

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 Center for Human Rights in North Korea, Korea Institute for National Unification (KINU), Seoul, Korea, as an annual series of reports exposing what we know about the human rights situation in North Korea.

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Preface

Today's international mainstream can be marked by mankind's efforts to realize and guarantee democracy and human rights. Human rights means the freedom and the rights for one to enjoy in order to live a humane life, and the rights one should be able to exercise as a member of society, the fundamental rights of humankind. Two rounds of world wars and Nazi and fascist atrocities have deeply ingrained invaluable lessons into the hearts of humankind how important it is to respect human rights. The United Nations, launched for the sake of world peace and collective security, has been exploring institutional devices to protect and extend human rights.

The Universal Declaration of Human Rights adopted by the United Nations prescribes that all men are born with the dignity

and rights to enjoy a free and egalitarian life. This embodies the essence of modern thought on human rights. In order to secure an international guarantee of basic human rights proclaimed in the declaration, the UN adopted the International Human Rights Covenant at the 21st session of UN General Assembly held on 16 December 1966. It comprised the International Covenant on Economic, Social and Cultural Rights (Covenant A), the International Covenant on Civil and Political Rights (Covenant B), and the Optional Protocol on Covenant B. All three came into effect in 1976.

Pursued near the height of ideological conflict between capitalism and socialism during the Cold War, the UN's efforts eventually culminated into two covenants, Covenant A and Covenant B. Capitalist countries placed their priorities on the civic and political rights provided in Covenant B whereas socialist countries chose to place greater priority in fulfilling the economic, social and cultural rights as provided in Covenant A. As a result, these two independent international human rights covenants had to be cross recognized, but they opened a new global era in the protection of human rights because they essentially became international law that guaranteed human rights. The importance of these covenants and the human rights they seek to protect increased even further after the collapse of the Soviet Union and former Eastern Bloc countries. At present, most countries seek to assist one another mutually in the maintenance of international order and peace by protecting and promoting human rights.

Such international efforts to respect the spirit of human rights is indeed embodied in the Constitution of the Republic

of Korea, which obliges the Korean people to regard human dignity as the cardinal value. The idea is also reflected in the South Korean unification formula, called the Korean National Community Formula. It presents a vision of the unified fatherland as a national community in which seventy million Korean people lead their lives enjoying freedom, welfare and human dignity. Such a vision is in line with the international spirit of respect for human rights.

Yet, frequent reports can be heard on human rights violations in nations that neglect the international human rights movement by emphasizing their ideological and institutional uniqueness. Among them, the country labelled “the dead end of human rights” or “winterland of human rights” is North Korea. Many renowned international human rights groups including Amnesty International report that North Korea is openly committing oppression of human dignity, human value, freedom and rights. Meanwhile Pyongyang is still propagandizing that their society is a “paradise on earth” and ranting on about how happily the people are enjoying their lives in North Korea. Without democratization and an improvement of human rights, unification by means of building a national community will be impossible. Only democratization and a big improvement of human rights in North Korea will be able to provide the foundation for national co-prosperity.

Given this critical mission, KINU’s Center for Human Rights in North Korea has been surveying and collecting information and material concerning human rights in North Korea, and its recent efforts have been summarized in this white paper. The *1997 White Paper on Human Rights in North Korea*, second

in a series that started last year, reviews the human rights situation in North Korea according to the two aspects—civic and political rights and economic, social and cultural rights—as provided in the human rights protection standards in the International Human Rights Covenant. In addition, this white paper reviews and analyzes the key human rights issues that have arisen based on South-North relations.

Recognizing that our nation's most critical issue is to achieve peaceful unification so that all Koreans can enjoy the sanctities and rights of mankind, we published this white paper to provide a more accurate account of the human rights situation in North Korea. Although we attempted to be as objective as possible in collecting material, which we primarily obtained from numerous interviews with North Korea defectors, we are aware that this document is not complete, particularly given the practical obstacles of obtaining sufficient information. We nevertheless hope that this white paper will help to serve the academic specialists and policy-makers involved in the peaceful unification of Korea.

May 1997
Se Hyun Jeong
President
KINU

I. Overview

1. Human Rights in North Korea and the North Korean Political System

To understand the human rights situation in North Korea, it is first necessary to analyze and comprehend the special characteristics of the political system and ruling ideology. The North Korean political system can be viewed as both a single-party dictatorship as well as the *suryung's* [great leader's] sole means of rule. It is therefore a party-state system that emphasizes the role of party leadership and of the *suryung*. This ruling ideology has its theoretical foundation in the concept of *juche*.

The North Korean constitution provides the political system be based upon *juche* ideology and upon the supremacy of the Korean Workers' Party (KWP). Article 3 of the Socialist Constitution declares that "the Democratic People's Republic of Korea is a world vision based on human beings and has adopted *juche* thought, a revolutionary ideology that seeks to establish the independence of the masses, as its operating leadership guide." In Article 11, the constitution states that "the Democratic People's Republic of Korea conducts all its activities under the leadership of the Korean Workers' Party." The preface to the KWP by-laws further emphasizes that the North Korean political system is "the *suryung's* sole means of rule," and it adds that "the Korean Workers' Party considers

its only guide to be the revolutionary ideology and juche thought of Suryung Comrade Kim Il Sung.”

Although the juche ideology declares that human beings are the masters of the world, in practice this excludes the bourgeoisie and only the laboring masses are considered world masters. Juche thought also proclaims that the true masters of the world are “only those among the laboring masses who faithfully follow the suryung’s orders.” It thus provides the fundamental underpinning of the suryung theory.

According to the “socio-political organism theory,” which provides the theoretical foundations for the suryung theory, the “core purpose” of the socio-political organism theory is determined by the suryung who is the center of the socio-political group; and the central functions of the theory are then carried out by the party. It is therefore argued that “the masses will be organized around the suryung under the guidance of the party, and will ideologically unite and compose a socio-political organic body that possess eternal independent life energy.” In addition, the theory provides that “in the same way that the brain exists at the center of life of individual people, in the socio-political group exists the premier cerebrum of the group, the suryung.”

The essence of the “socio-political organism theory” is the unification of the suryung, the party and the masses, and the people are consanguineously connected with the suryung as constituents of the socio-political organic body. This theory compares individuals and groups with organic life, and finds that just as human cells cannot exist independently and can only maintain their existence through their connection with

the physical brain, the physical lives being of individual people derive meaning only through a socio-political organism whose brain is the suryung. Only the people who are organizationally and ideologically united under the direction of the party and suryung, can independently and creatively determine their fate. Based on a life philosophy of collectivism, the masses can only achieve this socio-political organic body if they absolutely and unconditionally follow the direction of the group's premier cerebrum, the suryung. The suryung theory thus holds that unconditional loyalty to the suryung Kim Il Sung and Kim Jong-il will strengthen one's "revolutionary suryung vision."

The individual living standards based on the suryung theory which must be followed on behalf of the suryung are memorialized in the "The Ten Great Principles to Solidify the Unitary Ideological System." The relationship between the great leader and the regular people resembles the relationship between the suryung and soldiers. Just as soldiers unconditionally execute the orders of the suryung, the masses should unconditionally follow the directions of the suryung and not hesitate to sacrifice their lives for their suryung. These Ten Great Principles are compulsory social norms. They regulate aspects of people's lives that are not covered by law or party policies.

In the end, in North Korea the scope and implementation of human rights depends on the interests and intentions of the party and the suryung. The ideology of human rights and the consequent human rights policy of North Korea have the following characteristics:

First, the interpretation and application of human rights is inseparably influenced by politics. The North Korean legal

system is unique because it provides that the Korean Workers' Party By-laws stand superior to the constitution. The decisions and orders of the KWP are in effect superior to the constitution and determine everyone's activities. In turn, the decisions and orders of the Korean Workers' Party follow the teachings of the *suryungs* Kim Il Sung and Kim Jong-il. The Ten Great Principles to Solidify the Unitary Ideological System, in particular, regulate all aspects of community life and act as the ultimate norm. The interpretation and application of human rights in North Korea, therefore, is unavoidably political.

Second, human rights in North Korea are not innate or absolute rights and are instead based on principles of collectivism under which the group remains superior to the individual and rights and responsibilities are accordingly unequal. Article 63 of the North Korean constitution states that human rights will be protected only under the condition that "the civic rights and responsibilities of the people are based on the principles of collectivism that 'the one is for the whole and the whole is for the one'." Article 82 of the constitution further adds that "collectivism is the foundation of social life. Citizens must highly regard the organization and groups and must demonstrate the determination to sacrifice themselves for society and for the people."

By tying the rights of citizens to the principles of collectivism, the rights of citizens cannot exceed the principles of collectivism. Therefore, in North Korea the interests and human rights of the individual can always be limited to protect the interests of the group. Human rights of those who do not belong to the proletariat or, in other words, reactionaries such

as national traitors or anti-revolutionaries who do not support the entire North Korean system, will not be guaranteed. They are not even recognized.

Third, North Korea human rights policy is more concerned with responsibilities than rights. Similar to all other socialist countries, North Korea uses the concept of civic rights instead of human rights. Civic rights is a political concept meaning that only those who recognize a particular system and live within its behavioral boundaries are granted human rights. Stated differently, the people are provided simultaneously with rights and responsibilities. One's rights provided under the constitution will be guaranteed only to the extent that as a member of the group that person fulfills his or her responsibilities to the entire group or to the *suryung* (Kim Il Sung or Kim Jong-il), the head of the group, and does not do so based on individual interest.

North Korean ideologists argue that for the masters of society, the laborers, to exercise their rights they must fulfill their responsibilities, and based on a serious degree of introspection they must faithfully execute their rights. In other words, based on the logic that "the people's rights are their responsibilities," human rights in North Korea are inextricably linked with responsibilities. Therefore, all laws in North Korea have been enacted so that the party and the public institutions may control and limit individual rights, and they all are based on a fundamental ideology that emphasizes responsibilities over rights.

Fourth, human rights in North Korea are limited in scope because they only apply to those people who are subordinate

to the North Korean system and who therefore maintain overall a “class-based character.” Recently, in an article in the KWP newspaper *Rodong Shinmun* titled “To Protect Real Human Rights” that introduced “our style of human rights,” North Korea itself proclaimed that human rights do not apply to all people:

As for counter-revolutionaries in a socialist society, they are traitors who have completely betrayed the interests of the people; they are human trash who have trampled on the human rights of the people. These type of people do not deserve human rights. A socialist society is not a classless society that protects counter-revolutionaries, and these type of people have no place in socialist society. . . . We do not hide our party affiliation, and with regard to human rights we do not hide our class affiliations. Socialist human rights are not a classless human rights giving freedom and rights to hostile forces that object to socialism or to subversive elements that infringe upon the interest of the people. . . . Our human rights are those that will curtail those minority class enemies who infringe upon the human rights of the masses. (*Rodong Shinmun*, 24 June 1995)

The “our style of human rights” professed by North Korea is an a non-egalitarian rights ideology because it only applies to those people who “are loyal to their party and their leader and devote their entire selves to the struggle.” In its *Dictionary of Political Terminology*, North Korea argues that human rights can “only be guaranteed under a socialist system where all exploitation and oppression has been eliminated and the people have become the master of the country” and that human rights

exist “to carry out absolute autocratic rule over class enemies.” North Korea publicly declares that those who deny socialism are considered as “class enemies” or “hostile elements” and will be strictly curtailed; the freedom and rights of these people *must* be fundamentally abridged and their human rights can never be respected.

Fifth, North Korea emphasizes the material foundation of human rights. The meaning of human rights that socialist countries stress and the special characteristic of North Korean human rights policy is that they consider economic-social-cultural rights over the political-civic freedoms. Other than the right to vote, no special explanation exists for what are political-civic rights, but economic-social-cultural rights such as “the real protection of rights and freedoms” or “the pursuit of material happiness” are strongly emphasized.

North Korea also proclaims “our style of human rights” and adheres to collectivism and a human rights ideology centered on the group. A DPRK representative argued at a UN General Assembly meeting in November 1996 that “an individual cannot exist without society and the group and individual human rights cannot exist without the group’s human rights.” In essence, a person in North Korea only exists as a member of a group and the individual does not have any rights—only responsibilities.

North Korea has proclaimed that the recent demands by international organizations to improve human rights are infringements on their sovereignty, or internal interference. It has attempted to limit the discussion against their human rights policy by adopting the “right to development” argument made

by Third World countries and by adopting the theory of relativism in political culture. North Korea therefore avails itself of the logic of developing countries that protection of human rights is difficult to achieve without economic development. In turn, Pyongyang also propounds the theory of political cultural relativism which argues that the unique characteristics of each nation and region must be taken into consideration because human rights are a national sovereignty concern that “are realized by the political and economic system chosen by each country and people.”

2. Summary of the 1996 Human Rights Situation in North Korea

In 1996, human rights abuses continued in North Korea with public executions and the imprisonment of political prisoners. Oppression of civil and political rights also continued through such practices as discrimination based on family background, restrictions on the freedom of movement, prohibitions of the freedoms of speech, publication, association and assembly, and limitations on political participation. In addition, with the threats to their fundamental livelihood due to flood damage in 1995 and again in 1996, the economic, social and cultural rights did in fact not improve, and the overall human rights situation has deteriorated. In 1996, the number of escapees from North Korea increased and the safety of those refugees located in China and Russia has become a serious issue with international attention focusing on the human rights of these escapees.

The penal code of North Korea infringes on human rights by providing that any denial of the socialist system and such acts as crossing the border or attempting to seek asylum are treasonous crimes subject to severe punishment. In particular, the public executions that are being carried out remain a heinous method to curtail one's right to life, and despite severe censure from the international community they continue. According to compiled testimony from defectors in 1996, various cases of public executions occurred in 1996.

Criminal suspects continue to be regularly subject to illegal

imprisonment and torture. Political prisoners held in “management facilities” and economic prisoners held in “rehabilitation facilities” continue to face constant torture and abuse during the pretrial stages before they are sentenced. Conspirators and would-be criminals are subject to the same punishment as actual criminals, and accomplices and perpetrators are also punished in the same manner. In particular, because political issues are supervised by officials from the State Security Agency, which singlehandedly reviews cases without any participation by the prosecutor’s office or the judiciary, human rights abuses occur frequently.

North Korea reduced the overall length of prison terms for criminals when it amended its penal code in 1987. Moreover, by amending its Criminal Procedures Act in 1992 and its Attorney Act in December 1993, it attempted to change systematically the manner in which human rights are protected. North Korea’s judiciary, however, remains under the control of the operational guidance of such national institutions as the Supreme People’s Assembly, the president, the Central People’s Committee and Administration Council. It is not independent. One of the most important protections in representation by legal counsel, independence from the state, is not guaranteed, and an attorney’s main responsibility is to simply carry out state political activities in the interest of the party and the state. Thus, it is impossible to expect attorneys to protect individual human rights.

North Korea also demands religious, martyr-like devotion to Kim Il Sung and Kim Jong-il through the so-called ten commandments, “The Ten Great Principles to Solidify the

Unitary Ideological System.” Non-followers are punished as political prisoners. As part of its “Care of Portraits” policy, North Korea disregards the right to human life by forcing people to sacrifice their lives in case of fires or other disasters simply to protect all portraits of Kim Il Sung and Kim Jong-il.

As part of North Korean society’s ideological inclinations, the right to equality is systematically abridged through such practices as discrimination policies based on family association. The relatives of those hostile class classified as “anti-revolutionaries” continue to be socially discriminated against and even punished through guilt-by-family-association policies. Since 1993, Kim Jong-il has been issuing “Magnanimous Politics” and “Expansive Politics” which include limiting discrimination due to family association, but in practice these policies are not being implemented. Such officials as elementary secretaries, vice secretaries and cell secretaries continue to control people through quarterly association reviews. In addition, discrimination against the handicapped by such practices as isolation facilities and various forms of discrimination in the home and at work have reached serious levels.

