



ANNUAL REPORT
2009

UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM



**Annual Report of the
United States Commission on International Religious Freedom**

May 2009

Commissioners

Felice D. Gaer

Chair

Michael Cromartie

Dr. Elizabeth H. Prodromou

Vice Chairs

Dr. Don Argue

Preeta D. Bansal (until February 9, 2009)

Imam Talal Y. Eid

Dr. Richard D. Land

Leonard A. Leo

Nina Shea

John V. Hanford, III, *ex officio*, nonvoting member (until January 20, 2009)

James D. Standish

Executive Director

U.S. Commission on International Religious Freedom
800 North Capitol Street, NW
Suite 790
Washington, DC 20002
202-523-3240
202-523-5020 (fax)
www.uscirtf.gov

Professional Staff

Tom Carter, Director of Communications
Walter G. DeSocio, General Counsel
David Dettoni, Director of Operations and Outreach
Judith E. Golub, Director of Government Relations
Carmelita Hines, Director of Administration
Knox Thames, Director of Policy and Research

Dwight Bashir, Associate Director for Policy and Research
Elizabeth K. Cassidy, Associate Director for Policy and Research
Catherine Cosman, Senior Policy Analyst
Deborah DuCre, Receptionist
Scott Flipse, Senior Policy Analyst
Kody Kness, Assistant Director for Government Relations
Bridget Kustin, South Asia Researcher
Tiffany Lynch, Researcher
Jacqueline A. Mitchell, Executive Assistant
Muthulakshmi Anu Narasimhan, Communications Specialist
Stephen R. Snow, Senior Policy Analyst

ON THE COVER: Members of Pakistan's Women Action Forum in Lahore, Pakistan rally against the presence of Taliban and militants in the northwest of Pakistan on Thursday, February 12, 2009. The banners condemn religious extremism, domestic violence, and the burning down of girls' schools in Swat. (AP Photo/K.M. Chaudary)

The Democratic People's Republic of Korea (North Korea)

The Democratic People's Republic of Korea (DPRK or North Korea) continues to be one the world's most repressive regimes, where dissent is not tolerated and few protections exist for fundamental freedoms, including the freedom of thought, conscience, and religion. Although the DPRK committed to protect religious freedom in its constitution and international human rights treaties, and claims to adhere to those commitments, there is little evidence that the freedom of thought, conscience, and religion exists in North Korea. The North Korean government officially sanctions a limited number of religious "federations," but they are headed by government officials, and are often used as diplomatic liaisons with international religious and humanitarian aid organizations. What religious practice or venues exist under the federation's purview is tightly controlled and used to advance the government's political or diplomatic agenda. Other public and private religious activity is prohibited and anyone discovered engaging in clandestine religious practice faces official discrimination, arrest, imprisonment, and possibly execution. Over the past year there have been no indications that the status of religious freedom has improved. In fact, reports continue to indicate that the North Korean government has taken new steps to combat the growth of clandestine religious activity, particularly that which reportedly is spread by cross-border contact with China. According to the testimony of North Korean refugees, anyone engaged in such activity can be arrested, tortured, and imprisoned. There were no new eyewitness reports of religious adherents being executed, though North Korea resumed public executions during the past year after a brief hiatus. The situation for North Korean refugees remains acute, both in China and upon forced repatriation, particularly if it is discovered that they had contact with South Koreans or foreign religious groups. The Commission continues to recommend that North Korea be designated as a "country of particular concern," or CPC, which the Department of State has done since 2001.

North Korea once had a diverse and vibrant religious community comprised of Buddhists, Catholics, Protestants, and Chondokoyists (followers of Chondokyo, or "Eastern Learning," a syncretic belief largely based on Confucianism but which also incorporates elements of Taoism, Shamanism, Buddhism, and Catholicism). Since 1945, these communities have, for the most part, disappeared. Both Kim Il Sung and his son, Kim Jong Il, have severely repressed religious activity and replaced it with a nationalist ideology and a "cult of personality" called *Juche* or *Kim Il Sungism*. All citizens are required to adhere to this belief system or face fines and other penalties, including imprisonment. Pictures of the "Great Leader" (Kim Il Sung) and the "Dear Leader" (Kim Jong Il) must be displayed on the walls of homes, schools, and workplaces. Every North Korean wears a lapel pin of the Great Leader and students are required to study and memorize the "Ten Principles for the Establishment of the One-Ideology System of the Party." *Juche* is considered preeminent ideology and Kim Jong Il has been quoted in North Korean media sources as saying that *Juche* should be given precedence over all other academic subjects in the nation's schools. In addition to teaching *Juche* in schools, each North Korean community reportedly maintains a "Kim Il Sung Research Center" or similar institution where local citizens are required to attend weekly meetings to watch propaganda films, listen to indoctrination sessions on the principles of *Juche*, and engage in public self criticism sessions. Any functioning religious belief or practice is viewed, by the government, as a challenge to the pre-eminence of the cult of personality surrounding the Kim family.

