



North Korean Human Rights Situation

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Thank you, Milabel, for that introduction. It's a pleasure to be here at Hong Kong University for this discussion. I want to thank the Center for Comparative & Public Law for hosting this event, and the organizers-Christian Solidarity Worldwide, Amnesty International and the Hong Kong Refugee Advice Center. It is also an honor to share a stage with Tim Peters, from whom you will hear from in a few minutes. Tim's work on behalf of North Korean refugees is nothing short of phenomenal.

I work at the U.S. State Department for Jay Lefkowitz, whom President Bush appointed as his Special Envoy for Human Rights in North Korea. It is our job to examine the ghastly treatment of North Koreans by their own government and others, to raise awareness of this issue internationally, and to seek ways to improve the situation.

With North Korea, there is much attention paid to nuclear issue-and rightly so-but news reports often do not focus on human rights in great detail. Part of that is because of the regime's success at censorship and keeping the country closed. There is no independent media in North Korea and in the rare instances where foreign journalists are allowed in, they are closely watched and controlled. Partly because of this, we do not have as much footage and information on abuses as may exist for other heinous situations like those in Burma or the Darfur region of Sudan, for example.

Nonetheless, information and some visual images do seep out-perhaps increasingly so. It is impossible for a government to blockade all information, and a repressive regime's grip on its citizens tends to erode over time. In our annual human rights report, the State Department documents some of the more pronounced usurpations of the rights of North Korean citizens. The government there engages in extrajudicial killings, and is responsible for disappearances and arbitrary detention. Prisoners in North Korea face life-threatening conditions, torture, forced abortions and infanticide. There is a complete denial of fair trial, freedom of speech, press, and assembly. The practice of faith and religious belief is suppressed. There is no freedom of movement or emigration. Prisoners are sentenced to death for such ill-defined offenses as "ideological divergence," "opposing socialism," and "counterrevolutionary crimes." The list goes on.

One particularly grim feature is the sprawling network of political concentration camps within the country. It is estimated that they may hold as many as 200,000 North Koreans. Some people are there for no reason other than being related to someone accused of disloyalty. Many prisoners do not survive their internment.

In addition to comprehensive political repression, North Koreans face privation and related misery as well. A famine that began in the mid-1990s killed an estimated 1-2 million North Koreans and food shortages have been common ever since. This is the combined legacy of the state's control of agriculture, an indifference to the suffering of its citizens and the regime's dexterity at diverting humanitarian assistance to unintended recipients, such as the black market or the elite and military. One manifestation of this is that the average North Korean male aged 20-39 is about eight centimeters (or three inches) shorter than an equivalent South Korean. That is a stark difference for people who were at parity not long ago; indeed statistics from the late 1930s indicate that Koreans from the north used to be slightly taller than southerners.

Even when we hear statistics like this, it can be hard to get our minds around the full scope of the situation. The sum of human suffering that comes about from millions of unnecessary deaths--the tragedy of hundreds of thousands of voices forever silenced in the regime's gulag network--is hard for many outsiders to grasp fully. Sometimes it is necessary to step away from the statistics and look at an individual case to put in perspective what is really going on.

One such case is that of Shin Don Hyuk, who committed no crime, but nonetheless was a prisoner all of his life until he escaped in 2005. Recently, the *International Herald Tribune* and *The Times* of London have written about him. He was born in Total Control Camp #14, where tens of thousands of political prisoners are subject to torture and execution. His mother and father were viewed as disloyal by the regime. At age 12, after 7 months in the torture section of the camp, Shin and his father were summoned. They thought they were going to be executed. Instead, they were forced to watch the other half of their family die. Shin's mother was hanged, dying as she looked at him. His brother was shot. All he could do was stand watching with his father, who wept.

When you consider that this is just one tragic case--one among potentially millions, you begin to grasp the true scope of the tragedy of North Korea.

Yet even in that land of darkness, despite the best efforts of a police state, the human spirit survives. For his mother and brother's attempt to escape, Shin was tortured with a flame and gouged in his groin. Thrown into a cell, Shin was nursed back to health by an elderly inmate who tended his wounds and shared his paltry food ration. It was a very rare example of human affection in a world where that sort of thing is not supposed to exist. And it shows that the most intense and dehumanizing repression cannot completely extinguish the human spirit and compassion. This spirit lives, even in North Korea.

Those of us in the free world should pursue various means at our disposal to help the people of North Korea achieve the inalienable human rights to which they are entitled. Change must ultimately come from within, but international pressure is key. We should seek to build an international consensus on the North Korean human rights situation. This means getting out the word on what we believe to be happening in North Korea.

