

2008 Annual Report of the U.S. Commission on International Religious Freedom

Other Countries on the Commission's CPC List: Republic of Korea, The Democratic People's

The Democratic People's Republic of North Korea (DPRK or North Korea) remains a repressive and isolated regime where dissent is not tolerated and there are few, if any, protections for human rights and fundamental freedoms. Freedom of thought, conscience, and religion or belief does not exist, as the government severely represses public and private religious activities and closely controls the government-sanctioned religious practice. Unfortunately, there is no evidence that religious freedom conditions have improved in the past year. The government continues to view religious belief and practice as a potential competitor to the officially propagated cult of personality centered on North Korean leader Kim Jong Il and his late father, Kim Il Sung. In the past several years, North Korean government officials have reportedly arrested, imprisoned, tortured, and sometimes executed individuals discovered engaging in clandestine religious activity. In addition, North Korean refugees repatriated from China are frequently harassed, ill-treated, and imprisoned, particularly if it is discovered that they have had contact with South Koreans or converted to Christianity while in China, both of which are considered political offenses. Although the DPRK has claimed to various UN human rights treaty bodies that it protects religious freedom, there is little evidence that any real religious activity exists, except underground. The Commission continues to recommend that North Korea be designated a "country of particular concern," or CPC, which the Department of State has done since 2001.

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

In April 2008, the Commission released an update of that report entitled *A Prison Without Bars: Refugee and Defector Testimony of Severe Violations of Religion and Belief in North Korea*. The new report incorporates the findings from 38 additional interviews with North Korean refugees and defectors living in South Korea, whose testimony confirms that Buddhist, Christian, and traditional religious practices, such as Shamanism, exist in North Korea, though practiced either clandestinely or under tightly controlled conditions in the capital city of Pyongyang. The refugees interviewed for *A Prison Without Bars* also attest to the continued vulnerability of North Korean refugees repatriated from China, who are subject to ill-treatment and likely imprisonment if they admit to having had contacts with South Korean humanitarian organizations in China or to having converted to Christianity. According to former police officials interviewed for the Commission's report, the North Korean government fears the spread of Christianity through cross-border contacts with religious groups in China and views it as a

security threat. The report details new measures taken by police to halt the distribution of religious literature and uncover clandestine religious activity, including infiltrating churches in China and setting up mock prayer meetings in North Korea to entrap converts. The full report can be found at http://www.uscirf.gov/images/A_Prison_Without_Bars/aprisonwithoutbars-final.pdf.

In the 1980s, the North Korean government established “religious federations” for Buddhists, Chondokyists (referring to Chondokyo, or “Eastern Learning,” a syncretic belief largely based on Confucianism but which also incorporates elements of Taoism, Shamanism, Buddhism, and Catholicism), and Christians. According to defector testimony, these federations are led by political operatives whose goal is to implement the government’s policy of control over religious activity, as well as to gain foreign humanitarian assistance and maintain religious sites as cultural centers. For example, the official Korean Buddhist and Christian Federations restrict religious activities at monasteries, temples, and churches in North Korea. Although the religious federations maintain offices in Pyongyang and their delegates on occasion travel abroad, they have no presence in any other city or region in the country. The federations also operate churches, temples, and shrines in North Korea.

A Buddhist presence continues to survive in North Korea. Refugees have testified that quasi-functioning Buddhist shrines and temples are maintained as cultural heritage sites by caretakers (*gwalliwon*) who do not perform any religious functions. There is some testimony describing the role of government-employed monks who give lectures, lead tours, and meet foreign dignitaries. Unlike Christian churches, most of which were destroyed over the past 50 years, refugees spoke of the preservation of Buddhist temples, including the government’s refurbishing of an existing site at Anbul, South Hamgyeong Province in 2000. While a Buddhist material culture survives above ground, recent refugee testimony has not provided much evidence of underground Buddhist activity. There are some indications that some kind of informal Buddhist practice remains, though evidence of this is scarce.