In addition to the government's strict control over religion, the DPRK also tightly controls the flow of information in and out of the country. This tight control makes it difficult to gather detailed and timely data about religious freedom and related human rights in North Korea. Therefore, in 2005 the Commission authorized researchers to begin interviews with North Korean refugees to study conditions in the country and for refugees seeking asylum in China. These interviews resulted in two studies.¹ These interviews confirmed the pervasive strength of the "cult of personality" surrounding the

Kim family and provided eyewitness accounts of arrests and executions of individuals engaged in clandestine religious activity. The latest series of interviews also confirmed that refugees who are forcibly repatriated from China are extremely vulnerable to ill treatment in custody, hard labor, and imprisonment in North Korea's infamous prison camps if they admit, or are suspected, to have contact with South Korean aid organizations, have converted to Christianity, or had smuggled Bibles. Interviews with former police and security officials provided extremely useful insight into the government's growing fear that the recent spread of Christianity through cross-border contacts with China poses a new national security threat. The interviews detailed the tactics the North Korean government uses to uncover clandestine religious activity by infiltrating churches, training border guards to spot Christian converts, and setting up mock prayer meetings to entrap converts.

In 1988, following the model used by the former Soviet Union, the DPRK created "religious federations" for Buddhists, Chondokysts, Protestants and Catholics. The federations were used to blunt international criticism of North Korea's religious freedom record by purporting to represent religious communities long repressed through a compliant front organization. The federations oversee the building of churches and temples in Pyongyang and recently have refurbished Buddhist temples as tourist attractions in other parts of North Korea. During the famine years of the 1990s, these federations helped negotiate foreign aid and development assistance from international humanitarian organizations. Former refugees and defectors have testified that the federations are led by political operatives whose goals are to implement the government's policy of control over religious activity, gain foreign humanitarian assistance, and maintain religious sites as cultural centers. A former member of the National Security Agency testified to the Commission that religious venues in Pyongyang are intended to be showcases of religious openness, though foreigners are not allowed to interact with anyone who is not a security agent and all sanctioned religious activity is limited to Pyongyang.

Despite its deep historical roots in Korean culture, Buddhism has been systematically repressed in North Korea. Recent refugees provide scarce eyewitness evidence of clandestine Buddhist religious activity. Temples and shrines are maintained as cultural heritage sites by caretaker monks (*gwalliwon*) who do not perform religious functions. These monks are reportedly employed by the government and their activities are limited to giving lectures, leading tours, and meeting foreign dignitaries. Refugees testify that the government has started actively to restore Buddhist temples and shrines, including refurbishing of a site at Anbul, South Hamgyeong Province in 2000 and the rebuilding of the Shingye Temple in 2005.

The North Korean government has also authorized the building of some Christian churches. Between 1988 and 1992, one Catholic and two Protestant churches were built in Pyongyang, and services have been held in these churches since the mid-1990s in response to the growing presence of foreign aid workers in Pyongyang. However, former intelligence officers testify to the fact that these series are tightly controlled and heavily monitored. Most refugees believe these sites exist solely as showpieces for foreign visitors. Reports indicate that North Koreans attend services in the Christian churches, but attendance is limited to those whose families were Christians prior to the Korean War who reportedly are bussed by the government to the venues when foreign dignitaries visit. The government will not allow the Catholic Church to have an ordained priest. However, a group of Catholic priests was allowed to travel from South Korea in September 2008 to hold a mass. The government also authorized the building of the Holy Trinity Russian Orthodox Church in Pyongyang in August 2006. Kim Jong Il visited a Russian Orthodox Church in Moscow in 2005 and said that he wanted to build a similar church in North Korea. He allowed two North Koreans to train at the Russian Orthodox Seminary in Moscow and they now serve as Holy Trinity's ordained priests.

The North Korean government also claims there are 500 approved "house churches" in the country. South Korean scholars allowed to attend some "house church" services have reported that the

participants are primarily individuals whose families were Christians before 1950 and are allowed to gather for worship without leaders or religious materials. The tiny number of “house church” adherents reportedly are no longer viewed as security threats. Nevertheless, “house church” members are grouped together in certain housing blocks and face official discrimination and constant surveillance. The North Korean government views new religious growth, particularly Protestantism spread through cross-border contacts with China or repatriated refugee converts, as the threat that requires new measures to repress.

According to refugee testimony and credible reports received by the Commission, underground religious activity is growing in North Korea, though the extent of such activity is unclear. Clandestine religious activity can include distributing religious literature, proselytizing, or gathering for worship, most of which occurs in the border region with China. Anyone caught engaging in these activities is subject to severe punishment including imprisonment in labor camps, torture, and possibly execution. New Protestant manifestations of religious activity are viewed as a South Korean or U.S. effort to undermine the government and as a direct challenge to the “one and only faith” of *Kim Il Sungism*. In March 2006, Son Jong Nam was sentenced to death for spying based on evidence that he converted to Protestantism and has been reportedly severely tortured in prison. It is unclear, at this time, whether he has been executed. In past years persons sentenced to death for religious reasons, such as Son Jong Nam, were executed publicly. However, there has not been new eyewitness testimony from refugees about public executions of religious adherents. There is also no new eyewitness information available to determine whether such executions continue in secret.

