



UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
Annual Report 2010



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

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Front Cover: URUMQI, China, July 7, 2009 – A Uighur Muslim woman stands courageously before Chinese riot police sent to quell demonstrations by thousands of Uighurs calling for the government to respect their human rights. The Uighurs are a minority Muslim group in the autonomous Xinjiang Uighur region. Chinese government efforts to put down the ethnic and religious protest resulted in more than 150 dead and hundreds of arrests. (Photo by Guang Niu/Getty Images)

Back Cover: JUBA, Southern Sudan, April 10, 2010 – School children participate in a prayer service on the eve of Sudan's first national elections in more than two decades. Those elections are called for under the Comprehensive Peace Agreement between North and South Sudan, the full implementation of which is widely believed to be essential to averting another bloody civil war marked by sectarian strife. Although the elections were deeply flawed, many Southern Sudanese saw them as a necessary milestone on the road to a January 2011 referendum on Southern Sudan's political future--the final major step in the peace agreement. (Photo by Jerome Delay/Associated Press)

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.uscirf.gov

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

FINDINGS: The Democratic People's Republic of North Korea (DPRK or North Korea) is one of the world's most repressive regimes. Severe religious freedom abuses occur regularly, including: surveillance, discrimination, and harassment of both authorized and unauthorized religious activity; the arrest, torture, and possible execution of those conducting clandestine religious activity; and the mistreatment and imprisonment of asylum-seekers repatriated from China, particularly those suspected of engaging in religious activities or having religious affiliations.

Based on these violations, USCIRF again recommends in 2010 that North Korea be designated as a "country of particular concern," or CPC. The State Department has designated North Korea as a CPC since 2001.

The North Korean government continues to have a deplorable human rights and religious freedom record. Dissent is not tolerated and few legal or political protections exist for universally recognized rights. The government controls most aspects of daily life, including religious activity, which is allowed only in government-operated religious "federations" or a small number of government-approved "house churches." Other public and private religious activity is prohibited. Anyone discovered engaging in clandestine religious activity is subject to discrimination, arrest, arbitrary detention, disappearance, torture, and public execution. A large number of religious believers are incarcerated in *kwan-li-so* (North Korea's infamous penal labor camps), though the exact number is difficult to verify given the government's control over information. The situation for North Korean refugees remains acute. Asylum-seekers repatriated from China are interrogated about their religious belief and affiliations, and those suspected of distributing religious literature or having ongoing connections with South Korean religious groups are mistreated and imprisoned as security threats. Testimony from former North Korean refugees indicates that clandestine religious activity in North Korea is increasing, as are the government's attempts to halt its spread. In recent years, police and security agency offices have infiltrated Protestant churches in China, started training police and soldiers about the dangers of religion, and set up fake prayer meetings to catch worshippers. There was one reported case of a public execution in the past year. A woman was executed for distributing Bibles and her entire family was sent to prison.

PRIORITY RECOMMENDATIONS: U.S. officials have publicly supported the inclusion of human rights concerns within the structure of the Six-Party Talks on nuclear non-proliferation on the Korean peninsula, but these issues have been sidelined until North Korea agrees to verification of denuclearization. USCIRF believes that negotiations with North Korea will not succeed unless rooted in a broader security framework that includes agreements on humanitarian and human rights concerns. USCIRF urges the administration to work with regional allies at the Six-Party Talks to raise human rights concerns, including religious freedom, and link future economic, political, and diplomatic assistance to progress in these areas. The Commission also continues to recommend that the U.S. government implement fully the North Korea Human Rights Act of 2008, including its provisions to support NGOs working to build democracy and protect human rights in North Korea and to create a security cooperation regime in northeast Asia similar to the Organization for Security and Cooperation in Europe (OSCE). Additional recommendations for U.S. policy toward North Korea can be found at the end of this chapter.

Religious Freedom Conditions

The Government-Imposed Cult of Personality

Since 1945, North Korea's once diverse and vibrant religious community has, for the most part, disappeared. This community once included Buddhists, Catholics, Protestants, and Chondokoyists (followers of Chondokyo, or "Eastern Learning," a syncretic belief system largely based on Confucianism but which also incorporates elements of Taoism, Shamanism, Buddhism, and Catholicism). An untold number of religious leaders and practitioners were killed, jailed, disappeared, or have fled to South Korea after World War II. The government forcefully propagates a nationalist ideology based upon the cult of personality surrounding both Kim Il Sung and his son, Kim Jong Il. All citizens are required to adhere to this belief system, often called *Juche*, or face onerous fines and penalties. 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's* ideological education takes precedence over all other academic subjects in the nation's 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 educational sessions on the principles of *Juche*, and engage in public self-criticism sessions. Any functioning religious belief or practice outside of *Juche* is viewed by the government as a challenge to the cult of personality surrounding the Kim family, and their subsequent authority.