Such civic liberties and rights as freedom of movement and travel, freedoms of the press, publication, association and assembly, and freedom of ideology and religion are severely limited. Selection of residency and freedom of travel are strictly restricted and persons traveling to another region must possess a travel pass issued by the Ministry of Public Safety. Although due to worsening food shortages many persons did move around illegally by presenting their food rationing card in lieu of a travel pass in 1995 and 1996, legally free movement

remains limited. The forced relocation of political disobedients persists, as does the forced mass relocation of workers to new industrial or mining regions.

The press, any publication, is only allowed for the purpose of conveying ideological education or as a means of stirring the masses. The KWP directly manages, censors and controls all publications. The front pages of all newspapers consist of praises of Kim Il Sung and Kim Jong-il and a publication may not contain negative articles such as social criticism or articles about the infringement of human rights.

Those who engage in free assembly and association can be found guilty of mass sedition destabilizing the social order and are sentenced to five years hard labor. The various social organizations in North Korea are workers' party auxiliary organizations involved solely in the ideological education of the masses. There are no known organizations or associations other than those made by the government, and non-political gatherings such as alumni associations or friendship associations are prohibited.

The amended North Korean constitution provides for such liberties as the exercise of faith and religious rituals and in Pyongyang there exist the Bongsu Church, Chilgol Church and the Changchung Cathedral. Yet the condition that "no one may use religion to attract foreign forces or to harm the national or social order" fundamentally restricts religious activities. Because of this provision, when necessary, religious activities can be considered treasonous or anti-national crimes. At the few established religious facilities, only certain religious rituals may be carried out, and at specified times.

The freedom of expression in the electoral process is also severely curtailed. Most people do not even consider objecting during an election because in the voting process one may disagree only by using a special pen at the voting booth to cast an objecting vote. Disagreement is thus disclosed and people fear punishment. As North Korea proudly proclaims, the only result that can occur is a 100% voting rate and a 100% agreement rate.

Pyongyang argues that the Soviet Union and the Eastern European countries relinquished their socialist governments to the reactionaries because they adopted a multiple candidate system for legislative elections. They emphasize that in a socialist system the elections for positions at the sovereign institutions cannot be held based on a competitive election.

Like other socialist countries the DPRK also stresses the materialist foundation of human rights and they argue that human rights are protected through guaranteeing economic-social-cultural rights. Yet, North Korea's economic downturn is threatening the minimum material foundation needed to protect human rights even under that criterion. Thus, North Korea's protestations for economic-social-cultural rights only lead to the suppression of the political rights and civic liberty consciousness of the people and are simply political propaganda to maintain the regime.

According to the reports of the UNDHA (Department of Humanitarian Affairs), WFP (World Food Program) and FAO (Food and Agricultural Organization), due to the flood damage in 1996 the living standard of the North Korean people reached worst conditions. Based on such information as 1996 weather

studies, reports from international organizations located in North Korea, and testimony from visitors to North Korea, the ROK government estimates that North Korea's total grain production in 1996 was 3,700,000 tons. Although this is a moderate increase from last years' 3,450,000 tons, it still remains 400,000 tons less than the yearly average of 4,100,000 tons, and falls far below the normal total demand necessity of 6,700,000 tons.

Under this economic crisis, daily food rations fell from 600g of grain to 300g in 1996, and right before harvest time in August and September the daily rations in certain regions fell to 200–250g, testifying that the food shortage has reached a crisis level. In addition to foodstuffs, most daily supplies, which are distributed through the North Korean public distribution system, were significantly reduced in 1996. As a result of problems such as malnutrition, the living standard of the people is being seriously threatened.

According to former North Korean refugees, due to the lack of medical supplies and treatment facilities the popular economic-social and cultural livelihoods are showing no signs of improvement. North Korea's constitution provides for free medical treatment to everyone but, due to the lack of medical supplies, treatment and surgery cannot be conducted without outside assistance.

Based on collectivist principles, labor in North Korea is for the interest of all and is a responsibility of all people. No one over the age of 16, as long as they are alive, can be liberated from labor, and, because of the severe interpretation of the principle of "8 hours of work, 8 hours of study and 8 hours

of rest,” most people are overburdened with their basic work, additional labor mobilization and various study activities.

Because work allocation is carried out through central economic planning usually based on “group allocation,” an individual’s desires and aptitude are disregarded. Individual ownership rights are greatly restricted and even basic daily supplies are controlled by the government and the party, making the official purchase of any product impossible without permission. Education focuses on the idolization and ideology of Kim Il sung and Kim Jong-il, and under the slogan “Work while you learn!” even elementary school children are exploited for their labor.

The strongest criticism concerning North Korea’s human rights situation is its political prisoner camps. As one can deduce from the proclamation in North Korea’s *Rodong Shinmun* newspaper that the liberties of “hostile elements who object to socialism and impure elements who infringe on the interest of the people” will be curtailed, the inhumane oppression of political prisoners continued in 1996.

Prison camps called “Management Center No. XX” exist throughout the country. Under the control of the State Security Agency, the Farm Management Bureau manages political prisoners considered treasonous or anti-national criminals in what are commonly called “restricted areas” or “areas for special dictatorship.” These prisoners are estimated to number over 200,000, at Management Center No. 14 in Gaechun, Pyungnam; Management Center No. 15 in Yoduk, Hamnam; Management Center No. 16 in Hwasung, Hambuk; Management Center No. 22 in Hwoerung, Hambuk; and Management

Center Number 25 in Chungjin, Hambuk. Yet, other camps for political prisoners have been transferred, merged or closed because their locations came to be discovered, for example the Sunghori Camp which was closed in January 1991, so the exact number of camps and prisoners is difficult to ascertain.

Political prisoners who are detained in the camps experience severe repression of their human rights through such practices as torture, severe beatings and public executions. This goes on during arrest, interrogation, and imprisonment in these concentration camps. Punishment of political prisoners does not end with the prisoners themselves: due to guilt-by-association laws immediate family and relatives are also punished. According to a security guard who worked at such a concentration camp and defected, the camps are surrounded by barbed wire and steel fences and those caught trying to escape are publicly executed. Completely separated from the outside world, prisoners face inhumane treatment from security guards and other prison personnel while also performing forced labor.

It is also reported that many of the 442 people who were forcibly kidnapped by North Korea since the Korean War and Korean Japanese who were repatriated to North Korea also face systematic hostility and suppression. People who were forcibly kidnapped by Pyongyang are forced to confess that they "heroically entered North Korea" and observers believe that many of Korean Japanese who were repatriated to North Korea are held in political concentration camps.

The human rights situation of those who have fled North Korea has also greatly deteriorated. Some 1,500 such people have fled and are located in third countries especially Russia

and China; in fact they face threats to their lives. For example, one North Korean who was forcibly extradited in May 1996 from the Russian Maritime Province (of Siberia) to North Korea was summarily executed right at the location of his extradition. Amnesty International issued a report in September 1996 on the human rights situation of North Korean refugees in Russia and expressed concern toward the human rights violations against them.

The problems faced by North Korean refugees located in China are apparently even more serious. Defectors are forcibly extradited based on a secret “extradition of illegal entrants treaty” established between China and North Korea in the 1960s, and it has been reported that China and North Korea held discussions on the refugee problem in October 1996. Refugees forcibly extradited are executed or imprisoned in political concentration camps as “anti-nationalists.” Because they are threatened by North Korean officials as well as by Chinese-Koreans located in China, many try to gain entry into such third countries as Hong Kong or Vietnam.

North Korea argues that demands for human rights are “sophistry or deception by imperialists to hide the true reactionary and anti-masses nature of capitalism,” and that the human rights problems raised by the free, democratic world are part of the “peaceful evolution strategy” to overthrow the socialist system. At the same time, realizing that its human rights situation is a serious problem of global concern, North Korea also is engaging in active human rights diplomacy. In response to the Western world’s and south Korea’s criticism concerning North Korea’s human rights situation and as part

of its human rights offensive, the DPRK established the Chosun Human Rights Research Association in 1992. This association has repeatedly declared the absence of any human rights problems in North Korea and has criticized the intentions of capitalist countries for applying pressure over human rights.

In the post-Cold War era, unlike in the past, to remove its image as an isolationist country and to avoid global criticism against its human rights policies Pyongyang has been participating in international conferences and increasing its say, and it has been pursuing this human rights diplomacy aggressively. As representatives of the DPRK government, a five-member delegation consisting of the Geneva Ambassador Lee Chul and Kim Sung-chul, the head of the Foreign Department's International Organization, participated in the 52nd session of the United Nations Commission on Human Rights held between 18 March and 26 April 1996. The head of the Chosun Human Rights Research Association, Kim Hyung-il, and Kim Chung-jin and Oh Song-duk participating as North Korean representatives to the International Association of Democratic Lawyers, and Park Sung-ok, Kim Ho-jung and Jin Jun-yong heading the Pyongyang delegation to the International Federation of Women in Legal Careers, expressed their positions regarding the "comfort women issue" and issued a reply to questions raised by NGOs regarding North Korea's human rights problems.

At the 1996 UN Commission on Human Rights Committee, the president of the EU, together with various NGOs expressed concerns about North Korea's political and religious human rights situation. Representing the EU, Italy expressed its

concerns about the human rights conditions in North Korea and in fifty other countries and regions, and reiterated specifically its concerns about various human rights violations in North Korea such as the relocation of families and the internment of prisoners of conscience. Freedom of Expression Special Rapporteur Hussein indirectly expressed his concerns in his report about North Korea's freedom of expression in the DPRK when he stated that he expected to hold serious talks with North Korea and other countries in the near future. Pyongyang, however, merely reiterated its standard position that human rights problems do not exist in North Korea.

Despite the seriousness of North Korea's human rights situation, from a relative standpoint these problems have recently receded to the background as a result of the September 1996 intrusion into South Korea of a North Korean submarine and due to discussion about "four-party talks." In 1996 at the UN General Assembly, discussions concerning the human rights situation were limited because of the demands for an explanation concerning the infiltration of armed North Korean spies. In addition, the prospects appear unclear of finding a rational means and solution to improve human rights there; neighboring countries such as the US do not seem to want to raise the issue directly because, if possible, they want to avoid irritating Pyongyang in order to induce it to participate in the proposed four-party talks.

Especially with the minimum material livelihood needed to protect human rights under threat due to the continuing downturn of North Korea's economy, emphasis upon economic, social and cultural rights only restricts the people's

awareness of political rights and civil liberties, and can become a political means to maintain the socialist regime. It is ironic that North Korea, which Freedom House classified in 1996 as one of the most serious human rights violators in the world, is expecting food aid from the international community for the survival of its people.

II. Infringement of Civil and Political Rights

1. Right to Life

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

The new North Korean penal code of 1987 explains that any anti-national criminals and ordinary criminals who object to the mass liberation struggle and infringe upon the national sovereignty and legal order will be legally punished for attempting violently 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 provided the death penalty for over fifty types of crimes. Countless political prisoners and prisoners of conscience have been purged and executed in North Korean history. In particular, numerous people purged

as anti-party elements or 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.

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 mass liberation and the concealment of or failure to report anti-national crimes. Of those provisions in the new penal code that require serious punishments 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 leader 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: 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 circumstances 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 such minor ideological and political differences as 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

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 is as follows regarding public executions:

We found that execution in North Korea is widely used for a variety of crimes including political crimes. . . . Witnesses of public executions, former prisoners and visitors to North Korea state that executions are conducted frequently, that an increasing number of economic criminals are being executed, and that dozens are executed each year. Executions are performed by firing squad or by hanging. At certain times it has been reported that prisoners sentenced to death are dragged out to public gatherings consisting of children, laborers and students. . . . and are executed [*retranslated from the Korean*].

Amnesty International issued another special report on public executions in North Korea in January 1997, according to which 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 and Pyongsan.

In performing executions, North Korea uses an extremely non-humanitarian method of public executions. Even though a particular crime might not merit the death penalty, many times persons are executed publicly to set an example, because the person executed belongs to the "hostile class," or because he or she had 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.

A leading instance of an execution to set an example involved the case of the famous and beautiful North Korean actress Woo In-hee. She married a film director and had three children. When it was discovered that she had committed adultery with a young Korean-Japanese man she was executed in 1981. According to testimony from Shin Sang-ok and Choi Eun-hee, Woo In-hee was publicly executed for the crime of “ostentatious debauchery” and was publicly shot in front of a gathering of the entire movie industry. Thereafter all movies in which she appeared were banned.

Amnesty International's October 1993 Report provides that in 1983 a 37-year old miner Kim Ji-su and two of his colleagues were publicly executed at the Kwangduk Mine in South Hamkyung Province. They were indicted for participating in the November 1982 riot instigated by miners. As punishment some of the instigators were at first forcibly interned in the mines. The riots had been part of a protest against the harsh mining conditions and a unilateral two-year extension of their periods of imprisonment.

Paik Young-gil, who defected to South Korea in March 1994, testified that Goh Jung-gab, a cooperative farmer, was publicly shot in September 1989 at the Chungchoon Bridge in Anju, South Pyungan Province, based on a trial that found him guilty of stealing sixty kilograms of corn. Yuh Guem-ju, who defected with her father Yuh Man-chul in February 1994, testified that four Bookchung Education University students were publicly shot in front of 2,000 fellow students and residents on a hillside at the university in April 1991. These

students had been arrested for murdering a security guard with scissors while stealing two knapsacks (approximately ten kilograms) of corn from a storage facility in Ssangrim-ri, Bookchung County.

One foreign student living in North Korea testified that in November 1992 an unnamed male was publicly executed in front of a large gathering of people in the city of Hamhung. According to posters that were put up throughout the streets of Hamhung, he had been guilty of violence and “ideological crimes.” Public notice for the execution was later released to South Korean newspapers by the ROK National Security Planning Agency that the executed 30-year-old male was Ju Soon-nam.

Defectors also report that a great number of public executions occurred between the end of 1995 and the beginning of 1996. Radio producer Chang Hae-sung, who defected in May 1996 with scientist Chung Gab-yol, testified that public executions were carried out on a city and regional quota basis based on a personal directive issued by Kim Jong-il in late 1995. Those who were executed publicly included murderers, attempted murderers, and habitual thieves. In Pyongyang, a woman and married couple were publicly shot for murder and robbery in front of thousands of people at the College of Construction and Building Material located near the Taedong River in July 1995, and it is reported that four or five public executions were performed in 1995 in each region of Pyongyang.

This demonstrates that public executions are performed on a regular basis in North Korea and that they occur more

frequently when system control is being emphasized. 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 political 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 political prison camp between May 1983 and June 1986 before he defected in December 1994, stated that at Management Center No. 11 at Kyungsung, 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 to witness 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 that anyone who tries to escape will die like this.

Choi further explained that even the security personnel at the Seventh Bureau (Farm Management Bureau) fear the Third Section (Preliminary Review Section) of the State Security Agency, who are responsible for the arrest and investigation of political prisoners, especially because of the manner in which they arbitrarily carry out executions. This fear derives from such reports that they extract the oil from the human bodies to make cosmetic products and make whips from human tendons. Choi explains that, for their personal fame or career advancement, some security personnel deliberately execute innocent political prisoners and frame it such that they caught them attempting to escape. In return for their 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. These executions were carried out within center 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 sen-

tenced 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. Choi Wol-ryung, a 38-year-old mother of 7-year-old and 5-year-old children and serving a three-year term for stealing vegetables at a farm, was executed in 1988 for crying on a daily basis because she was concerned about her children.

