> ) missing; mother and sisters (Sung Myong Hwa, Sung Kyung Ran, Sung Jong Hwa, Sung Jong Mee) alive

Yoon Duk Woo	Missing in 1976; committee chair of the Kyoto branch of <i>chochongryon</i> ; wife (Koh Myong Ok) dead; son (Yoon Sang Ryol) and daughters (Yoon Young Hee, Yoon Jong Hee) alive
Yoon Shin Eui	Sons (Yoon Choong Nam, Yoon Choong Sung) alive

*Note:* “Missing” refers to someone who was seen in a camp but later was missed. “Missing after arrest” refers to the very member of a family who was accused of the crime for which the entire family has been sent to a camp.

*Source:* Based on Amnesty International reports and testimonies of North Korean defectors.