Religious activity is either tightly controlled or repressed. In an attempt to blunt international criticism of North Korea's religious freedom record, in 1988 the government created "religious federations" for Buddhists, Chondokoyists, Protestants, and Catholics. These federations were intended to represent religious communities that had been long repressed by directing the building of churches and temples as well as negotiating development assistance from international humanitarian organizations. However, former refugees and defectors testify that the federations are led by political operatives whose goals are to substantiate the government's policy of control over religious activity. These federations exist to conceal from international attention the government's repression of religious activity, to maintain religious venues as both cultural relics and tourist attractions, and to direct assistance programs from foreign donors.

Government Control of Buddhism

Accounts provided by former North Korean refugees claim that Buddhist temples and shrines are maintained as cultural heritage sites by *gwalliwon* (caretaker monks) who do not perform religious functions. Instead, these monks are employed by the government and their activities are limited to giving lectures, leading tours, and meeting foreign dignitaries. The preservation of Buddhist temples, including the government's ongoing refurbishment of an existing site at Anbul, South Hamgyeong Province and the rebuilding of the Shingye Temple, is mainly a testament to North Korea's Buddhist material culture. Still, refugee testimony provides little evidence of an underground Buddhist presence.

Government Control and Repression of Christianity

The DPRK authorized the building of some Christian churches beginning in 1998. The capitol city of Pyongyang contains one Catholic and two Protestant churches. Services have reportedly been held in these churches since the mid-1990's, when foreign humanitarian aid workers came to Pyongyang during North Korea's famine. In 2006, the government authorized the construction of a Russian Orthodox church in Pyongyang. Nonetheless, defectors and refugees assert that these churches are heavily monitored and that the sites exist primarily as showpieces for foreign visitors. North Koreans who attend

services in the churches are not allowed to interact with foreign visitors. There is no Catholic clergy in North Korea.

The government also claims that there are 500 approved “house churches” in the country. There are credible reports that participants are individuals whose families were Christians before 1950 and as such, are allowed to gather for worship without leaders or religious materials. Most of the “house churches” are in urban areas, and the families who are allowed to use them reportedly are segregated in separate housing units.

There continue to be credible reports of clandestine religious activity in North Korea, though its scope remains difficult to verify. Refugee reports continue to confirm that illegal religious materials are available and secret religious meetings occur, spurred by cross-border contact with China. The North Korean government has always repressed clandestine religious activity; and this activity in the border regions is viewed as an additional threat to national security. The North Korean government sees new religious growth as spurred by South Korea humanitarian and missionary groups in China. Police and border security units are trained to halt the spread of religious ideas and root out clandestine religious activity. Anyone caught engaging in the distribution of religious materials, holding secret religious gatherings, or having ongoing contact with overseas religious groups is subject to severe punishment ranging from imprisonment in labor camps to execution. In March 2006, Son Jong Nam was sentenced to death for spying based on evidence that he converted to Protestantism. He has been severely tortured in prison and it is unclear, at this time, whether he has been executed. Reports from South Korean NGOs indicate that in June 2009 Ri Hyon Ok was publicly executed for distributing Bibles in the city of Ryongchon. Her family, including her parents, husband, and three children, were reportedly sent to a political prison camp the day after her execution. She was later accused of spying and organizing dissidents. However, these claims could not be verified.

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. He was imprisoned and through diplomatic efforts was finally released in January 2008.

Imprisoning religious believers remains a common practice, according to reports of former North Korean refugees. It is difficult to document the exact number of prisoners in *kwan-li-so*. North Korea researchers in South Korea recently estimated that 6,000 Christians are incarcerated in “Prison No. 15” in the northern part of the country. Reportedly, there may be as many as 40,000 religious prisoners in North Korea. Testimony from former prison inmates and prison guards confirms that religious prisoners are typically treated worse than other inmates. They are generally given the most dangerous tasks in the labor camps and are victims of constant abuse to force them to renounce their faith. There are also corroborated reports on forced abortions and cases of infanticide in the prison camps.

North Korean Refugees in China

Prolonged famine, food shortage, and repression 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 neighboring China and South Korea escaping repeated persecution and famine conditions. It is estimated that 17,000 North Korean refugees currently live in South Korea. With the number of North Korean refugees rising in China, the issue of repatriation and general refugee conditions remains a vital international concern. The Chinese government continually labels North Korean refugees as “illegal” economic migrants and routinely repatriates them, despite the international obligation to offer protection to asylum-seekers and the documented proof that repatriated refugees suffer mistreatment and imprisonment. According to the concluding observations of the UN Committee on Torture’s (CAT) 2009 review of China, repatriation of North Koreans may violate Article 3 of the Convention against Torture,

to which China is a party. Article 3 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. However, though North Korean asylum-seekers continue to flow into China, no such actions have been taken.