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 have been violated.

These types of personal liberties include the freedom from illegal arrest or detention, the freedom from illegal searches or seizures, the freedom from illegal interrogations, the freedom from illegal punishment and the 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.

Based on Article 5 of the World Human Rights Declaration, the UN adopted the "Convention against Torture and Cruel,

Inhuman or Degrading Treatment or Punishment” at the General Assembly held 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 sanctions such as confining suspects without any regard to fair criminal 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 of a suspect. The US State Department’s 1993 World Human Rights Report reports that in North Korea “according to a reliable source, during the 1980s inmates were regularly tortured or subject to inhumane treatment and many of these prisoners died due to torture, disease or starvation.” [*retranslated from the Korean*]

The punishment of political prisoners and their families is particularly cruel when compared to that for other criminals. These prisoners are assigned to such facilities as the special dictatorship target areas (prison camps) without trial by law or any clear pronouncement regarding the length of sentences. All fundamental rights are deprived upon entry into the facility, and visitations by family and all mail correspondence is prohibited. These inmates must do forced labor at mines or logging operations located within the target area.

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 “Our 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 “penetrating weapon of the proletariat dictatorship” that exists to protect the autonomous 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 “should strongly uphold the principle of the working class and place weight on social education while combining with legal sanction in the struggle against crime.” Here is the fundamental spirit and principle of North Korean criminal law.

Anyone who denies the socialist institutions 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 not of the nucleus class. After all, North Korean penal law is a tool of the proletariat 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 that very root of the liberal democratic states, rule by law. First, it permits arbitrary interpretation of itself. Not only does Section 9 read quite abstractly: "Crime is any action deemed dangerous that violates state sovereignty and the legal order, purposefully or by negligence," but Section 10 states, "If 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 limitation, but the law is even applied restrictively. Section 42 renders a transgressor liable to prosecution until his very death: "Regarding 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 of attempt 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. They are treated as anti-state criminals and sentenced to death or subjected to 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* in Article 69 of the constitution and Article 172 of the penal code, and the right to legal representation 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 a critique, outside the court system, about unsatisfactory administrative affairs of the state or social organizations.

The reality, however, is that submitted *shinso* is passed to the State Security Agency and Public Safety Ministry for handwriting analysis to find out who complained. Anyone appealing state policy guidelines is punished in accordance with Sections 103 and 105 of the penal code. Section 103 says, "Those 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, which 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 him in a court of law.

The North Korean attorney system also serves the proletariat dictatorship. Although the system in principle differs not 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 a role of 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 "explain 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, thus adopting investigation based on legal procedure and administering justice grounded on evidence (Sections 35 and 36). In Section 11 there is an emphasis upon deliberation in arrests and legal dispositions. 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 on its face appears to resemble a jury system but in practice it 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 State Security Agency (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 rights 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 to 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.

Human Rights Violations at Rehabilitation Centers

The prison facilities in North Korea consist of 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 State Security Agency (it was then located within the Public Safety Ministry and called the Political Security Department) from the Public Safety Ministry because of internal tensions between the two offices. Based on this separation, Kim Il Sung decided that the State Security Agency would handle political prisoners and the Public Safety Ministry would oversee all other crimes.

First, economic criminals and criminals guilty of violent crimes would be separated from political prisoner and held in "rehabilitation centers" much like common prisons. Rehabilitation centers are managed by the Rehabilitation Bureau (commonly referred to previously as the Seventh Bureau) of the Public Safety Ministry and divided into rehabilitation

facilities, labor rehabilitation facilities and education facilities.

In contrast, political criminals are held in “management centers” supervised by the State Security Agency, Farm Management Bureau (commonly referred to previously as the Ninth Bureau but it became the Seventh Bureau sometime around 1988). These management centers are political concentration camps that are often called “restricted areas” or special dictatorship target areas.

Table 1. Confinement Facilities in North Korea

	Economic criminals and criminals found guilty of violent crimes	Political criminals
Supervising institution	Public Safety Ministry Rehabilitation Bureau	State Security Agency, Farm Management Bureau
Confinement facilities	Rehabilitation Centers, Labor Rehabilitation Centers, Education Centers	Management Centers

Rehabilitation centers are like correctional institution prisons and, among the facilities that the Public Safety Ministry manages, hold persons found guilty 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 so of these facilities.

Those criminals guilty of offenses that are not serious enough for rehabilitation centers are sent to “labor rehabilitation centers” for six months to three years of forced labor.

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

“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 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 has “juvenile relief centers” established by such organizations as the Socialist Legal Affairs Committee to guide youths, and “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 from 800 to 1,000 persons. In addition, Pyongyang said that 240 anti-national criminals are held in the Hyungsan Rehabilitation Center.

The three rehabilitation facilities that North Korea men-

tioned are the Sariwon Rehabilitation Center and most likely the Wonsan Rehabilitation Center, and the Jungsan Rehabilitation Center. Analysts believe that economic criminals are divided according to their crimes into Type 1, Type 2 and Type 3 and then sent to the appropriate facilities. Among the facilities, the Jungsan Rehabilitation Center resembles a labor rehabilitation center, and is commonly referred to as the "Jungsan labor 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 State Security Agency, located in the Kumkang Mountains across from the North Korean Arts Film Center. It is probably not a rehabilitation facility. The Prosecutors Section and Trial Bureau of the State Security Agency are responsible for making preliminary criminal reviews.

Management Centers run by the Public Safety Ministry 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.

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 State Security Agency, located in South Sinuiju, the Kaechun Rehabilitation Center became a management facility under the Public Safety Ministry when it moved to Kaechun in March

1982. The Kaechun Rehabilitation Center has one of the largest capacities in North Korea, built to house something 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 decisions 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 Public Safety Ministry personnel, military dog collars and muzzles for their dogs, and export items such as knitwear, artificial flowers, undergarments and ashtrays. The Public Safety Ministry manages all rehabilitation facilities in the country and therefore gains a sizeable income from the labor of these prisoners.

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 an hour. Twice a year usually for ten days each in the spring and in the fall healthy persons may be sent to work in areas outside the rehabilitation facility for planting and harvesting.

As of late 1996, 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.

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 sit (1 meter x 60 cm x 60 cm) and will receive a ration of 90 grams of leftover rice. People found not to follow the socialist rehabilitation policies are subject to corporal punishment (beating or torture), and in extreme situations they are executed.

The Living Guidelines for those held in rehabilitation facilities are as follows:

1. Be ready to sacrifice one’s life to protect the authority and honor of Kim Il Sung and Kim Jong-il
2. Reform one’s ideology through labor:
 - Unconditionally complete one’s daily, monthly and yearly assignments
 - Save national resources as though they were your eyes

- Save national facilities as though they were your eyes
 - Obey labor safety regulations
 - Do not produce defective products
3. Never disobey these Living Guidelines
 4. Do all actions on a group or subgroup basis
 5. When social security personnel call upon you, run, kneel down, lower your head and answer.
 6. Do not speak unless necessary for work
 7. Do not smile or hum tunes
 8. Do not leave your work area

Generally, 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 by inmate labor from facilities such as these. Juveniles and women are usually held here. There is said to be an even ratio of males and females. The Wonsan Rehabilitation Facility is large and the basic necessities produced here occupy an important role in light industry of North Korea. Under the auspices of the Wonsan Rehabilitation Center are various regional rehabilitation facilities, and the Chunnae Rehabilitation Center (which according to an Amnesty International Report held Cho Ho-pyung) apparently is located under the Wonsan Rehabilitation Center.

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 on 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 of equality under the law is an indivisible civil right that provides that one will not be discriminated against by the state, 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 mankind has long enjoyed. Therefore, the right of equality is not a part of various natural rights but is a means and method to fulfill fundamental rights and it features this characteristic 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 activities or the pursuit of ones development there must not exist any discrimination based on ones family background, gender, or for any other reasons. In the cultural sphere, it means that everyone must be guaranteed all 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, “Citizens 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 and by the degree of loyalty to the regime. For this, on numerous occasions since liberation from the Japanese in 1945, North Korea made loyalty surveys.

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

The loyalty surveys were made on a phased basis. 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

Table 2. Family Background Investigation Projects

Project	Period	Description
Intensive guidance by the Central Party	Dec. 58 – Dec. 60	Exposing, punishing and forced 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 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, Unstable 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 in whom everyone can believe, those whose beliefs are somewhat dubious, and betrayers
Civic Pass Inspection Project	Jan. 80 – Dec. 80	To expose impure elements and increase control, inspect and renew civic passes 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 30 categories and update monitoring data
Project concerning those Korean Japanese who were repatriated to North Korea	Jan. 81 – Apr. 81	Segment the data on former Korean Japanese who were repatriated to North Korea and reduce material monitoring of recent activities more scientific
Citizenship identification card Renewal Project	Nov. 83 – Mar. 84	Renewal of citizenship identification cards and revise documents on all residents

Source: MNU, *An Overview of North Korea*, 1995, p. 275.

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.

This classification 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. In fact, 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 "unstable masses." Nevertheless, ordinary people still suffer from the class policy.

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.

Through this classification system the authorities ferret out political forces against the North Korean system, suppressing their anti-party and anti-revolutionary activities before they act and further tightening the grip of surveillance. Those classified as reactionary based on family background are

discriminated against in every area of life ranging from food rationing to the distribution of dwelling, social mobility and the execution of legal provisions.

The entire North Korean population is classified into nucleus, unstable and hostile classes. The nucleus class, comprising about thirty percent of the population, is the ruling class that spearheads the North Korean system. Included are the family members and relatives of Kim Il Sung and Kim Jong-il, high cadres estimated to number about 200,000 or one percent of the population, and mid-level cadres who account for about twenty-eight percent. 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 nucleus (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 fighters. 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 in the recruitment of party, administration and military cadres. In effect they form a feudal hereditary class entitled to favors in all areas such as education, promotion, rations, dwelling and medical services.

The unstable 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 nucleus class and who are not party members. They represent about forty-five percent of the population. They lead lives with extremely limited incomes and food rations. Most of them live in small cities and rural areas. Health service for them is insufficient. They can travel to Pyongyang only with special permits. 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 twenty-seven percent 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 right to receive a college education, join the party or be an officer in the military.

The loyalty classification policy unfavorably affects the unstable 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 from political prison 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

Table 3. The 3 Classes and 51 Sub-classes

Nucleus Class	People from the families of laborers, employed farmers (farm servants), poor farmers, and administration clerical workers during the Yi Dynasty and Japanese occupation, Korean Workers' Party cadre members; bereaved families of revolutionary fighters (killed in anti-Japan struggles); bereaved families of patriotic fighters (killed as noncombatants during the Korean War); revolutionary intellectuals (trained by North Korea after liberation from Japan); families of those killed during the Korean War; rear-area families (families of active People's Army officers and men); and honorable families (family members of service members wounded during the Korean War).
Unstable Class	People from the families of small merchants, artisans, small factory owners, or small and 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 or 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, or landowners, or those whose private assets have been completely confiscated; pro-Japan and pro-US people; reactionary bureaucrats; defectors from the South; Protestant Christians; 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.

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

Table 4. 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 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.

hiring, education, housing, medical benefits, and criminal punishment. In general the hostile class does laborious and hazardous manual work. For 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, and recruitment and indoctrination targets are intensively indoctrinated for possible absorption into the system.

According to defector Lee Soon-ok, however, one of the cell secretaries who previously participated in the reviews, the elementary secretaries, the deputy secretaries 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, honorable veterans and others will be categorized as “core masses” or “basic masses” depending the relevant standards (see Table 5). Moreover, she said that revolutionary intellectuals (see Table 3) can belong to the basic masses or “unstable masses.”

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 the South Korea” and treating them as part of the unstable masses. These people continue to have their fundamental rights deprived and receive

Table 5. 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 in battle (if the death in battle has been confirmed), honorable families, families of soldiers, old farmers, poor farmers, office workers, laborers
Basic Masses	Korean Workers' Party members, families of soldiers who died in battle, office workers, honorable families, office workers, laborers, former South Koreans (those who enlisted with the DPRK Volunteer Army), new intellectuals
Unstable 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 practitioners of superstition, those who studied overseas, former provincial gentry, economic criminals, old intellectuals
Those to be Monitored	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

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 testified that the family of his classmate Kim Yong-kak, who at the time was a senior in high school, was banished to Jagang 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 Detention Center he was constantly followed by an information officer from the State Security Agency who would regularly report 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 labor.

Oppression of the disabled

The protection of the rights of disabled people has not been memorialized through an international convention. The 1993 World NGO Forum strongly proposed that UN member states pursue an international 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 a rule that the handicapped may not live in Pyongyang. Physically and mentally disabled persons and the deaf and dumb and their families are deported from Pyongyang and other major cities such as Nampo, Kaesong and Chongjin, where foreigners frequent, for resettlement in exclusive areas. They have been shipped to remote mountains or isolated areas. Foreigners invariably testify they saw no handicapped people in Pyongyang. Recent defectors say that such people are dis-

patched according to the degree of their disability.

Yet testimony indicates that depending on their physical characteristics these disabled people receive severely discriminatory treatment. Based on an order by Kim Jong-il to find a way to eliminate dwarfs, all dwarfs were banished to a special area, and if the dwarfism is based on a hereditary trait the person's entire family is sent to group facility in a small remote mountain village in South Hamkyung Province called a Yojin-type village. The number of dwarfs is dwindling, and to eliminate them the authorities prohibit marriages between them. Moreover, to prevent blind people from living in large cities they are forced to live in a particular group village. According to Yoon Ung who defected on 11 October 1993, all deaf and mute people are banished from Pyongyang to the countryside.

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, 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 on 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 has pursued socialist gender equality, at least on the surface, since the founding of the DPRK regime in 1945. As a means of establishing a socialist revolutionary regime, it tried to “dismantle the unequal economic substructure of property ownership as well as to liquidate the social structures based on the patriarchal tradition.”

The liberation of women was a key to eliminating the traditional family system. The Law on Agrarian Reform announced in March 1946 called for the distribution of farmland among family members on the basis of the number of work hands including women in each family. In the Law on the Work of Laborers and Office Workers announced in June of the same year, women were given the same right to work and the same obligations as men.

In addition, the Law on the Equality of Men and Women was promulgated in July 1946. Further effecting the Implementation Decree on the Law on the Equality of the Sexes two months later in September, North Korea laid a legal base for liquidating the existing patriarchal social order, promoting

the liberation of women and integrating them into the working class.

Along with the statutory measures, substantial and concrete steps had been taken in parallel to facilitate women's liberation. For instance, in a bid to utilize the female work force Pyongyang promoted the collectivization of the upbringing of children by building nurseries. To encourage women's participation in politics, the DPRK founded the Korean Democratic Women's Union in November 1945 and based thereupon began to promote the ideological revolutionization and class indoctrination of women.

North Korea thus took statutory and institutional measures within a few years of national liberation to facilitate the liberation of women based on socialist principles. These measures are generally believed to have been more diverse and more thorough in terms of both quality and quantity than were the women's policies implemented for the forty-odd years thereafter.

Moreover, policy changes shown after the Korean War indicate there has been a change in the regime's original intent in pursuing women's liberation. From the 1950s through the 1970s, North Korea pursued a dual policy: While trying to turn women into part of the working class it emphasized the socialist remodeling of household chores and home life, but at the state level began also to revive the patriarchal system. They were instituting Kim Il Sung's unitary system on the basis of *juche* thought and preparing Kim Jong-il's heirship.

In the course of post-war rehabilitation and the construction of the socialist economy, the ratio of women's participation

in labor rose dramatically thanks to these policies. There are many difficulties, however, in regarding this as the materialization of gender equality. North Korea was then at a level of perceiving women's issues not from the approach of gender equality but from the theory of classes.