This can be accomplished through a number of mechanisms. At the United Nations, we have supported actions that spotlight North Korean human rights abuses. The week before last, in the General Assembly's human rights committee, a resolution on North Korea was tabled. As in past years, it was proposed by the European Union. These resolutions have passed previously with good margins, and we hope to see support grow again this year.

Another mechanism for spotlighting North Korean human rights is for democratically elected leaders to talk about the issue. South Korea and Japan are the two democracies most heavily impacted by North Korean actions. When leaders in those nations speak clearly about human rights abuses, it gets noticed and has an effect.

Another second pillar of our strategy is to take active steps to help empower the people of North Korea directly--for it is they who must ultimately bring about change. Given the closed nature of North Korea, the most promising feasible method of doing this is through radio broadcasting. Veterans of repressive regimes in Eastern Europe and elsewhere have spoken of the positive effect that accurate information from the free world had on them. President Bush met with a North Korean defector who though his position in the army was able to listen to foreign broadcasts. It was this method of obtaining information that caused an awakening in him and led him to seek freedom. One consequence of the regime's control of information and tendency to mislead its people is that it takes but a glimpse of the outside world and reality to open eyes to the truth about North Korea.

Radio broadcasts overseen by the U.S. Broadcasting Board of Governors, such as the Korean services of Radio Free Asia and Voice of America have received significant increases in funding over the past couple of years. We have also sought to obtain resources for the growing number of independent groups that transmit factual information into North Korea. These "journalists with a cause" are quite effective at communicating with North Koreans. Some of the broadcasters are themselves defectors from the North or come from South Korea. We should facilitate the conversation between free Koreans and those still living under repression.

The third pillar of our approach is seeking to assist refugees in reaching safety. To recap the details of this tragedy: many thousands of North Koreans have fled across their northern border to China and Southeast Asia, especially beginning after a famine in the mid-90s, which is believed to have killed 1-2 million North Koreans. The exact number of North Koreans who have left their country is unknown. Many and perhaps all have a well founded fear of persecution if forcibly repatriated to North Korea. They are often unable to appeal to authorities in the countries where they are present--making them susceptible to exploitation, such as becoming a victim of trafficking in persons. Some countries in the region treat them humanely. Others do not.

Those in the latter category tend to label North Koreans as "economic migrants" and refuse to consider them refugees. This is disingenuous. Under the Convention Relating to the Status of Refugees, a refugee can be defined generally as someone having a well founded fear of persecution upon repatriation. Furthermore, the Convention empowers the UN High Commissioner for Refugees to access and protect persons of concern. It is true that many North Koreans leave their homeland for reasons that are not political per se--many have come just looking for food. But this does not mean that they are not refugees. Even though emigration is a right enshrined in the Universal Declaration of Human Rights, doing so from North Korea without permission is a political crime that often brings severe punishment. Therefore, those who have left North Korea--even for reasons that are supposedly "economic"--often have a well founded fear of persecution. That is the why a blanket characterization of these people as not bona fide refugees is disingenuous.

We hope the situation improves and we have pressed for the humane treatment of refugees wherever they are present. We do not think more governments in the region treating these refugees in a humane way will increase their numbers. Rather, it will help bring closure to an immense humanitarian tragedy sooner with less loss of life and less burden on countries in the region.

This humanitarian tragedy is likely to continue as long as repression and privation are the norm in North Korea. In the mean time, we try to help North Korean refugees when we can. When we learn of specific refugees in danger, we work to protect their safety as a primary consideration and we engage with host governments. Our motive in admitting North Korean refugees and asylees to the U.S. is to protect them from further persecution and give them an opportunity to live in freedom--something denied them in North Korea.

Finally, we are open to a dialogue on human rights with the North Korean government. This is in the interests of both of our countries. As Special Envoy Lefkowitz has said, progress on North Korean human rights is a prerequisite for the international community to view this government as legitimate. U.S. officials at many levels have also stated that human rights will have to be part of any dialogue on the normalization of relations between North Korea and the U.S.

Of course, in order to have the prospect of being effective, a human rights dialogue has to take place among two or more willing parties that recognize the legitimacy of the issue. There needs to be candor and a reasonable expectation of progress. We of course hope the North Korean government comes to see that beginning to recognize the human rights of its citizens is a necessary step, and one that is in its interest.

I have outlined our approach. We hope that others continue to take interest in this important issue, and consider joining some of the specific efforts we support. This is important not just because of the moral imperative to help one of the most abused populations of people in the world today. It is also critical to advancing the peace and security of a key region, where events tend to impact countries quite far away.

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