One Catholic and two Protestant churches were built in Pyongyang in 1988 and 1992. Services have been held in these churches since the mid-1990s in response to the growing presence of foreign aid workers in Pyongyang. Access to these church services is tightly managed and monitored, and most North Korean refugees report that they exist as showpieces for foreign visitors. Nevertheless, in addition to foreign visitors, those permitted to participate in services include some North Korean citizens whose families practiced Christianity prior to the Korean War. The absence of a priest for Roman Catholics means that mass cannot be celebrated and most sacraments cannot be performed. According to aid workers who attended the churches, it was impossible to determine if any of the North Koreans attending the churches in Pyongyang were genuine in their beliefs because of the large number of security personnel present during the services. International observers report that North Korean congregants regularly arrive and depart as a group in tour buses.

The Holy Trinity Russian Orthodox Church opened in Pyongyang in August 2006. Two North Koreans are reportedly receiving Orthodox theological training in Moscow. There are also reportedly three Buddhist temples and a Chondokyist shrine in Pyongyang. Government officials have claimed that Buddhist temples are cultural relics that need to be preserved. There

is a department of religion at Kim Il Sung University, but graduates and faculty are said to be involved in training security forces to identify repatriated refugees who may have become Christian adherents during their time in China. Many graduates also reportedly work with the officially sanctioned religious federations and interact with foreign religious visitors. The Korean Presbyterian Church of South Korea reports that it has reached an agreement to build a new Protestant church in Pyongyang; however, construction plans have not progressed.

In addition to the churches in Pyongyang, the North Korean government claims that some 500 house churches operate in North Korea with official approval. Until recently, it was impossible to verify who attended the house churches and ascertain whether they existed outside of Pyongyang. South Korean scholars were recently allowed to attend house church services and they reported that participants are largely individuals whose families were Christians before 1950 and that some house churches do in fact operate outside of Pyongyang. The number or size of house churches allowed to operate in North Korea is impossible to verify. Those who have attended such gatherings report that they are very small gatherings of family members, are closely monitored by police, and operate without materials or trained leaders.

The Commission continues to receive credible reports that underground religious activity, or that which takes place outside of government sanction and control, is growing, despite pervasive suppression. According to the testimony of refugees, anyone discovered taking part in unauthorized religious activity, which includes carrying religious literature in public, distributing religious literature, or engaging in public religious expression and persuasion, is subject to severe punishment, such as long-term imprisonment in labor camps, torture, and possible execution. There continue to be reports of torture and execution of religious believers, including a January 2005 report of the execution of six religious leaders. Additionally, in March 2006, authorities in Pyongyang sentenced Son Jong Nam to death on charges of spying for South Korea. Son's conversion to Protestantism in China, his repeated attempts to seek refuge in China, and his alleged, private criticism of the North Korean regime reportedly served as a basis for the sentence. As of this writing, it is not possible to verify whether Son Jong Nam has been executed.

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

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

The government also forcefully controls all means of transmitting information in the country, including television, radio and print media, access to the Internet, and cellular and landline phone communication. Possessing anti-state written materials, listening to foreign radio broadcasts, or altering radios so that they might receive foreign broadcasts constitute crimes punishable by long-term imprisonment, and international phone lines are available only under highly restricted circumstances. Cell phone use for the general population has been banned since 2004. In October 2007, a factory head was executed in front of a crowd of 150,000 people because he made international phone calls. There is credible evidence that public executions continue to rise as North Korean officials seek to control and prevent outside information from reaching North Korea.

As a result of the prolonged famine and the highly oppressive nature of the regime, an estimated 300,000 refugees have fled North Korea to China during the past decade. With the easing of famine conditions over the past several years, an estimated 50,000 to 100,000 remain in China today. China, according to an agreement with North Korea, considers all of these refugees to be economic migrants who are subject to forcible repatriation. According to North Korean law, leaving the country is tantamount to treason and all returnees are subject to arrest and imprisonment, often accompanied by torture. According to refugee testimony, those determined to have migrated to avoid famine conditions are sometimes released after a short period of detention or forced labor.