In reality, North Korean women's economic participation concentrated on specific vocational areas only, and the outcome of economic activities (wages and the social perception of them) was poles apart from that of men. Another noticeable aspect was that despite the policy for the socialization of children's upbringing and household chores, the regime continued to emphasize the woman's role in the family, as things had been in the past. Thus women had a double burden. Due to the two-faced policy of mobilizing women socially yet while emphasizing their traditional role in the family, there existed quite a difference between women's nominal liberation and reality.

In establishing Kim Il Sung's unitary system through *juche* thought and justifying the succession of Kim Jong-il, North Korea deviated from the basic principle of socialism and began to revive the patriarchal system.

As its economy was in recession while they were solidifying Kim Jong-il's heirship in the 1980s, North Korea cemented the patriarchal view of the state by introducing the "theory of socio-political organism" and the concept of the "large socialist family."

In this period the number of women left jobless swelled due to the deteriorating economy. As a result, family incomes declined and women tended increasingly to depend on men.

In a state policy to allow male heads of family to dilute their social discontent through family life, a women's re-domestication program was promoted.

At the same time, in the idea of using the female work force in linkage with family life, home work teams were strengthened and women were encouraged to do volunteer labor. This, of course, ran counter in essence to the basic principle of the socialist liberation of women.

At home, as well, women's actual standing is known to be much different from what it is supposed to be under a socialist system. North Korea says "at the stage of anti-imperial and anti-feudal democratic revolution, one of the important tasks to resolve is to liberate women from colonial and feudal oppression and subordination and assure them rights equal to those of men in every area of social life."

It was emphasized that such a revolution was needed because the traditional Confucian family system was authoritarian, with strong emphasis on blood affiliation which posed an obstacle to socialist revolution, and because the male-chauvinist feudal family system oppresses women in terms of politics and economy.

At first Pyongyang effected reforms to discontinue the old family order. Upon the advent of *juche* thought in the 1970s, however, tradition again began to enjoy a spotlight in family relations. Although North Korea pursued the equal family order outwardly and institutionally, the traditional patriarchal order has been maintained, in which paternal rights are emphasized. In addition, a broad scope of marriage prohibition, the principle of deference to the father, support the extended

family, and respect for the aged were all envisioned in the 1990 Family Law.

North Korea insists that it has ensured conditions for women's equal advancement in society through statutory and institutional devices for gender equality and through the socialization of household chores and children's upbringing. As discussed above, however, women, though they take part in equal work activities, are obliged to bear a double burden because of the deep-rooted traditional idea that all household chores and children's upbringing are women's duty. Kim Il Sung once remarked that "women's inherent job is to raise children," and the Women's Union regulations say, "Cooking is women's traditional work and women's inborn obligation."

As for the reality of sexual assaults, considered one of the most basic violations of women's human rights, defectors have testified about rape and other sexual assaults perpetrated as the price of admittance to the party or as condition to receive a job. They say that in many instances senior party officials or others in high positions seduce their woman employees in return for party membership. The tendency to view a woman as a sexual tool can also be seen in the existence of a team of young women handpicked by Section 5 of the Security General Bureau, which is Kim Jong-il's bodyguard organization. It is often referred to as "the joy team."

It is known that sexual assaults at the work place are usually not taken as anything serious. In the tradition of valuing women's purity, the prevailing social tendency is to conceal having been sexually assaulted, and no institutional device for taking legal action against sexual assault can be expected in

North Korea.

Officially North Korea emphasizes the importance of abstinence from premarital sex; that or adultery is a crime subject to imprisonment or even execution. Because marriage age limits have been elevated and because men in the military cannot marry until discharge, however, fornication is known to be quite common.

According to defectors' testimonies, North Korean youths find little means of entertainment or leisure yet are under constant stress, so they tend to seek comfort through sexual relations. Accordingly cases of unwed pregnancy are frequent, and it is the woman who suffer most. North Korea makes it a rule to punish those involved as "decadent."

In the past, when an unwed pregnant woman wanted an abortion at a people's hospital, she had to identify herself—always at the risk of being branded as having been involved in "a decadent incident." As some such pregnant women were committing suicide, Kim Jong-il ordered doctors in the early 1980s to perform abortions unconditionally and without demanding identification. The "magnanimous politics" was in part to control the population increase. North Korea is also known to have forced women to undergo sterilization in the course of promoting its family control plan.

Meanwhile, it is presumed that abortion or sterilization operations are not medically advanced enough to ensure proper health measures. Health regulations and actual health programs for women are directly related to the issue of protecting mothers. On paper, provision is made for 150 days' pre- and post-child-birth leave—but women are made to return their

child-birth leave to the party as a token of loyalty.

It is known that North Korea, to preclude reduction of the female labor force, operates women's counseling centers and childbirth delivery centers. The government takes due steps to prevent or treat woman's diseases and looks after pregnant women, and there is a definite attempt to prevent and treat infants' diseases.

However, because it is quite difficult for ordinary people in general to obtain medical services, it is believed that medical service for women, too, is likely to be insufficient. For example, the Pyongyang Maternity Hospital is reputed to be one of the largest in the world, but ordinary people cannot use it. Most women deliver their babies at home with the help of a midwife or elderly neighbor woman.

Regarding wage conditions of female North Korean workers, Article 27 of the Socialist constitution and Section 37 of the Socialist Labor Law both insist on the application of "the principle of socialist dividends based on the quality and quantity of labor." North Korea, formalizing this principle of same wages for same work, argues that "all workers shall be paid the same wages for the same work done regardless of differences in gender, age or nationality." Whatever the words, the average monthly wage for women is seventy North Korean won, one of the lowest among social strata. As in other socialist countries, the low wage for women is due to this principle of socialist dividends calling for "dividends based on labor." This can be explained by job distinction, that is, women are in a class lower than men and as unskilled workers are largely assigned to job categories socially belittled or relatively easy.

Speaking at a convention of national labor administrative workers in September 1979, Kim Il Sung attempted to stabilize the labor specialization environment and emphasized that people should be engaged in the same job categories generation after generation in professional and technical areas. He crystallized the labor structure and made it hard to change jobs. In general, the area where woman workers are assigned most heavily is the textile industry whose female workers represent eighty percent of the work force. The share of female managers and management chairpersons is high in some areas such as cooperative farms, but as a whole it is quite low.

Outwardly it has been understood that there is no discrimination against women at the time of labor assignment, but seemingly so considerate a measure to give them appropriate duties places them at less important posts. The criterion for assignment envisioned in Cabinet Decision No. 84 was that "sensitive, emotionally affluent and physically feeble women shall be assigned to duties suitable to their physical conditions while male workers shall be placed at important, laborious and difficult posts."

The idea stems from the need for job distinction by sex in view of difference in the abilities of men and women, as well as from the traditional understanding of the physical and psychological characteristics of women. It should also be noted that whenever the economy declined married women would be laid off, then re-mobilized as subsidiary labor when needed.

North Korea deepened the distinctions between sexes and between job categories by deliberately assigning women to specific duties, jobs considered suitable to female physical

makeup and ability. As a result, woman workers were assigned mainly to the light industrial sector, simple clerical duties and the service area (commerce and convenience services).

In explaining the resolution of the women question, North Korean officials used to say, "In our country, male workers are usually depicted as laborers and female workers as farmers holding bundles of rice in arm or sickle in hand." Such remarks only reveal the existence of deep gender and job-category discrimination.

The decree "Concerning Further Advancement of Women to Each Sector of the People's Economy," announced on 19 July 1958, called for boosting women's employment above sixty percent in the education and health sectors and thirty percent in other areas. It also made it obligatory that they be assigned to jobs women are able to do, which reflects the perception that the educational and health assignments are the responsibilities suitable.

This cabinet decision to assign women to jobs according to their unique abilities can be taken to reflect North Korea's economic development strategy focus upon heavy and chemical industries and the concomitant need to make the most of male workers. More basically, however, it seems to stem from a perception that woman in general are suitable to light and easy work.

Of the total 294,000 experts and technicians in North Korea as of 1963, women numbered 43,000 or a mere 14.6 percent. In 1989, however, woman experts and technicians totaled about 500,000 or 37 percent of the total 1,350,000. To understand women's shares in each sector, there is a need to discuss the

job categories among North Korea's experts and technicians.

It indicates that the same pattern appearing in the capitalist economy emerged in North Korea. In the early 1970s North Korea's female work force was concentrated in light industry where seventy percent of the total workers were women. Women teachers accounted for thirty-five percent; in the agricultural sector, sixty.

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 life of happiness. Freedom has historically been a great human concern. Civil liberty as a fundamental right has been a passive and defensive public right to be free from state interference or infringement of one's individual livelihood. At the same time they are a supranational right of humankind.

Freedom is a right based on natural law that human beings must enjoy. The responsibility of the state is to confirm the inviolability of civil liberties and it is obliged not to destroy the fundamental nature of civil liberties. Therefore all countries are responsible for maintaining civil liberties to their utmost. 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 in the existence of man, 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.

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. For example, various North Koreans who moved to Pyongyang in the 1980s stated to American visitors that they could not travel by train or bus to areas outside the city without the permission of the party, and that they needed a travel pass to travel from one region to another.

By restricting free activities to the maximum, the North Korean government prevents deviation that might result from the exchange of information. The people are denied the freedom to live where they want or travel on their own. Anyone who moves residence without official permission is denied a citizen's card, job and food rations.

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 Safety." Decision No. 57 says, "Travellers or anyone wishing to accommodate temporary guests outside the family must obtain a permit from the Ministry of Public Safety." 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.

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.

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 papers, 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 bound heavily in many other respects. A trip to Pyongyang, for example, can only be 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.

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 Public Safety Ministry office three days before the planned departure. The application is reviewed based upon social status;

if approved, the office refers it to a regional Public Safety Ministry office, which issues the pass through the elementary party secretary of the applicant's work place.

After arrival, the traveller reports to the head of the local neighborhood association or *inminban*, registers on the travel roster, and gets his travel pass stamped by a local Public Safety Ministry 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 cannot be free of 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 ration 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 at the root any tendency to shun work.

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 set Rajin-Sonbong Special Economic Zone.

According to An Myong-jin, who defected to the South in September 1993, Kim Jong-il handed down instructions to “remove non-socialistic elements” in October 1992. “Task forces for the removal of non-socialistic elements” were to be formed in Pyongyang from among workplace delegates, local Public Safety Ministry officials, State Security agents and exemplary workers in order to ferret out idlers, people who violated instructions or who were discontent with party policies. The ones apprehended were deported to remote areas. When such violators were accused, as group punishment the entire twenty- to thirty-family *inminban* would be denied electricity and water supply for specific periods.

Yet, it appears that with the worsening food crisis the North Korean authorities are partially easing the restrictions so that people can travel around looking for food. 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 and Hanshik, but in the 1990s travel by residents from urban areas seeking food substantially increased. Those from areas where food rations had been delayed for months obtained “food ration cards” from their workplaces describing the delayed rations, and they were able to use them as travel

passes.

Freedom of speech and press

The freedom of speech and press is 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.

Article 67 of North Korea's 1992 constitution provides that "civilians 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 critique and provision of information, and focuses upon the unilateral propaganda of Kim-Il-Sungism based the *juche* ideology and upon instigating the population. The press is used as a tool to mold the North Koreans into good communists. Freedom of the press is only guaranteed to the extent it "helps 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 Korean Workers' Party to achieve its goals and exists only as an type of educator. 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 “explain 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 “instigate 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 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 the violation of human rights. The Universal Declaration on Human Rights, the International Covenant on Human Rights, 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 being 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 the 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. "Publications are an important means of connecting the party and the masses and a strong weapon organizationally to mobilize the labor masses to enact the construction of politics, economics and culture of the party." In other words, all publications support the *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 the theoretical and actual problems such as those of revolutionary principles. In the end, publications must devote themselves to the worship Kim Il Sung, systemization of the unitary ideology, establishment of the Kim Il Sung–Kim Jong-il hereditary succession and 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 personal belongings confiscated. This

section, "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 such a comprehensive manner 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; 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 discussion 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 Ministry of Public Safety 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 *1993 Country Report on Human Rights Practices*, published by the US State Department, pointed out

that the DPRK government controls all outgoing news including access by reporters from Russian publications critical of North Korea. 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 into the Pyongyang government as a translator in 1966. 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 over six years in solitary confinement.

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

North Korea regulates literature and the arts as a "means of educating workers in the communist way and turning the whole society communist into the working class." In other words, literature and art in North Korea is an important ideological tool to attain a 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 control and use writers and artists thoroughly. He organized the General

Federation of Unions of Literature and Arts of Korea (GFULA) in March 1961 as an umbrella organization in the area of literature and arts.

The federation has under its control the Writers Union, Artists Union, Stage Artists Union, Musicians Union, Filmmakers Union, Choreographers Union and Photographers Union. Under each union are subcommittees, and in the provincial areas there are branch offices of the GFULA and the unions.

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 base creative works thoroughly on the party policy line. In addition, Pyongyang has been strongly insisting that all literary and artistic pieces be worked out 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 in accordance 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 control in the course of production, and (3) publishing and all stage art activities should be done subject to rigid party supervision and within the scope required by the party.

A 1966 meeting of KWP delegates called for arming the North Korean society with *juche* thought. The literature and arts area, responding to the call, produced a literary and artistic

concept based on *juche* thought, that is, “the concept of *juche* literature and arts.” This is a graft between *juche* thought 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 system needs to be solidly established. These traits are considered in North Korea to be the prototype of socialist literature and arts theories.

The *juche* literature and arts theory introduces, as a creative methodology, the Concept of *Juche* Seeds and the Theory of Speed Competition. This concept of seeds, said to have been invented by Kim Jong-il, asserts, “Our science of literature and arts has explored hitherto unknown politics and has made an immortal contribution toward further enriching the treasure box of human literature and arts science.”

The *juche* theory of literature and arts, therefore, sets forth the first task as depicting Kim Il Sung as the “prototype of an absolute communist.” The theory also calls for the deification of Kim Il Sung’s family parallel with 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 done 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” with revolutionary organizational activities.

Political projects refers to ideological training. Revolution-

ary organizational activities means the collectivization of writers and artists, for example, the April 15 Creativity Team which was to encourage them to do collective creative artwork.

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.

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

Control of writers and artists begins with handing down plans for their created or staged activities. The party obliges writers and artists and their respective unions, after preparation, to forward to the party their production plans by month, quarter and year, which are to be worked out based on quota by theme. These quotas always consist of 30 percent on the theme of "revolutionary traditions," that is, works on the fabricated examples of anti-Japan struggles by Kim Il Sung and his followers, and on the praise and idolization of Kim Il Sung; 30 percent on the theme of the war; 20 percent on the construction of socialism; and 20 percent on unification of the fatherland.

Production plans forwarded to respective unions are compiled by the unions before being submitted to the Culture and Arts Department of the KWP Central Committee. Writers and artists are obliged to create in strict accordance with the plans

under overall control of the leadership of each union.

Writers and artists are classified into those posted at industrial areas, factories, industries and farm villages (called "liberation writers") and those with jobs at the GFULA, publishing houses and party and administration offices. To ensure effective control over them all, each union holds a session for the general review of party activities once each quarter and the GFULA once a year, during which the activities of the writers and artists are examined and new tasks are assigned.

Whether or not to permit publishing or staging of creative works is controlled very strictly. For this the party steps in directly. The assignment of themes on works to be published or staged is made at the proportion 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 Culture and Arts Ministry of the Administration Council and a relevant social organization in charge of stage performances will control a stage performance company.