North Korean law criminalizes leaving the country without state permission. Due to the large number of citizens seeking food in China, the government has been forced to reduce punishments of those leaving in search of food or employment in China, sentencing those repatriated to short periods of detention and 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. The harshest treatment is reserved for refugees suspected of having become Christian, distributing illegal religious materials, or having ongoing contact with either South Korean humanitarian or religious organizations working in China. Increasingly, the North Korean government views refugees with religious beliefs or contacts as potential security threats. Refugees continue to provide evidence that security forces use torture during interrogation sessions. Those suspected of religious conversation or contacts are sent to hard labor facilities designated for political prisoners. The government reportedly offers 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.

U.S. Policy

The United States does not have diplomatic relations with North Korea and has no official presence within the country. The United States raises religious freedom and related human rights concerns in various multilateral fora, as well as through other governments who have diplomatic missions in North Korea. U.S. Special Envoy for North Korea Stephen Bosworth has held talks with North Korean counterparts over the past year. North Korea has expressed a desire to directly negotiate with the United States on a treaty formally to end the Korean War, before re-engaging in denuclearization talks. Ambassador Bosworth has stated publicly that the United States will not accept a nuclear North Korea and will only negotiate through the Six-Party Talks with regional allies. U.S. diplomatic efforts have focused on pressing Pyongyang and regional allies to restart denuclearization talks.

After North Korea reportedly tested a second nuclear device in May 2009, the United States pushed for the implementation of tougher sanctions. In June 2009, the U.N. Security Council unanimously passed Resolution 1874, which was co-sponsored by the United States, France, Japan, South Korea, and the United Kingdom. The measure calls on North Korea to suspend its missile program, directs all UN Members States to inspect cargo to and from North Korea, directs international financial and credit institutions to prevent financial services to North Korea (grants, assistance, loans) except for humanitarian and developmental purposes, and calls on North Korea to return immediately to the Six Party Talks without precondition.

The 2008 North Korea Human Rights Act provides the agenda and tools to conduct human rights diplomacy with North Korea. The Act provides funds to support human rights and democracy programs, expands public diplomacy resources, sets guidelines for monitoring and reporting on U.S. humanitarian programs, and establishes the position of Special Envoy for Human Rights in North Korea. The Act seeks to facilitate resettlement to the United States of North Korea refugees. It also expresses the sense of Congress that a Northeast Asia Security and Cooperation regime should be created, following the model of the OSCE, a long-standing USCIRF recommendation. At this time, many of the Act’s provisions have not been fully implemented. In addition, human rights concerns have not been fully integrated into the full range of security discussions with North Korea. USCIRF contends that funds from the Act should be used to expand access to information and new media to counter government propaganda within North

Korea and to support NGOs doing democracy and human rights training among the North Korean diaspora.

Ambassador Robert King, the newly appointed Special Envoy for North Korean Human Rights, has stated recently that human rights will have a significant impact on the prospects for improved U.S.-North Korea relations, and that specific improvements will be required before there is a full normalization of relations. USCIRF believes that negotiations with North Korea will not succeed unless rooted in a broader security framework that includes agreements on humanitarian and human rights concerns. USCIRF urges the administration to work with regional allies, including those at the Six-Party Talks, to raise human rights concerns, including religious freedom, and link future economic, political, and diplomatic assistance to progress in these areas.

According to the State Department's 2009 Report *Advancing Freedom and Democracy*, the United States seeks to continue to improve North Korean citizens' access to outside sources of information and provide opportunities for exposure to the outside world, mainly by supporting radio broadcasts into the country.

Recommendations

I. Linking Human Rights and Human Security in Negotiations on Northeast Asian Security Concerns

In addition to continuing to designate North Korea as a CPC, 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 set forth in Sec. 106 of the North Korean Human Rights Act of 2008 (P.L. 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. Fully Implementing the North Korean Human Rights Act of 2008

The U.S. government should:

- ensure that all funds authorized under the North Korean Human Rights Act of 2008 are requested and used to fulfill the purposes of the Act, including assistance to expand public diplomacy, expand the capacity of NGOs working to promote democracy and human rights, protect and resettle refugees, monitor humanitarian aid, and support the mandate and diplomatic missions of the Special Envoy on Human Rights in North Korea.

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: 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; providing the UNHCR with unrestricted access to interview North Korean nationals in China; and ensuring that the return of any refugees 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, quick processing, and clear resettlement procedures for North Koreans; 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 the UN Secretary General to develop a coordinated plan of action to achieve access to North Korea and to carry out the recommendations of various UN bodies and special procedures, particularly those of the Special Rapporteur on North Korea;
- 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 guarantee 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. Congressional Action to Advance Religious Freedom and Related Rights on the Korean Peninsula

The U.S. Congress should:

- work to build an international coalition of parliamentarians, experts, diplomats, and other opinion-makers to ensure that human rights and human security concerns are an integral part of future security

arrangements in Northeast Asia, including support for creating a new economic, human rights, and security zone in Asia similar to the OSCE;

- 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 and China, 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 the visiting Senate Foreign Relations Committee delegation in August 2003.