In 2007, Kim Je-Yell, a Canadian citizen who operated a dental clinic in the northeastern city of Rajin, was arrested for holding clandestine religious meetings in the northeastern city of Rajin. He was imprisoned and through diplomatic efforts was finally released in January 2008.

Imprisoning religious believers is reportedly quite common, according to refugee testimony, but neither the State Department nor any other official or non-governmental source has been able to document the number of religious prisoners. The most reliable information comes from North Korean groups in South Korea, who report that an estimated 6,000 Christians are incarcerated in “Prison No. 15” in the northern part of the country. Refugee testimony confirms that religious prisoners are treated worse than other inmates. They are typically given the most dangerous tasks in the labor camps and are subject to constant abuse to force them to renounce their faith. When they refuse renunciation, they are often beaten and tortured. There are also corroborated reports on forced abortions and cases of infanticide in the North Korean prison camps. Christianity is reportedly spreading amongst the North Korean population because of increased proselytizing efforts from refugees who are converted and trained in China.

Prolonged famine and food shortage in North Korea have created a cross-border refugee problem in northern China. Over the past decade, hundreds of thousands of refugees have fled across the border to China because of famine conditions and repression and many have sought refuge in South Korea. China considers all North Koreans to be “economic migrants” and forcibly repatriates them, for which it has come under sustained, but to date inconsequential, international criticism. According to the concluding observations of the UN Committee on Torture’s (CAT) review of China, the repatriation of North Korea may violate Article 3 of the Convention Against Torture, to which China is a party, which provides that no “State should expel, return or extradite” anyone to another country where there is “substantial grounds for believing” that they would be subjected to torture. The CAT urged China to halt forced repatriations and to adopt legislation to protect asylum seekers consistent with Article 3.

It is illegal to leave North Korea and those who do are punished, some severely. Due to the vast number of citizens seeking food in China, the government has been forced to ease its punishments, sentencing those repatriated to short period of detention or forced labor. However, over the past

few years, refugees report that the government is returning to its harsher penalties for repatriated North Koreans, regardless of their reasons for fleeing. Anyone suspected of having contact with either South Korean humanitarian or religious organizations is extensively interrogated to determine if they have become Christian or have otherwise been “contaminated” by their contact with religious groups and subject to mistreatment and imprisonment. Refugees continue to provide evidence that security forces often use torture during these interrogation sessions and then imprison the refugees in hard labor facilities designated for political prisoners. The regime has always been suspect of Christianity and religious activity, but increased 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. In fact, the government 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.

Commissioners and staff have met with North Korean refugees, South Korean experts and religious leaders, and U.S. Government officials regarding religious freedom and related human rights in North Korea. The Commission has also urged that China’s obligations to protect North Korean refugees be a top international concern and has met with Chinese officials and officials from the UN High Commissioner for Refugees. Joined by both Congressmen and Senators, the Commission publicly released its report, *A Prison Without Bars*, in April 2008. The Commission also traveled in May 2008 to Seoul, South Korea to release the Korean language version of the report and meet with South Korean government officials, journalists, and members of civil society and participant in an academic conference concerning international religious freedom and the repatriation and torture of repatriated refugees.

Recommendations for U.S. Policy

In addition to recommending that North Korea continue to be designated as a CPC, the Commission makes the following recommendations.

I. 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 of 2008 (Public Law 108-333; 22 U.S.C. 7801);
- in negotiations both on nuclear security and stability 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, fully integrate these issues into the agenda of the Six Party Talks at the earliest possible date, and link future economic, political, and diplomatic assistance to progress in these areas.

II. Fulfilling 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 2008 (the Act) are requested and used to fulfill the purposes of the Act; and
- ensure that the Special Envoy on Human Rights in North Korea, appointed by the President in accordance with the Act, fully implements 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.

III. 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 the return of any migrants pursuant to any bilateral agreement does not violate China's obligations under the 1951 Refugee Convention and its 1967 Protocol or under Article 3 of the Convention Against Torture;
- 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;
- 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 the resolution of any remaining technical, legal, or diplomatic issues that hinder additional resettlement of North Koreans in the United States.

IV. 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 in the country, 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.

V. 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.

VI. Congressional Action to Advance Religious Freedom and Related Rights on the Korean Peninsula:

The U.S. Congress should:

- create an inter-parliamentary working group that includes current and former elected officials and

other experts from the United States, 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 2008 for public diplomacy, refugee assistance, democratization programs, and relevant travel by the Special Envoy on North Korea; and
- raise religious freedom and related human rights as a prominent concern in appropriate congressional or congressional staff visits to North Korea, including distributing Korean language reports of the Commission, and reiterate requests seeking access for international monitors to North Korean prisons as promised by North Korean officials to visiting Senate Foreign Relations Committee delegation in August 2003.

¹ *'Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience, and Religion in North Korea'* (authored by David Hawk) and a follow-up study entitled *'A Prison Without Bars: Refugee and Defector Testimony of Severe Violations of Religion and Belief in North Korea'*. Over the past four years, the Commission has interviewed 78 refugees and defectors who escaped North Korea between the years 2000-2007. Both of the Commission's reports on North Korea can be found on its website, <http://www.uscirf.gov>.