The process of control and supervision is divided into reference, inspection, and publishing or performance. In the stage of reference, 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 implication and artistry.

A manuscript approved by an editorial department or a stage performance company next has to pass inspection by the Inspection Bureau of the General Publishing House of the state administration. Inspection is very rigid. Even if only a few problematic points are found, a manuscript is returned for rewriting.

These are the inspection criteria: (1) Is the work based thoroughly on the socialistic method of realistic creativity? (2) Does it reveal state or military secrets? (3) Does it describe any negative aspects of the social system? (4) Is there any taint of capitalist ideology? (5) Is it helpful to the communist indoctrination of the masses? (6) Does it fully display combativeness, revolution and class nature? (7) Is the work clumsy in terms of artistry? (8) Are all words and descriptions used properly?

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.

The bottom line is that 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 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.

Article 67 of the constitution states that “the 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. By individual free will, it is regarded as group action that creates disorder and 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, “Those 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, which is used to prosecute acts of petition and *shinso*.

Social groups in North Korea represent the interests of the KWP and play the role of ideological education. All North Korean residents have to affiliate in social groups. From six years of age until retirement, these include kindergarten, boy scouts, various educational institutions, the Kim Il Sung Youth

League, Occupation League, the Korean Agricultural Workers' Union, or the Women's League. The KWP controls free thought and group action by means of mutual surveillance, critique, and education within the social groups.

According to the *Country Report on Human Rights Practices for 1993*, "No public meetings may be held without government authorization. There are no known organizations other than those created by the government. The state even prohibits apolitical groups such as neighborhood or alumni organizations, and professional associations exist solely as another means of government control over the members of these organizations."

According to the testimony of Yoon Ung, in April 1992 at a soccer game celebrating April 15 held in Chongjin Stadium, North Hamkyung Province, a young man was arrested by state security members and beaten to death at the 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 the ones at Kim Il Sung University were all reported to have been arrested in May 1991 by State Security Agency 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 had been 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 and in a 1983 incident of anonymous complaints that was lead by the Math Department a faculty member was also implicated.

The North Korean Encyclopedia explains that “the 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 labor masses.”

Despite this declaration, the North Korean people do not have an institution or organization to represent their interests. Only those associations carried out based on orders from the party, or associations and assemblies carried out for the need of the party, are permitted. Social organizations are not interest groups or pressure groups in the Western sense, but as provided in Article 56, Part 9, of the Korean Workers' Party By-laws, are 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 gatherings, 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 assembly is not permitted.

The KWP has monitoring responsibility for all mass organizations. The main purpose of social organizations are to support the party and to be loyal 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 set up by the authorities, movements to increase productivity, such as 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 to maintain the sanctity of humans beings The formation and conveyance of thought, the maintenance of conscience and faith, research of scholarship—due to their nature they all lose their significance without freedom from oppression and 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.

The North Korean authorities do not permit any ideology other than the juche thought, and based on the “sociopolitical organism theory” the suryungs, Kim Il Sung and Kim Jong-il, are worshipped absolutely. Nothing else may be worshipped other than the juche ideology and its founders the suryungs. This is why the authorities prohibit all forms of religious organization, thus at the same time they violate the freedoms

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 ideology, difference in opinion or protestations to outside authorities are permitted.

Since the founding of the regime, pursuant to Karl Marx's statement that "religion is the opiate of the people," 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 "historically religion was seized by the ruling class to deceive the masses and was used as a means to exploit and oppress. Recently it is being used by imperialists as an ideological tool to invade the people of underdeveloped countries."

The basic perception is that in 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. Therefore the worship of Kim Il Sung and Kim Jong-il has reached religious dimensions. 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 levels of a state religion."

The worship of Kim Il Sung and Kim Jong-il is specifically

stipulated in the Ten Great Principles to Establish the Unitary Ideological System.” 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 traces of any guarantee of the basic rights stipulated in the constitution can ever 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. These ten principles carry three to ten articles apiece.

Article 1. Section 1. We should fight at the risk of our lives to imbue the whole society with the revolutionary thought of Suryong Comrade Kim Il Sung.

Article 3. We should make absolute the authority of Suryong Comrade Kim Il Sung.

- Section 5. Anything that destroys the authority and dignity of the great suryung, no matter how small it may be, must be treated as an emergency. One must object and fight uncompromisingly.
- Section 6. All portraits, plaster figures, or monuments of the suryung, publications with portraits of the suryung, art works portraying the suryung, displays with the suryung’s current instructions, or basic slogans of the party must be treated respectfully and be thoroughly protected.

Article 4, Section 9. Any anti-party activity such as criticism, slander or objection to the instructions of the great suryung or from our Dear Comrade Leader Kim Jong-il or the policies of the party must never be accommodated or overlooked and must be fought in an uncompromising manner.

- Section 10. One must object to and fight against all anti-party, anti-revolutionary ideological exchange such as capitalism, feudal Confucian ideology, revisionism, doctrine or suzerainty which differs from the instructions of the suryung and the Dear Comrade Leader and the party ideology in order to thoroughly maintain the purity of the suryung's revolutionary ideology.

The Ten Great Principles serve as an expansive norm that controls and manages every word and expression of the North Korean people. Those who disobey the norm will be designated as political or ideological criminals and 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 with his pencil on the face of Kim father and son 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 Workers' Publishing House, there exists the story of a person named Park Young-duk who sacrificed his life protecting 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, "he carefully wrapped a portrait of Kim Il Sung with a plastic cover, attached a heavy weight to himself and jumped into the sea."

It was based on this principle that 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 by deed.

Comrades 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.

Article 1 of Principle 5 stipulates, "We 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, “We should regard our political life as the primary life We should be able to give up our physical life as if it were a bit of straw in favor of our political life.”

Many religiously active people in North Korea have been branded as disloyal and brutally tortured or executed for their beliefs. Especially immediately before and during the Korean War, a large number were arrested for execution or banishment. 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 are 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 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 laymen; 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 Ministry of Public Safety in 1972:

We 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 [labor] 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, a limit upon freedom of religion was not overlooked. Paragraph 2 says, "No 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 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 *1996 Human Rights Report* pointed out that "recently the North Korean government has been encouraging the formation of religious organizations supported by the state as a means to achieve its diplomatic goals."

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 the political 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 Gun-guk-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.

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. In an active perspective privacy exists so that the formation and enjoyment of this 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 the sanctity and dignity of human beings as well as legal stability.

Article 78 of the North Korean constitution provides that "civilians 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 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.

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 by the party. People seldom exchange words even within the same residential complex. Family members rarely exchange opinions on current issues.

North Korea utilizes the security network to violate personal privacy. The Overnight Inspection Group at the Public Safety Ministry 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 officials from the county or city district enter and inspect houses uninvited.

Composed of twenty to thirty households, at their various

meetings 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 State Security Agency and the Ministry of Public Safety play the central roles.

Article 11 of the constitution reads, "The DPRK performs all activities under the guidance of the Korean Workers' Party." Indeed, it does exercise absolute influence and leadership in North Korean society. The KWP is above the law and above the state. It is involved in and supervises all projects and activities either directly or indirectly. All state organs, social groups and all the people must abide by its decisions and policies.

Under the pyramidal hierarchy of power, orders from above must be carried out without question. Korean Workers' Party 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 of the KWP members, the centers around which to gather the people, the party combat units that directly carry out the party line and policy (Section 41 of the KWP

statutes). This cellular principle is extended from the workplace to grass-roots party organization to intermediate party organization, and to cities and county unit organizations. Section 11 of the KWP statutes reads, "All 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 orders."

The Party Secretariat Department of Organization Guidance 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 national security) together with what is called "three-day report control." Concretely, this department is in charge of guiding party personnel matters regarding the executive officers as well as probing into their private lives.

The Department of Propaganda and Agitation of the Party Secretariat "rearms the officers and the people with *juche* thought," blocks ideological contamination and performs the role of ideological cleansing.

The State Security Agency, directly under the state presidency, has been the avant guard in maintaining the Kim Il Sung and Kim Jong-il system. Through writing and enforcing the ten regulations that parallel the "Ten Points Principle to Establish the Unitary Ideological System," 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 into 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 it is to take full responsibility in ideological issues by culling out betrayers from among the supporters of the North Korean system, by closely watching the activities of the 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 State Security Agency and must render full cooperation.

The State Security Agency takes its instructions from the Seventh Section of the Central Party Committee, which is the Department of Organization Guidance under the direct order of Kim Jong-il. Through this channel it actually supervises all state institutions and social groups. North Korean defectors testify unanimously that the people are in a situation of tacit obedience without being able to express their grievances nor criticize the North Korean system, due mainly to the state of terror imposed by the State Security Agency.

The Ministry of Public Safety 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 Ministry of Public Safety with the adoption of the new constitution in 1972.

At its incipient period, the ministry was devoted to eradicate the remains of Japanese imperialism immediately after liberation, and 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, reinforced in its role, and started to conduct political surveillance with direct orders from the KWP. Its role of political surveillance continued until the State Security Agency was established in 1973.

The Ministry of Public Safety, professed to be a body of the dictatorship of the proletariat that maintains social order and protects people's lives and property, 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 suppress the people to render them obedient to the dictatorship of Kim Il Sung and Kim Jong-il.

The Ministry of Public Safety, an organ of the Administration Council, on the national level is composed of the main body and affiliated bodies. In each province there is a Public Safety Bureau and affiliated agencies, and there are Public Safety 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 participate in the vote, and each person should have the freedom to vote for any candidate whom he or she wants. 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.

As part of the three-year mourning period for Kim Il Sung North Korea has suspended all rights to participate in politics at the Supreme Peoples Assembly, party caucuses or at various elections. For the past two and a half years since his death in July 1994, no official election activities have been carried out at all. According to a Russian broadcast, this is because the mourning period has not ended. Therefore, the election of delegates at the Supreme Peoples Assembly and the elections of local people's committees have all been suspended and the right to participate in politics has ceased.

Article 6 of the revised constitution provides: "All sovereign institutions from county people's committees 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 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 *1996 Human Rights Report* found that "free elections do not exist in North Korea. . . . In all circumstances, the government recognizes only one candidate for each election. According to the North Korean government, they have a 99% voting rate and a 100% approval rate for candidates approved by the party. Most of the three million party members vigorously follow the rules adopted by the minority elite of the party."

Because candidates are nominated by the organizational leaders of the party, North Korean people cannot freely run for office. North Korea argued in its Democratic National United Front Broadcasts of 13 June 1996 that the reason the Soviet Union and Eastern Europe lost their socialist states to "reactionaries" is because they adopted multicandidate systems in parliamentary elections. The DPRK severely criticized the multicandidate system and competition-based elections. Pyongyang clearly proclaims that the multicandidate system "allows rightist reactionaries to join in socialist states and if this occurs the socialist state will eventually deteriorate and all will be lost to the reactionaries," and that, under the socialist

system, the election of sovereign institution cannot be carried out in competitive elections.

According to defector Oh Su-ryong, election committees are organized thirty or forty days before the election. The election committee consists of the responsible security and safety 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 Public Safety Ministry and the local records office are compared. Citizenship identification cards are collected and compared with the list, everyone 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 objection 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%.

On the day of the election security guards are stationed at the entrance and the exit of the balloting area. Voting is done

on numbered voting slips after people wait in line for their turn. Zealous party members are stationed in front and behind any of the hostile class who might express an objection. According to Chang Ki-hong who defected in November 1991, an approval vote requires that no marks need to be made on the voting paper; it only needs be placed in the ballot box unmarked. Disapproval is registered by marking the voting paper with a pen provided only at the balloting center. Yet, the marking of the voting paper is monitored by the election official, making disapproval marks impossible. Those who express an objection could be subject to punishment. Therefore, in almost every election, there exists a one hundred percent approval.

빈 면

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 Peoples Committee meeting that "in three or four years . . . all of our people will enjoy affluent living standards living in *kiwajips* [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 solve absolutely the "food problem" and improve the living standards of the people. From this perspective the fundamental living standards of North Koreans has remained

unchanged since 1960.

Every year since 1992 North Korea has been chronically short of approximately two million tons of grain and has been supplementing the shortages with foreign imports. Yet, Pyongyang has been consistently unable to import the food it needs due to recent lack of foreign currency, and must instead rely on humanitarian assistance from the UN, China, Japan, and South Korea among others. North Korea's food crisis nevertheless is not a recent phenomenon. Kim Il Sung considered the food problem a serious issue from early times 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).

Based on such information as 1996 weather studies, foreign intelligence, reports by international organizations located in North Korea, and testimony from visitors to North Korea, the South Korean government estimates that North's total grain production in 1996 was 3,700,000 tons. Although this is a moderate increase from last years' 3,450,000 tons, it still remains 400,000 tons less than the yearly average of 4,100,000 tons, and falls far below the annual demand of 6,700,000 tons.

Moreover the food shortage further deteriorated due to the serious flood damage in 1995 and 1996. According to material from the UNDHA, due to the widespread flooding in the summer of 1996, North Korea suffered around \$1.8 billion in damages. It states that more than 30,000 homes, 535 bridges, 88 miles of roads and 19 reservoirs were destroyed; over 690,000 acres in arable land was lost; 116 people died and 3,270,000 people were victims of the disaster. DPRK author-

ities also publicly announced damage figures similar to this.

According to the “Special Report on the 1996 North Korean Flood Damages and Food Supplies” (Special Alert No. 270) that was jointly prepared by the Food and Agriculture Organization and the World Food Program based on an official request for assistance by North Korea in July 1996, the country lost over nine percent (360,000 tons of rice and 92,000 tons of corn) of its total grain harvest of 1995 due to flood damage in its primary grain production region, Hwanghae Province, as well as in the regions of Kangwon province and around the city of Kaesong.

According to this report, approximately 1,410,000 tons of grain was needed between the 1995 and 1996 harvest periods, but despite 840,000 tons from commercial agreements, barter trade and humanitarian assistance, at the time the report was prepared it was still 620,000 tons short.

Due to the shortages, the daily food rations to average people of 600 grams of grain went down to 300 grams in 1996 and just before the harvest in August and September in certain regions it fell to 200–250g. US Congressman Tony Hall, who visited North Korea in August 1996, and a UN humanitarian official, found that “after suffering another devastating flood in 1996, North Korea is currently in critical condition.”

As a result, beginning in June 1996, for the first time in its history, Pyongyang started issuing potatoes for food rations, and in certain areas authorities ordered people to find their own food for a six-month period. In addition, the government permitted local authorities to engage directly in barter trade

with China and Russia and allowed local regions to decide autonomously their own budgetary affairs.

Most other basic necessities received through the public distribution system were also drastically reduced in 1996. The livelihood of the people has been seriously threatened and due to shortages in medical supplies and deteriorating medical facilities the “economic, social and cultural rights” of the people have shown no sign of improvement.

The UN established its second food plan for North Korea in June 1996 and decided that it would provide \$43,630,000 in aid between July 1996 and March 1997. Food assistance, largely grain provided by the World Food Program, accounts for 60% or \$26,800,000 of the total aid package.

Most donor countries including the United States provided food and medical assistance to Pyongyang through the UN humanitarian offices; China independently donated 500,000 tons of grain in 1996. The Chochungryun (a pro-North Korean Japanese organization in Japan) provided 10,000 tons of rice, and Pakistan offered 5,000 tons. As an international civilian organization, MSF (Doctors without Borders) supplied medical assistance and sent doctors to the DPRK.

The Seoul government provided rice to North Korea in 1995. And that year as the food situation continued to deteriorate, Pyongyang requested that the Japanese government lend them their excess rice for a certain period, and during this process also expressed their intentions to accept South Korean rice provided there be no conditions attached. As a result the first North-South “rice talks” were held in Beijing in June 1995. The ROK government offered 150,000 tons of

rice without condition and free of charge.