However, over the past few years, refugees report that repatriated North Koreans are currently facing harsher penalties upon return, with increased numbers of first-time returnees being sentenced to one to five years imprisonment, regardless of their reasons for fleeing North Korea. Anyone suspected of having contact with either South Korean humanitarian or religious organizations is extensively interrogated. Security forces try to determine if those repatriated have become adherents of Christianity or otherwise “contaminated” by their contact with South Korean or Korean-Chinese religious groups. Cross-border contact with China and the presence of foreign humanitarian and religious organizations working among North Korean refugee

populations has heightened the regime's fears of the spread of new religious activity, particularly Christianity. According to refugee and defector testimony, North Korean border guards and security officials are being trained and instructed on how to identify and halt such activities, as well as the distribution of religious literature. Refugees continue to provide evidence that security forces use torture during interrogation and subject anyone found to have had contact with Protestant or other religiously-based aid organizations in China to long-term imprisonment in hard labor facilities designated for political prisoners. The North Korean government also continues to offer rewards to its citizens for providing information that leads to the arrest of individuals suspected of involvement in cross-border missionary activities or the distribution of Bibles or other religious literature.

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

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

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

Also in May 2006, the Commission hosted a briefing on Capitol Hill to discuss the situation of North Korean refugees in China. The briefing included statements from Kato Hiroshi, General Secretary of Life Funds for North Korean Refugees; Joel Charny, Vice President of Refugees International; and Marcus Nolan of the International Institute for

Economics. The panelists discussed the struggles that North Korean refugees face in China, including trafficking in persons, fear of deportation, and recovery from the ordeals they faced while still inside the DPRK. Then-Commission Executive Director Joseph R. Crapa served as a moderator.

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

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

I. Promoting Freedom of Religion or Belief

- use all diplomatic means to urge the North Korean government to undertake the following measures that would help bring the DPRK into compliance with its international legal obligations with respect to freedom of thought, conscience, and religion or belief:

Ending Abuses

- end the severe human rights violations, including imprisonment and execution on account of religion or belief, against individuals not affiliated with the state-sponsored religious federations or those North Koreans having contact with foreign religious groups in China;
- release prisoners from administrative detention in *kwanliso* political penal labor colonies, such as those reported to be in certain villages in the “total control zone” at Camp No. 15 (Yodok), as well as those who remain detained in other facilities for exercising their right to freedom of thought, conscience, and religion or belief, and rehabilitate remaining religious adherents held in lifetime detention;
- end the coercive enforcement of the official ideology, *Juche/KimIlSungism*, that results in discrimination and other human rights violations against adherents of other religions or belief systems;
- end prohibitions and punishments for importing religious literature from abroad;

Promoting Compliance with International Norms

- enable adherents of systems of thought and belief not covered by the existing federations, such as Confucianism, Shamanism, and other indigenous Korean belief systems, to practice their religion or belief without government interference and to form organizations for that purpose;

- implement the existing Constitutional provision allowing for the construction of places of worship outside the capital city of Pyongyang, including for religious groups who are not affiliated with the state-sponsored federations or for which there is no applicable federation;
- allow individuals and religious groups to engage in public expression of their religion or belief and to inform others of their belief systems; and
- allow clergy or religious leaders to travel abroad for higher education and/or training, and allow the residence of foreign clergy in North Korea where there are shortages.

II. Integrating Human Rights and Human Security Issues into Negotiations on Security Concerns in Northeast Asia

The U.S. government should:

- work with regional and European allies to fashion a comprehensive plan for security concerns on the Korean Peninsula that includes agreements on human rights and humanitarian concerns—modeled after the Helsinki Final Act of 1975 and the Organization for Security and Cooperation in Europe—as suggested by the Commission and in Sec. 106 of the North Korean Human Rights Act and
 - in negotiations on nuclear security on the Korean Peninsula, including at the Six-Party Talks, work with regional allies to reach agreements on pressing human rights and human security concerns, including monitoring of humanitarian aid, resettlement of refugees, family reunifications, abductions, and other pressing human rights issues, including religious freedom, and linking future economic assistance and diplomatic recognition to concrete progress in these areas; and
 - initiate, within the formal structure of the Six Party Talks, targeted working groups on issues of regional and international concern, including monitoring of humanitarian aid, refugees, and abductions, and fully integrate these issues into the agenda of the Six Party Talks at the earliest possible date.

