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United States Commission on International Religious Freedom
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Front Cover: KHUSHPUR, Pakistan, March 4, 2011 – Pakistanis carry the coffin of Shahbaz Bhatti, Pakistan's slain minister of minorities, who was assassinated March 2 by the Pakistani Taliban for campaigning against the country's blasphemy laws. Bhatti, 42, a close friend of USCIRF, warned in a Washington visit just one month before his death that he had received numerous death threats. More than 15,000 persons attended his funeral. (Photo by Aamir Qureshi/AFP/Getty Images)

Back Cover: JUBA, Sudan, January 9, 2011 – Southern Sudanese line up at dawn in the first hours of the week-long independence referendum to create the world's newest state. The referendum vote was the final milestone in the implementation of the 2005 Comprehensive Peace Agreement, which ended more than 20 years of north-south civil war in Sudan. (Photo by Roberto Schmidt/AFP/Getty Images)

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The 2011 Annual Report is dedicated to the memory of Shahbaz Bhatti, the Pakistani Federal Minister for Minorities Affairs. Shahbaz was a courageous advocate for the religious freedoms of all Pakistanis, and he was assassinated on March 2 by the Pakistani Taliban for those efforts.

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, with a deplorable human rights and religious freedom record. Severe religious freedom abuses occur regularly, including: 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 2011 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 controls nearly every aspect of its citizens' daily lives, including religious activity, which is allowed only in government-operated religious federations or a small number of government-approved house churches. All 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. There were reports of three executions of religious prisoners in the past year.

The situation for North Korean refugees remains dire. The North Korean government interrogates asylum-seekers repatriated from China about their religious belief and affiliations, and mistreats and imprisons as security threats those suspected of distributing religious literature or having ongoing connections with South Korean religious groups. According to testimony from former North Korean refugees, clandestine religious activity in North Korea is increasing, as are the regime's attempts to halt its spread. In recent years, police and security agency offices have infiltrated Protestant churches in China, begun training police and soldiers about the dangers of religion, and set up fake prayer meetings to catch worshippers.

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 urges that agreements on humanitarian and human rights concerns be included in negotiations with North Korea over nuclear security and regional stability. USCIRF urges the administration to work with regional allies at the Six-Party Talks to raise human rights concerns, including religious freedom, and to 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 largely 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, or disappeared, or have fled to South Korea.

The government forcibly 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. The government views any functioning religious belief or practice outside of *Juche* as a challenge to this personality cult surrounding the Kim family, and thus to the regime's authority. Under this system, 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. There are an estimated 100,000 *Juche* research centers throughout the country.

Religious activity is either tightly controlled or suppressed. In an attempt to blunt international criticism of North Korea's abysmal religious freedom record, in 1988 the government created "religious federations" for Buddhists, Chondokoyists, Protestants, and Catholics. These federations were intended to represent long-repressed religious communities 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 who conceal from international attention the government's repression of religious activity, maintain religious venues as both cultural relics and tourist attractions, and direct assistance programs from foreign donors.

Government Control of Buddhism

According to former North Korean refugees, Buddhist temples and shrines are maintained as cultural heritage sites by *gwalliwon* (caretaker monks) who do not perform religious functions. Employed by the regime, these monks 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 culture. Refugee testimony provides little evidence of an actual underground Buddhist religious presence.

Government Control and Repression of Christianity

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

attend services in the churches are not allowed to interact with foreign visitors. There is no Catholic clergy in North Korea, but visiting priests occasionally provide mass at Changchun Church.

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 unapproved religious materials are available and secret religious meetings occur, spurred by cross-border contact with individuals and groups in China. The North Korean government views such activity in the border regions as illegal and a threat to national security. It sees new religious growth as spurred by South Korean humanitarian and missionary groups based in China. Police and border security units are trained to halt the spread of religious ideas and root out clandestine activity. Anyone caught distributing religious materials, holding unapproved religious gatherings, or having ongoing contact with overseas religious groups is subject to severe punishment ranging from labor camp imprisonment to execution. In May 2010, 23 Christians were reportedly arrested for belonging to an underground church in Kuwol-dong, Pyongsong City, South Pyongan Province. It is claimed that three were executed, and the others were sent to the Yoduk political prison camp. However, these claims could not be verified. South Korean NGOs claim 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. In March 2006, Son Jong Nam was sentenced to death for spying reportedly based on evidence that he converted to Protestantism. According to Son's brother in July 2010, Son was tortured and died in prison in December 2008.