The Korean Red Cross further provided \$1,790,000 worth of goods to the North between September 1995 and September 1996, consisting of flour, powdered milk, cooking oil, and noodles purchased from funds collected by seventy-six organizations and 750,000 individuals in South Korea. In January 1997, \$160,000 worth of aid consisting of 300 tons of flour and 15,000 pairs of winter socks were donated through the International Red Cross.

On 30 June 1995 Tokyo agreed to send 300,000 tons of rice, 150,000 tons free of charge, following its first talks with Pyongyang, and on 3 October 1995 agreed to provide 200,000 tons of rice on a deferred-payment basis.

Laborers engaged in hard physical work or special tasks are supposed to receive at least 800g grain per day. For others,

Table 6. 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 National Unification, *An Overview of North Korea*, 1995, p. 289.

food distribution is differentiated into twelve levels by political standing and type of job.

North Korea has not made official announcement on the details of the food rationing system. However, the highest two levels are 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 really enough to support life. Some starve to death.

Due to the serious food shortages the government has under various excuses decreased the rations. Recently distribution has been delayed for several months. Five to ten days of grain rations are also subtracted every month in the name of military provisions, unification, cereal conservation, or “patriotic grain.”

Meanwhile, as rations have decreased and the distribution itself has been delayed, North Koreans seek more food on the black market or from rural relatives. This, however, is not easy because the country itself is absolutely short of food and everyone outside the ruling class is very closely watched and controlled. Especially after the great flood of summer 1995 and 1996 in North Korea the situation went from bad to worse—much worse. The food shortage is closely related to the fact that North Korean people have increasingly escaped to China; even small-scale riots have occurred at food distribution centers in some of the mountain areas.

Cereal supplied to the North Korean people is mixed, composed of rice and corn or rice and wheat. In Pyongyang

the ratio of rice to other grains was 70:30 before the Thirteenth International Festival for the Youth and Students held in 1989, but it was reversed to 30:70 afterwards. Outside Pyongyang the ratio had been 50:50, but that has changed to 20:80 or sometimes even less. Since Korean people prefer rice and the percentage of rice is decreasing, people are complaining more and more.

As a stop-gap solution, the authorities developed and have been talking up special rice substitutes, including vegetable-grain mixtures, mixed noodles, and “speed-war” flour. They fill the stomach but are hard for Koreans to digest.

As a way of controlling people through the food distribution system, the authorities deduct food rationing from those who are absent from work without leave, under the rule of “no work, no food.” Another type of control is to rouse loyalty by giving people food reserved for the birthdays of Kim Il Sung and Kim Jong-il or national anniversaries.

At the December 1995 North Korea Human Rights Situation, an international academic symposium sponsored by the Democratic Peaceful Reunification Advisory Council, Haruhisa Ogawa introduced the following letter. Sent through a businessman visiting North Korea, a Korean Japanese repatriated to North Korea described the living conditions of the North Korean people as follows:

North Korean society is no different from living hell. People suffer tremendously due to the reduced food rations, and the black-market prices for manufactured goods continues to increase rapidly. A box of rice costs 85 won, a box of corn 38 won, a chicken 200 won, a pair of shoes 150-200 won, an

apple 10-20 won. One can gauge the seriousness of the situation when one considers that the average [monthly] pay of a laborer or farmer is 20-50 won. The thieves and robbers who abound in the streets and the fraud and embezzlement terrorize the people. The army and police forces maintain wartime preparations and North Korea society is reaching a crisis situation because these forces arrest, detain and banish people without reason. Under these conditions people do not reveal their thoughts, and carry out their lives in extreme caution because they do not know where security personnel might be hiding.

2. Social Welfare Rights

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

North Korea applies a salary-in-proportion-to-work system and pays salaries according to quantity and quality of labor. However, there is no guarantee of minimum wage to the helpless aged who cannot work or to invalids. Even though the state says it takes free care of invalids and the helpless aged, according to the principle of "no work, no food" all their rights are deprived.

According to propaganda, North Korea has adopted medical insurance, a social insurance system and a social welfare system based on the right to free medical care depicted in Article 72 of the constitution: Free medical treatment is to be performed on the basis of these systems. One percent is deducted from everyone's salary as "social welfare expenditure." If a patient enters hospital and cannot work, however, the authorities sometimes deduct twenty to forty percent of his or her salary during the hospitalization period. Moreover a farm worker who receives medical treatment at a city hospital

Table 7. Size of 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 National Unification, *An Overview of North Korea*, 1995, p. 814

is supposed to pay for it.

Medical facilities in Pyongyang are in better condition than those in the rest of the country. However, even they are short of common medicines due to economic difficulties. The goal of treatment is not complete recovery, but only that patients can start work again. Thus, doctors give a perfunctory treat-

ment to chronic patients without much follow up.

According to testimony from defector Chung Jae-kwang, Pyongyang has a Public Safety Ministry Hospital which takes care of Public Safety officials all over North Korea and a city hospital for Public Safety personnel in Pyongyang. Both have relatively superior medical supplies because they are under the control of the Public Safety Ministry which has its own foreign currency operations, but only senior officials from the ministry or party and government officials and their families can received treatment there.

He also testified that general hospitals cannot treat patients properly because they lack even simple household medicines. As a result, people indirectly criticize North Korea's medical policies by calling the doctors "diagnosis doctors" who only diagnose but do not treat patients. Medical supplies are smuggled because of shortages and this situation has even been criticized at clinical seminars. The dire situation is also apparent because one of the most frequent appeals that Japanese Koreans repatriated to North Korea make to their relatives in Japan is for medical supplies.

Since the North Korean people are now living basically on corn, they cannot take in enough nutrition. The quarantined, whom the Northern authorities call "number-42 patients," are increasing; they suffer from hepatitis, tuberculosis, and pellagra, and this has become a serious social problem. The state has established more tuberculosis centers, hepatitis care centers, and hospitals for number-42 patients in every county. Originally there had been one of each in each province, but now even they are unable to accommodate the increasing

number of patients.

People usually treat influenza or gastroenteric trouble on their own with folk remedies, and go to a hospital only for serious conditions. Life in a hospital is extremely uncomfortable and the food substandard. Moreover, patients have often been seen cleaning the wards and even the toilets. There are many consumptive patients in rural areas, but they cannot be provided with medicine and are usually treated with folk remedies at home.

Letters North Korean people have sent to foreign relatives are filled with requests for medicine, mainly to treat tuberculosis and hepatitis, as well as antibiotics and vitamins. From mental stress and hard physical labor, many frequently suffer from gastric ulcers, sterility, neuralgia and hemorrhoids.

3. Environmental Rights

Environmental rights consist of the right for people to protect the natural environment and their living environment from destruction and pollution, that they and future generations be able to enjoy life as normal human beings. The 1993 Vienna Declaration expressed its concern that harmful and dangerous materials and wastes are threatening human living standards and health and that institutional devices must be set up to regulate the illegal dumping of such material.

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 it for the sake of profit. Capitalists are supposed to be reluctant to invest in pollution control and environmental projects, which they regard as unproductive.

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* thought, is the one best 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 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 the environment as a basic human right, a right for the people to ask the state to resolve environmental problems. The labor law enacted on 18 April 1978 does purport 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, with the contention 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, "The 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 cultural and sanitary living environment and working conditions." The state guarantees sound natural and living environment in a gesture to grant the people a favor, rather than guaranteeing environmental rights.

Environmental pollution and damages have in fact emerged as a serious problem in North Korea. Timberlands have been devastated. Air, water and soils have been severely contaminated and animals and plant resources depleted. The people suffer enormously from environmental damages, not to even mention being assured of a healthy natural environment.

Hamhung is a leading petrochemical industrial area of North Korea. In the Hungnam district of Hamhung, seventy percent of whose area is factory zoned, there are several major industrial facilities including the Joint Hungnam Fertilizer Industry, the Hungnam Pharmaceutical Plant, the 2.8 Joint 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 dispel it, pollution has been getting worse.

In a speech entitled "Concerning the Central Task Facing the Provincial Party Committee of the South Hamgyong Province and the Party Committees of Major Plants and Industries," made on 4 June 1979, Kim Il Sung said that whenever he visited Hamhung he would emphasize the need to reduce the harmful gases coming from chemical plants, but that everyone still smells the fumes.

In another speech made on 10 July 1980 entitled, "Several Tasks in the Implementation of Economic Projects in South Hamgyong Province," he complained that despite his earlier instructions that all party members and people in the province should together prevent pollution in the Hamhung area, smoke from factory chimneys continued to pollute the air. He criticized party cadres for failing to work out steps to prevent pollution and said the managers of factories and industries were unaware of how harmful the toxic gases from their plants were to the human body.

That this pollution 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 piecemeal, patchwork fashion.

Pain 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 Steel Works, Songrim which is the location of North Korea's largest steel mill, Hwanghae Joint Steel Works, and at Rajin a nonferrous metal plant complex.

Pollution scenes can be seen in North Korean movies as well. A documentary, "Korea That Sprang Up through the Debris," shows smoke-shrouded factory areas of Pyongyang, Hamhung, Kanggye, Nampo and Wonsan with the narration that the North Koreans have built modern industries from the post-war wreckage. The documentary, "Homeland Visit, North Hamgyong Province," shows sooty smoke gushing from the chimneys of the Kim Chaek Steel Works which produce pig iron and steel. The movie, "A New Look for Korea," too, displays black factory smoke as a symbol of industrialization.

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, "Pyongyang uses water from the Taedong River as drinking water and the water from its tributaries is utilized for irrigation in the 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 arise many problems such as piped-water management, sewer disposal and pollution prevention problems."

Pyongyang has indirectly admitted to sea contamination. At the second meeting of experts in 1992 of the Northwest Pacific Ocean Preservation Program (NOWPAP), North Korea claimed in a report prepared by the General Bureau of Environment Protection and Land Administration that its West and East Seas (Yellow Sea and Sea of Japan) are clean, below the permissible contamination level, except that some oil layers had at times formed in the Hamhung and Wonsan bays.

The report also said that although ocean pollution has so far not been serious, it was feared that complications would arise as industrialization progresses and materials pile up because there is no biodegradation in the ocean. It said that several problems had been discovered in the estuary of the Yalu River due to the number of factories small and large located in the Sinuiju area and the Dandong zone of China. Of the films made in the North by the South-North Institute, the documentary "A Visit to Wonsan" shows that the sea nearby was heavily contaminated from waste water coming from the Wonsan Industrial Estate and the Hamhung industrial zone.

At the fifth session of the Seventh Supreme People's Assembly in 1986, North Korea boasted about the purity of the Taedong River water, saying that the river's biochemical oxygen demand stood at 1.36mg/liter and the oxygen dissolved in the water was 8.3 mg/liter. Kim Il Sung's speeches, however, have well testified to the contamination of the Taedong.

In addition, the contamination of the Tumen River is serious because of industrial wastes and urban sewerage from such cities and industrial areas as Namyang, Hoeryong and the iron mine area of Musan, as well as various industries in Chinese areas such as Tumen. 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 Korean soils, too, suffer greatly from pollution and acidification due to too much pesticides and fertilizer. Another reason for the devastation of the topsoil is that to boost food production, rice and maize corn have been cultivated year after year on the same fields—especially so much corn which soaks up big amounts of nutrient from the soil. The phenomenon has been especially prevalent since the turn of the 1980s.

Meanwhile, according to speeches of Kim Il Sung the soil has eroded in many areas due largely to extensive forestry damage. In "Tasks Facing the Party and Organizations of Ryangkang Province" on 11 May 1958 Kim Il Sung said, "We generally denounce the Japanese for having felled trees at random, but we too have cut down trees indiscriminately in the ten years since national liberation." In a 25 May 1965

speech entitled "Concerning Several Issues in Improving the Projects of State Economic Organizations at this Time," he complained, "As I observed while traveling to Hamhung by train, I found mountains in the area from the Sinsongchon river to the Yangdok Pass have been almost denuded. Because of the lack of trees, landslides occur when it rains, and the Taedong River basin grows higher. Rover islands such as Rung-ra-do have come up."

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 farms, to whose failure Kim Il Sung himself admitted. 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 farmlands as a means of boosting grain production, specifically ordering the cultivation of 200,000 hectares of terraced farmlands over a few years. In a speech on 20 April 1989, however, he said, "We had better give up the plan to fell trees and create terraced farmlands. . . . We may end in rendering vast areas of lands useless. I am against felling trees and creating terraced farmlands."

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.

The state of forestry devastation caused by indiscriminate felling of trees and terraced farmlands and farm patches can be seen in the documentaries produced by the South-North Institute. 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, "Sinuiju and Yongsan, My Hometowns Left Behind."

Recognizing the seriousness of environmental problems, on 27 November 1996 North Korea designated 23 October as National Environment Protection Day. The authorities probably established this day as part of its internal goals to mobilize labor and increase the popular participation. At the same time, one can also interpret this designation as a result of the increased international attention toward environmental problems, a result of which is that the environmental situation becomes a human rights issue directly related to human livelihood.

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 the rectification of mistaken environmental policies. This 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 in

further cementing the party's unitary ideology system and exacting loyalty and support, as well as to spur the people to volunteer in public campaigns. The claim that the DPRK is a paradise on earth without environmental pollution is under dispute by their own leader. Yet they who live in such a fictitious circumstance are mobilized and controlled on account of protecting the environment! The situation remains unchanged even in the age of Kim Jong-il who professes to succeed to 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 a 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 means of production.

Article 20 of the DPRK constitution states that “the state and cooperative groups may possess productive means” and Article 21 that “there 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 should be protected and nurtured.

Article 22 defines cooperative groups as the next most important ownership entity, whose possessions are “collective property of workers under cooperative management.” The state is required to guarantee the property rights of cooperative groups. Cooperatives may possess “land, livestock, 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 “all 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 “property for the purpose

of personal use and for consumption.” Workers’ private property consists of “socialist distribution in accordance with labor and additional benefits provided by the state and society.” Also, subsidiary income including “products from private garden plots of cooperative farm members” may be considered personal property.

Article 24 states that North Korea does protect individual property: “the 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 are frequently infringed upon based on 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 difficult to satisfy people’s needs. In rationing, those who are recommended at the *inminban* meetings get priority on 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 tighten up their spending for

years; even then they must either participate actively in party events or resort to bribery.

North Korea boasts itself as the only nation without taxes, but the government is the employer that sets up wages and prices and exploits profits and surplus. Farmers submit most of their harvest to the state, actually a kind of tax.

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. 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 has it that people voluntarily donated gold from their rings and such, but the state simply took it from them.

Koreans in Japan regularly send money and goods to North Korea in the hopes that their family and repatriated relatives will be safe. However, a great portion of that has been funnelled to the North Korean government under official or unofficial pretext. Furthermore, it was reported that the authorities have confiscated two or three firms that had been owned jointly by

Japanese Korean residents and the Pyongyang government, under the pretext of contribution.

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 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 lived there a long time.

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 House Preservation 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.

Because the state in principle owns all housing, a person may not own or build his own house. 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.

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. Grade-4 houses consist of fifteen percent of total housing.

Special grade houses are superior quality single-family homes that are assigned to those party or political affairs officials with ranks higher than department chief or senior

military officials with rank higher than major general. New grade-4 high-rise apartments go to section-chief-level central party personnel, department-chief-level political affairs officials, people's actors, recognized artists, university professors and heads of enterprises. The grade-3 middle level single-family homes and new apartments are given to guidance personnel from central institutions, department chiefs from regional institutions, managers from companies, and school principals.