III. Maintaining the Mandate of the Special Envoy on Human Rights in North Korea

The U.S. government should:

- ensure that all funds authorized under the North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7801) are requested and used to fulfill the purposes of the Act and that the Special Envoy on Human Rights in North Korea, appointed by President Bush in accordance with the Act, is allowed to implement the key provisions of the Act including new human rights and democracy programming, promotion of information into and out of North Korea, and discussions with foreign governments about a durable solution to the plight of North Korean refugees including seeking broader permission and greater cooperation from foreign governments on refugee protection and resettlement.

IV. Protecting and Aiding North Korean Refugees

The U.S. government should:

- urge the Chinese government to uphold its international obligations to protect asylum seekers, by 1) working with the UN High Commissioner for Refugees (UNHCR) to establish a mechanism to confer temporary asylum on those seeking such protection and to permit safe transport to countries of final asylum; 2) providing the UNHCR with unrestricted access to interview North Korean nationals in China; and 3) ensuring that any migrants who are being returned pursuant to any bilateral agreement are not potential asylum seekers refouled in violation of China's obligations under the 1951 Refugee Convention and its 1967 Protocol;
- urge the Chinese government to allow international humanitarian organizations greater access to North Koreans in China, to address growing social problems, abuses, and exploitation experienced by this vulnerable population and work with regional and European allies to articulate a consistent and clear message about China's need to protect North Korean refugees;
- in bilateral relations with China, Russia, Mongolia, Vietnam, Thailand, Cambodia and other countries in East Asia, continue to stress U.S. and international concerns about providing safe haven, secure transit, and clear resettlement procedures for North Koreans; and
- make every effort to ensure that its screening, processing, and resettlement of North Korean refugees are as efficient and expeditious as possible; and
- continue coordination among the Department of State, the Department of Homeland Security, and regional allies, including South Korea, to facilitate resolution of any remaining technical, legal, or diplomatic issues that hinder additional resettlement of North Koreans in the United States.

V. Pursuing Multilateral Diplomacy and Human Rights in North Korea

The U.S. government should:

- encourage nations with diplomatic relations with North Korea to include religious freedom and other human rights in their talks with North Korea, and to urge the North Korean government to invite UN Special Rapporteurs and other appropriate UN bodies to assess the human rights and humanitarian situation, to monitor the delivery of humanitarian assistance, and to recommend reforms and technical assistance programs;
- urge the Office of the UN High Commissioner on Human Rights to open an office in Seoul, South Korea for the purpose of initiating technical assistance programs addressing regional and transnational issues including, but not limited to, abductions, human trafficking, police and border guard training, legal reform, political prisoners, and abuses of freedom of thought, conscience, and religion or belief; and

- work with regional allies and appropriate international bodies to ensure that future economic, energy, or humanitarian assistance to North Korea will be effectively monitored to ensure that aid reaches the most vulnerable populations and is not diverted to military use.

VI. Expanding Public Diplomacy Programs for North Korea

The U.S. government should:

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

In addition, the U.S. Congress should:

- create an inter-parliamentary working group that includes current and former elected officials and other experts from the U.S., Europe and Asia to discuss ways to include human rights and human security concerns in any future security arrangement in Northeast Asia, provide ideas for diplomats and policymakers, and build public and political support for creating a framework that addresses both human rights and other outstanding security and economic concerns on the Korean Peninsula;
- continue to appropriate all the funds authorized in the North Korea Human Rights Act of 2004 for public diplomacy, refugee assistance, democratization programs, and relevant travel by the Special Envoy on North Korea and renew the Act's mandate when it expires in 2008; and,
- raise religious freedom and related human rights as a prominent concern in appropriate congressional or congressional staff visits to North Korea, including distribution of Korean language reports of the Commission, and reiterate requests seeking access for international monitors to North Korean prisons as promised by Vice Foreign Minister Kim Gye-gwan to a visiting Senate Foreign Relations Committee delegation in August 2003.