General grade-2 apartments are assigned to guidance personnel from regional institutions, city and county section chiefs, deputy managers from companies, teachers, and heads of the Chollima Work-team. Grade-1 housing consist of collective public housing, that which is termed "modern housing," and old houses. It is designated for general laborers, office workers, cooperative farmers and rural people. These grade-1 houses occupy sixty percent of total urban housing.

Most people live with another family in two-room houses that have one room and one kitchen, and as a result newly-wed couples frequently have to live apart their first one or two years because they are unable to receive housing. Furthermore, because average homes tend to be prefabricated with thin walls, very little privacy exists.

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.

5. Labor Rights and Resting Rights

Article 70 North Korea's constitution provides the people's right to work. That is, "All 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 "the state must provide for the 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 "who 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 "the state must organize labor effectively and increase labor regulations to utilize all labor time completely."

Article 83 of the constitution states: "Labor 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, "Collectivism 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 “the 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, 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 “Labor is the most sacred and honorable thing”; Section 3 says, “Labor under socialism is a group activity by laborers for the benefit and interest of everyone”; and Section 4 states, “Under socialism, civilians are responsible for participating in labor.”

Under Section 25 of Article 3 (Socialist Labor Organization) of the Socialist Labor Law, “The rational organization of socialist labor requires that all labor sources in the country be completely mobilized,” and Section 27 adds that “the labor plans provide the foundations for most effectively operating the labor organization and mobilizing labor resources.”

In North Korea, anyone over the age of 16 must work. Yet no provisions state when this labor responsibility ends, which means that the people can never be liberated from their labor responsibilities. With allocations depending upon the quantity

and quality of one's labor, to survive in North Korea everyone must work without retirement and obviously 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 Session of the Fourth Party Plenum 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 Korean Workers' Party 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 “laborers 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, “all 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 the laborers shall engage in eight hours of labor a day. Despite the proclamations in Article 33 of the labor law that the “the 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 mobilizations and various study sessions. Labor projects are planned by daily, monthly and quarterly schedules and to surpass these plans socialist labor competition movements such as the Chollima Movement, the Three Revolutions Red Flag Movement, Speed Battles and the Speed Creation Movement have been set up. Under these circumstances, the extension

of labor hours is inevitable. Nor are there any provisions to prevent the coercion of labor by the authorities.

6. The Freedom of Employment

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 independently to change jobs is strictly controlled. The primary considerations in work allocation are such political aspects as one's family history and party loyalty, and after that one's overall ability based on such factors as education, qualifications, abilities and efficiency ratings may be considered.

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 *suryong* determines need more labor. 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 him before they die."

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 assigns the students to a workplace. Recently, mines and farms have lacked sufficient labor because many people want to avoid difficult work. As a result, ex-military personnel and even high school graduates are assigned to mines and farms.

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 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 somewhere that requires hard physical labor such as a farm village or a mine. Sons of the cadre of party and government, that is, from top-grade lineage, are stationed at desirable work places regardless of their ability. Officials of the central party unilaterally appoint graduates from the law department of Kim Il Sung University as attorneys, judges and public prosecutors.

No one can change his post on his 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 systematically through full command of labor. To regulate people by job control, however, is also to inculcate obedience and induce their loyalty to the party.

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 one of the socially fundamental rights. 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.

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 might be, without the requisite family status he or she cannot enter college. Even with excellent grades on the national university entrance examination, universities will not admit anyone whose family status qualifications are insufficient. The students set to advance to leading institutions such as Kim Il Sung University and the Kim Chaek Institute of Technology go through a rigid security clearance. The political status of relatives as far distant as second cousins is checked. For ordinary universities the scope of security check extends only to first cousins.

In the distribution of college freshmen quotas, there is a heavy regional discrimination with the lion's share going to Pyongyang. Many students with "good" family background are there, as well as and many senior cadres. Defector Kim

Yong-sung testifies that the student recruitment divisions of regional administrative units recommend the children of cadres to the university in accordance with the instructions of regional party chapters. Lately, the children of former Korean residents of Japan who were repatriated to the North have been in possession of quite a bit of foreign exchange. He says these repatriated families will typically donate, for example, a broadcasting van or a truck to a leading institution or perhaps several color television sets to a second-rate college.

Education 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 people with intelligence, wisdom and health.”

In others words, 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 Theme 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 rather is aimed at infusing Kim Il Sung’s unitary thought into the minds of the people with a view to producing stereotype “juche men and women.”

Based on these goals, 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 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 spent on 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 politics ideology. Regarding children’s books, 73% concern such politics 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.

Upon entering the first grade, starting from their first assignment, children are taught from the textbook “We Miss You Dear Leader” to memorize “We are always happy whenever we see your picture, Dear Leader. We all miss you Dear Leader Kim Il Sung.” Loyalty to Kim Il Sung is further taught in the seventh assignment “The Day You Enter School”

which provides, "Enjoying our entrance to school with our Dear Leader Father, our hearts feel like they can fly in sky," and the fourteenth assignment "Short Essay Writing" which states, "Even when we write a short essay we must show our respect for our Dear Leader Father and our Dear Comrade Leader."

This continues. In the fourth grade the last year of primary school, the first assignment in Korean language study titled "Praying for the Long Life and Health of the Suryung," ultimate devotion is emphasized as it states, "We will follow you to the end of the earth. We will follow you until the end of the sun and moon. We will eternally convey our indebtedness to you and offer our singular loyalty." Also, the subject, "The Days When Dear Suryung Kim Il Sung Was A Boy" includes idolization education through "revolutionary traditional education" that glorifies his anti-Japanese armed struggles and shows how Kim Il Sung had uncanny insight and revolutionary spirit even as a child. Recently, children also receive Kim Jong-il idolization education with the establishment of "The Days When Dear Comrade Leader Kim Jong-il Was Young" as a regular subject in elementary schools.

In the sixth grade 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 the *juche* ideology. According to the educational policy for middle and high school students (grades five through ten), the goal is “strongly to 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 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 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 mobilizations 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.” Children’s Plans require children to engage in donation drives for “children’s trains,” “children’s airplanes,” “children’s tanks,” and “children’s tractors” through such activities as gathering recyclable material and voluntary service. Students must also visit Kim Il Sung’s battle sites during the school year and engage in farm assistance programs during vacation.

Organizational life and group life through such activities as the Children’s Corps (*sonyun-dan*) are required and play an important role in education. When the students start the second grade, they begin by entering the Children’s Corps. Kim Jong-il describes the three-million-member Children Corps in the following manner: “The combat slogan party currently uses for our Children’s Corps is ‘The Children’s Corps should become the party’s true Children’s Guard and Suicide Corps.’ Members of the Children Corps should proudly follow this slogan and be eternally faithful to the party.” He further invokes the children to be the inheritors of the great *juche* revolution.

Students in their last six years (secondary school) and university students must engage in labor for one month out 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. To shorten the completion times of construction projects, Kim Jong-il would implement such plans as “XX-day combat plans” to mobilize

the “volunteer labor” of students. For example, in 1988 the North Korean authorities announced the 200-Day Combat Plan to complete their economic goals before the 40th anniversary celebration of the founding of the country. Students assigned to the “Youth Raiders for Speed Battle” engage in physical labor at railroads, power stations and construction projects.

빈 면

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 trampled is North Korean concentration camps. North Korean authorities refer to these political prisons officially as “Management Center No. ___.” Unofficially, however, they are known as special dictatorship target areas, places of exile, sectarian dens or resettlement areas.

Concentration Camp History

According to North Korean documents seized during the Korean War, released later 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, 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 political prisons became today’s concentration camps, starting with the “August Sectarian Incident” of 1956. 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 the ones involved in the incident but who had escaped execution, together with their families, in remote mountainous areas.

During 1966 North Korea took a census to prepare for the arming of one million people into the Worker-Peasant Red Guards. It 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 are branded as sectarians or anti-revolutionaries were executed through kangaroo court trials. About 15,000 of them who escaped execution and their family members numbering about 70,000 were held in the remote mountains under Cabinet Decision No. 149. Confined separately who were those opposed the Korean Workers Party or Kim Il Sung himself.

In the early stages the combined area of the camps was about equal to that of a small town. Since the Three Revolutionary Squads activities 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 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, at least four more prison camps were created. As of 1982 more than one hundred thousand were put 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 final 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 Nazi Germany's Auschwitz or the Soviet gulag.

Scope and Punishment of Politico-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, "For 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 prison 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 are "conspiracy to overthrow the state," or "reactionary propa-

ganda 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 against him on this charge since the turn 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 influx of overseas information and prevent internal restlessness.

In the initial stage the clause was used in punishing 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, betraying the fatherland and the people, tries to run away to another country or to the side of enemy. As more and more people attempt to escape the extreme economic and food difficulties, the numbers executed or sent to concentration camps swell.

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 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

Prison 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 (Farm Guidance Bureau) of the State Security Agency alone, there were ten political prisoners 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. Pyongyang, of course, is frequented by foreigners.

As remaining 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 prisoners total about 200,000.

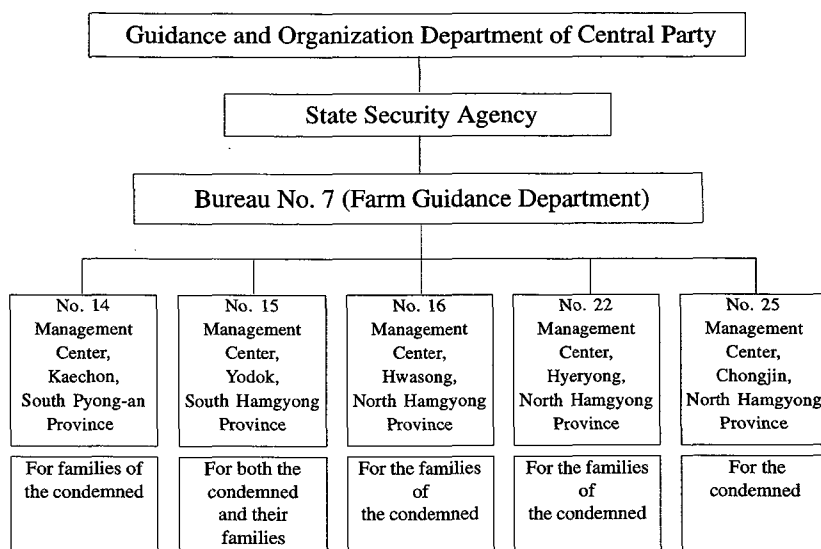
Most of these centers are located in remote mountainous or mining areas. As was the case with the Sungho-ri Camp which was closed down in January 1991, some are dug entirely under the ground to keep their secrecy intact.

An Myong-chol further told of another political prisoners camp, a “complete-control district” under the control of Bureau No. 3 of the State Security Agency, where human rights violations have been perpetrated in 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 prison at Sariwon.

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

Political prison camps are divided into “complete-control districts” and the “revolutionized districts.” The complete-control districts are exclusively for those given life terms.

Table 8. North Korean Political Concentration Camps

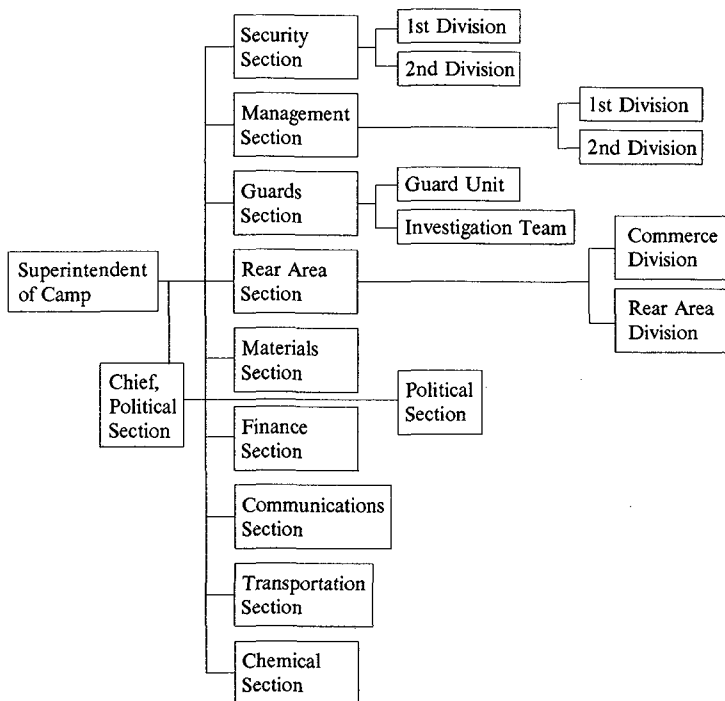
Closed Centers

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	Proximarity to Pyongyang
No. 27	Chonma, North Pyong-an Province	November 1990	Reason not known

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

Table 9. Organizational Chart of a Prison Camp



*The official name for prison camps is “management centers.”

**The organizational chart above is based on An Myong-chol’s testimony

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 hostile class, prisoners released from the revolutionized districts lead the lowest-level life. They are the priority target of watch by the State Security Agency 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 Koreans association 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 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 a revolutionized district.

Organization and Size of Concentration Camps

North Korean concentration camps are said to extend from about 50 to 250 square kilometers holding 5,000 to 50,000 inmates each. Prisoners to be sent to the camps are selected and managed in effect by the State Security Agency under the supervision of the Guidance Department of the Secretaries

Bureau of the Workers' Party Central Committee. The camps under the control of Bureau No. 7 of the State Security Agency consist each of a political section, security section, management section, guards section and rear area 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 complainers.

The management section is 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 the rear-area section 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 security and guards sections, both with 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 around the clock. Escape can hardly be imagined under such a 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 State Security Agency is responsible to catch counter-revolutionaries. Offenders are selected by local State Security Agency officials and the central ministry makes the final decision without trial. The Maram Secret Guest House in the Maram district 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 system such as anti-party and sectarian elements and counter-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, also targeted came to be those who returned from overseas duties or studies and spread what they had seen and heard abroad.

There are not a few cases in which people are sent to prison camps for reasons incomprehensible. Kim Myong-jun, a bell-boy 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, some among political prisoners were those arrested because they sat on a newspaper with 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* 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 with 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 Safety 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 they could have been arrested. Such a reign of terror is how people are made to be subservient to the system of Kim Il Sung and Kim Jong-il.

Daily Duties

Once the condemned enters a political prison 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 the 5:30 A.M. roll call. To be late is to be sharply beaten, and three times tardy means loss of one day's food.

A day's work quota is assigned to five-person work teams. In general, prisoners usually must work until 9:00 P.M. Lunch 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 of the extent of work done. When the completed work volume is found 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 more than two persons together. Even in the daytime they cannot visit other living quarters inside the camp without a special permit. If anyone is found to be away 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 watch 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 end up poisoned. 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.

Dwellings and Camp Life

In these concentration 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 covered with straw mats. Rain leaks in and it is cold in the winter. Floors may be covered with mats made of bark. 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 only a wooden torch is lit during meals.

The camps have only public toilets—and not many. Long queues of dozens of people form each morning. The leaves of corn, pumpkin, bean or arrowroot are used instead of toilet paper. Waterborne diseases are spread through the consumption of untreated stream water.

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. Neither is there 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 once in 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 when needed.

Work shoes are issued once in one and half a years, and padded winter shoes once in five years. No socks or underwear are given to the prisoners; they often work barefooted in summer. Because of the lack of socks and underwear, many are frostbitten and toe amputations are not rare.

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 keep 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. The prisoners who die due to the lack of proper medical facilities are said to number about 40 to 50 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 of their human rights, attacked a security officers village inside the camp in October 1986, killing hundreds of the family members of security guards. A battalion of security troops were mobilized and they killed about 5,000 prisoners including those who took part in the riot.

Without any exception anyone who, unable to endure the harsh conditions, tries to escape or 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 closed Sungho-ri Camp, sometimes more than 300 prisoners died per month.

A prisoner 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 as well as repercussion and 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 such as 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 done by notorious Japanese army 731 Unit or 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.

2. Abductees

Since the Korean War armistice until very recently, Pyongyang had held a cumulative total of 415 South Korean fishermen along with the twenty crewmen of the ROK Navy vessel I-2 which the North captured on 5 June 1970. Abducted fishermen range from the ten crew members of Taesong-ho seized on 28 May 1955, to the eight of Woosung-ho No. 86 abducted on 30 May 1995. Five of these eight were returned alive on 26 December 1995—and the ashes of the other three—through the truce village of Panmunjom. Now 407 fishermen are still missing.

A North Korean agent, Cho Wook-hee, skyjacked a Korean Air YS-11 aircraft on 11 December 1969. Of the passengers and crew, 39 were released sixty-six days after the skyjacking. The remaining 12 have been held in the North. At present, North Korea is holding 442 South Koreans whom they forcibly abducted.

Abductees include Koh Sang-mun who was kidnapped by North Korean diplomatic personnel in Norway during a training tour there in April 1979, and Rev. Ahn Sung-hoon who was forcibly taken to North Korea in July 1995 by Pyongyang agents during his missionary activities in Yenji, China.

Some of the abductees such as KAL stewardesses Song Kyong-hee and Chong Kyong-sook were forced to work in southward radio propaganda programs. We presumed, however, that those who proved no longer useful could have been sent to prison camps—and to our surprise the assumption proved

Table 10. List of Abductees and Retainees

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 Radio Pyongyang broadcast 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 Kwangchang Street in Pyongyang until her husband escaped from North Korea. Shin and her two daughters was taken to the Yodok 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 the pro-Pyongyang Korean residents organization, Chochongryon.

Sources: Amnesty International reports and testimonies by North Korean defectors

to be true. Amnesty International, in a special report on North Korean political prisoners, made public on 30 July 1994 a list of 49 political prisoners who had been held at the Sungho-ri Camp until 1990. The list included 26 Korean former residents of Japan who had repatriated to North Korea and 11 South Koreans who either defected to the North or had been abducted.

In December 1995 Amnesty International made a third special report, following a first in 1993 and a second in 1994. It carries an appendix listing of 63 political prisoners. According to this report, the North Korean authorities insisted that, with the exception of Cho Ho-pyong and Shibata Kozo (whose

Korean name is Kim Ho-nam), none of the political offenders listed by previous AI reports was ever imprisoned. According to AI, even Cho and Kim whose imprisonment Pyongyang admitted were said to have died: Cho and his family were killed during an escape attempt and Kim died in a train accident together with his whole family, according the North Korean authorities. The list included Choi Yeon-dan, Lee Sung-nam and Choi Gyong-ho who were said to have been forcibly returned to North Korea from Russia. Amnesty International presumed they might be imprisoned or punished with death on charges of escape.

The North Korean authorities insist the Reverend Ahn Sung-hoon, who was forcibly taken from China in July 1995, entered North Korea on his own will and was not forced or kidnapped. In September 1996, however, the Chinese authorities sentenced Lee Kyung-chun, the main suspect arrested by Chinese Police officials for the kidnapping of Reverend Ahn, to a two-year prison term and forced deportation for committing the crime of "illegal detainment and illegal expatriation." The Chinese authorities, in other words, officially confirmed that the Reverend Ahn was kidnapped by North Korea. The South Korean government requested to the Chinese government that the case be retried, and demanded that the North Koreans immediately return Reverend Ahn. North Pyongyang, however, continues to insist that Reverend Ahn entered under his own volition and refuses to return him.

3. Human Rights Violations of Korean Japanese Repatriated to North Korea

According to testimonies from Korean Japanese who repatriated to North Korea as well as reports from defectors and human rights organizations, after the repatriates arrived they and their families have since been suffering with 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 ones without economic 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 that 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 Social Movement for the Realization of Free Coming and Going of Japanese Wives, the Dietmen's League to Promote the Free Coming and Going of Japanese Wives. After 1993, organizations such as the Committee for Keeping Life and

Human Rights of North Korean Repatriates (HRNK: Tokyo), Rescue the North Korean People Urgent Action Network (RENK: Osaka) were established.

Present Situation of the Repatriates

The repatriation of Korean Japanese 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 over 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, but until now not one has ever returned. News from a great many of them has stopped and no one is able to confirm whether they are still alive. 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 job 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 unstable or hostile class. Moreover, from January to April 1981, North Korea classified the repatriates into detailed sub-classes and began to keep very close watch on their activities.

There is a wide difference in living standard 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 prison camp.

Such infringement of repatriates' human rights came to be

Table 11. Yearly Trend of Japanese Koreans repatriated to North Korea

Year	Total	Japanese Korean	Accompanying Family	
			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 were no Return-to-the-Fatherland group programs since 1985. Unknown statistics are left blank.

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 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 put together these testimonies 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. 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 acquitting them for political offences. Party executives and members of the State Security Agency actively solicit these donations. According to the Committee for Keeping Life and Safety of Repatriates (Tokyo), the amount of donation 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 equivalent 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. The Japanese wives of the repatriates live in a kind of banishment due to inhumane discrimination policy. We know 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 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 previous.

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 a social movement to realize free comings and goings of 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 movement 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. About 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 Committee for Free Coming and Going of Japanese Wives, said, "Probably the North Korean authorities have prevented them from corresponding, part of efforts to intercept the wave of liberalization from Russia and the East-bloc socialist countries and prevent information from entering North Korea."

Internment in Concentration Camps

There is little solid information on the present situation of the detained repatriates in prison 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 in the Sungho-ri camp.

According to testimony from Kang Chol-hwan and An Hyok who had been imprisoned at Yodok, many are there. About 600 persons of 100 families were first detained in early 1974,

they said, and from then 100 to 200 more families every year; as of 1987 about 5,000 repatriate 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 to be revolutionized.

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 gave 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 State Security Agency who supervise the camps call these 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 they cannot easily adapt to the severe circumstances.

Table 12. List of Repatriates and their Families Sent to Prison 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 Chochongryon) missing after arrest; grandmother, uncle, living in Japan
An Hung-gap	Chochongryon 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 Chochongryon) and mother alive
Chang Byong-ryol	Dead
Chang Duk	Illegally entered Japan and returned
Chang Duk-soon	Drowned with her daughter; husband (Chochongryon 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 (Chochongryon 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 Chochongryon 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 Chochongryon 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 Chochongryon; 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 (Chochongryon 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, Chochongryon, 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 Chochongryon
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-myung	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 (Chochongryon staff) missing; daughters (Hu Min-hyang, Hu Min-ae, Hu Min-hee) alive
Kim Sang-sae	
Kim Soon-ran	Husband (Kyoto Chochongryon staff) missing
Kim Sung-chee	Chochongryon 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 Chochongryon staff member, has been serving life in prison since 1977; father missing
Koh Dae-ki	

Koh Hum	Kyoto Chochongryon 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 Chochongryon 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 (Chochongryon staff) and sisters (Kwak Sung-hae, Kwak Sung-a) alive
Kwon Bong-hak	Chochongryon 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 Chochongryon, died of pellagra; wife (Kim Jo-i) alive
Lee Sang-chon	Businessman in Chochongryon; 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 Chochongryon office staff) missing in 1976, mother and brother (Min Kwon-shik) alive
Min Yong-il	Nikata Chochongryon vice chair (Dept. of Organization), possibly dead of tuberculosis; Pyongyang claims he departed from North Korea in 1973
Oh Chol-shin	Second generation Japanese Korean
Oh Hyon (Kim Si-taek)	Confirmed alive in 1990
Park Jae-ho	Father (Chochongryon 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 Chochongryon 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, Chochongryon) 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 Chochongryon) 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 (Chochongryon 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 Chochongryon, the North claims he died in 1988
Son Kwi-ik	Moved to labor reeducation center
Sung Ho-il	Father (Chochongryon 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 Chochongryon) 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 Chochongryon; 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.

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 1,500 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 to 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 National Security Agency agents, local embassy personnel and students to find and arrest escapees.

In addition to tightening their monitoring activities, the authorities also summoned 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 provincial security agency in the city of Haesan in Yanggangdo province holds most of the escapees who return from Russia and China, where they are tortured and executed.

The Background Behind the Escapes

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

First is the continued negative economic growth in North Korea since the 1990s and the worsening food shortages

especially due to the flood damage of 1995 and 1996. 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 its 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 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 the 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 escapees. As was 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 narcotic drugs, the manufacture and distribution of counterfeit money and finally the heightening tensions, 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 increasing 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 to 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:

Member countries must not in any way extradite or forcibly return refugees to regional borders where their life and freedom may be threatened based on their ethnicity, religion, nationality, membership in a special interest group or political views.

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 (Covenant B). Article 12, Section 2, of this covenant provides that “all persons may freely leave any country, including their own.”

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 6,000 persons. In addition to logging camps, Korean laborers have also been sent to mines and construction sites in Siberia and 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 work in "side jobs."

At first, the main reason that defection rates increased was the harsh labor conditions and the oppression of human rights within the logging facilities. With increasing numbers of laborers engaging in the "collection of foreign currency," however, other factors also contributed. After listening to

Korean broadcasts and coming into contact with modern and industrial products from South Korea, laborers in Russia began not to believe Pyongyang's propaganda. Many laborers came into contact with South Koreans while collecting foreign currency, and instead of regularly reporting their activities they deserted their work sites for extended periods. A combination of factors including smaller foreign currency collections, extended leaves from the work sites, fear of punishment for coming into contact with South Koreans, the arrest and expulsion of fellow laborers and the punishment of family members, has led a number of these laborers to leave the North Korean system completely.

Yet, 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 obtaining 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 the loggers from the Siberian camps.

As more and more loggers escaped and the problem became 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 the 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 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 still must 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 exist 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 women, 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 State Security Agency 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 executed at the site from which he was being handed over to North Korean authorities. The Russian Maritime Province, governor Nazdrachenko explained that “three 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, “For 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. 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.

The Human Rights Situation of North Korean Loggers in Russia

Advantages such as relatively high wages and better food than that available in the DPRK make working at the logging camps in Siberia a desirable job. Moreover, loggers can purchase supplies unavailable in North Korea from foreign currency stores or timber industry stores in Russia. Considering the severe shortage of goods in stores at home due to the economic crisis, this foreign exchange is a big incentive. Therefore

competition for these jobs is high despite the notoriously high death rate.

Corruption, however, is rampant. From the very stage of logger recruitment, bureaucratic corruption can easily be felt. The Department of Timber Industry under the DPRK Administration Council is in charge of all logging-related matters. Although recruitment is limited to those who have thorough party loyalty and a good marital relationship, it is an open secret that to be accepted one has to pay an “official bribe.” According to defectors’ testimonies, the bribe ranges up to a year’s salary for an ordinary worker.

The corruption also extends to personnel management, chances to earn foreign currency and supplies through appointment to positions, the lifting of pending punishment or extensions of stay. Members of the security force receive large sums in bribery because they have the right to imprison or return the loggers. They even control matters of life and death. Those who have been proved to have committed crimes may be acquitted if they bribe the security officials.

The labor and shelter conditions in logging camps are harsh. The Japanese daily *Yomiuri Shinbun* reports that one of every 150 loggers loses his life in an accident. Departmental Chair of External Medicine Dr. Cherepanov who has been treating North Korean loggers over the past twenty years at Chegdomun Central Hospital said, “Among our patients, a constant average of ten to fifteen are North Koreans. And about half of those are hospitalized for having been hit by falling lumber.”

The workers suffer malnutrition, skin disease, tuberculosis and liver inflammation from bad food, clothing and shelter

conditions, hard labor, and unhygienic environment. Clinics within the camps lack medicine and necessary treatment facilities. The men have to buy the medicine they need personally from Russian apothecaries. Many lose their lives in the logging sites from fatal diseases.

The human rights issue in the Siberian logging camp was exposed to the world when the Russian weekly magazine *Moscow News* reported on the issue for the first time in March 1991, with the extension of press freedom following the dissolution of the Communist bloc. Since then, press organizations and human rights groups have been indicting human rights violations in and out of Russia. According to reports, the loggers, beyond the jurisdiction of Russian authorities, are working under labor conditions harsher than those of soldiers in barracks life.

In May 1992 ITN, a British broadcasting service, covered twenty prison facilities and the capital punishment system within the logging camps. According to the report, people are imprisoned without investigation procedures or court hearings. Arbitrary judgement of the management department is the sole factor determining imprisonment.

According to *AERA*, a Japanese magazine, the Russian Commission on Human Rights has discovered special buildings used as prisons in the Siberia logging camps and said the detainees are all illegally imprisoned. According to the report, the North Korean authorities replied that the buildings are for reeducation and that people are held from six days to six months. Notwithstanding such explanations, such arbitrary imprisonment is an illegal act in Russia that deprives a

foreigner's freedom.

The security department members conduct arbitrary imprisonment, torture and summary execution within the camps. These members actually belong to the National Security Agency. According to testimonies of North Korean defectors, in 1993 there were some twenty detention camps in representative offices, joint enterprises and individual enterprises. Violators of party orders or those of the party staff, free riders, criminals and attempted defectors are imprisoned for months at a time. When crimes are not heavy or if a detainee is seen to be willing to keep working, he is released after ideological education. Others are returned to North Korea. Attempted defectors and those who commit serious crimes are severely beaten and tortured. During the return trip to North Korea, the prisoners are chained so that they cannot bend their legs until they reach their destination.

In May 1995, Amnesty International strongly urged North Korea to release all their loggers detained in the camps. Russian authorities also demanded that they not be imprisoned in accordance with DPRK law but be subject to standards of international human rights and Russian domestic law. According to AI reports, sixty-three loggers escaped the camps in 1992 and nineteen of them were arrested and detained and later returned to North Korea. Also, among the defectors fifteen were reported to have requested political asylum in South Korea. AI pointed out that some of the detainees were imprisoned for seeking the protection of other governments and therefore can be classified as prisoners of conscience and, further, that their coercive return might cause violation of their

human rights. Amnesty International, therefore, emphasized that Russian authorities should guarantee the prevention of their forced repatriation to North Korea.

In the meantime, the Russian Supreme Assembly Human Rights Committee petitioned the government to nullify the timber agreements signed between Russia and the DPRK if no tangible improvements were made on the human rights issue in the Siberian logging camps. In June 1993, the Russian government also warned North Korea to close down the camps if there were no improvement, and proposed a new timber industry agreement. Accordingly, on 24 February 1995 Russia and the DPRK agreed in principle on issues of free travel, obligation to open the logging camps to the public, improvement of working conditions and other matters concerning devices to protect human rights in the camps. The two countries then signed a new timber agreement effective until 1996.

Despite the apparent progress indicated by the signing of a new "logging treaty" between North Korea and Russia, this new treaty merely provides the legal grounds for North Korean authorities to search for and arrest escapees. Their human rights continue to be threatened.

Appendix

빈 면

1. Kidnapees and Detainees in North Korea

	Total	Fishermen	Crew of KAL	Navy Personnel	Others
Kidnapees	3,738	3,662	51	20	5
Detainees	442	407	12	20	3

Note: These statistics do not include unconfirmed reports on people kidnaped 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	(1)	426
1967	43	118	1979	1	427
1968	131	249	1980	(1)	428
1969	21	270	1987	13	441
1970	38	308	1995	1	442

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

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 crew members

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

April 13, 1978	Koh Sang-mun
July 20, 1987	Lee Jae-hwan
July 9, 1995	Ahn Sung-un