Imprisoning religious believers remains a common practice, according to numerous reports of former North Korean refugees. While it is difficult to corroborate the exact number of prisoners, it is estimated that 150,000 to 200,000 prisoners currently may languish in North Korea's network of political prison camps, some for religious reasons. North Korea experts in South Korea, using testimony from refugees, estimate that there may be 6,000 Christians incarcerated in "Prison No. 15" in the northern part of the country. Testimony from former North Korean prison inmates and prison guards alleges 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 a few corroborated reports on forced abortions and cases of infanticide in the prison camps.

North Korean Refugees in China

Over the past decade, hundreds of thousands of people have fled to neighboring China and South Korea to escape persecution and famine in North Korea. With the number of North Korean refugees rising in China, issues of repatriation, trafficking, and general conditions are of international concern. The Chinese government continually labels North Korean refugees as "illegal" economic migrants and routinely repatriates them, despite China's international obligation to offer protection to asylum-seekers and the documented proof that repatriated refugees suffer mistreatment and imprisonment in North Korea when returned. According to the concluding observations of the UN Committee Against Torture's (CAT) 2008 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 Committee urged China to halt forced repatriations, to adopt legislation to protect asylum seekers

consistent with Article 3, and to provide precise data to the CAT. Although 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 or employment in China, the North Korean government had been forced to reduce punishments of those leaving for those reasons to short periods of detention and forced labor. However, over the past few years, refugees report that the government is returning to its implementation of harsher penalties for repatriated North Koreans, regardless of their reasons for fleeing. The harshest treatment is reserved reportedly for refugees suspected of becoming Christian, distributing illegal religious materials, or those refugees 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 credible 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. Former government security agents now abroad reported intensified police action aimed at halting religious activity at the border.

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 with 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 for direct negotiation with the United States on a treaty formally ending 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.

Although Ambassador Robert King, the Special Envoy for North Korean Human Rights, has stated that human rights will significantly impact the prospects for improved U.S.-North Korea relations and that specific improvements will be required for normalization of relations, there is no indication that a human rights agenda is any higher a priority now than under the previous administration. The Obama administration has sought to coordinate efforts between the two Special Envoys on North Korea, placing them together in the State Department's Bureau of East Asian Affairs. But given Pyongyang's recent acknowledgement of uranium enrichment facilities and international unease over the leadership transition in North Korea, human rights concerns have not been high on any diplomatic agenda.

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 Member States to inspect cargo to and from North Korea, instructs international financial and credit institutions to bar 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 preconditions.

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 seeks to facilitate resettlement of North Korean refugees to the United States. 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, Korean-American organizations are calling on the Special Envoy for North Korean Human Rights to take a larger role in coordinating resettlement of North Koreans in the United States.

According to the State Department's 2010 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

USCIRF has concluded that negotiations with North Korea should be rooted in a broader security framework that includes human rights and humanitarian concerns within negotiations on nuclear non-proliferation. North Korea continues to be a regional security concern whether or not it possesses nuclear weapons. In addition to recommending the continued designation of North Korea as a CPC, USCIRF urges the Obama administration to coordinate the efforts of regional allies, including those at the Six-Party Talks, to raise human rights concerns, including concerns about religious freedom, and to link future economic, political, and diplomatic assistance to progress in these areas. The United States should not postpone discussion of human rights until nuclear security agreements are reached. Doing so would allow the North Koreans to allege that the United States and its allies are raising new obstacles to regional peace when progress on nuclear non-proliferation is made. The Obama administration should clearly signal that future political, diplomatic, or economic inducements will require improvements in both human and nuclear security issues and work with democratic allies in the region to put such a plan into action.

USCIRF also recommends that the U.S. government fully implement the North Korean Human Rights Act, and use funds from the Act to expand access to information and new media to counter government propaganda within North Korea and to support NGOs conducting democracy and human rights training in the North Korean diaspora. The U.S. government also should continue to protect and assist North Korean refugees, and the U.S. Congress should take action to promote religious freedom in North Korea.

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

The U.S. government should:

- in negotiations on nuclear security and stability on the Korean Peninsula, including 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, closure of political-penal labor camps, and the release of innocent children and family members of those convicted of political crimes, and link future economic assistance and diplomatic recognition to concrete progress in these areas;
- 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; and
- 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

(OSCE) – 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).

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, increase 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;
- target appropriated foreign assistance to build a cadre of experts and potential leaders among North Korean refugee populations, through the creation of scholarship, leadership, educational, and other programs in the United States; and
- ensure full implementation of the North Korean Human Rights Act’s provisions to facilitate North Korean refugee resettlement in the United States by, among other things, having the Special Envoy for North Korean Human Rights, working with other State Department offices and the Department of Homeland Security, assess and report on current implementation and obstacles.

III. Protecting North Korean Refugees

The U.S. government should:

- urge the Chinese government to uphold its international obligations to protect asylum seekers by: allowing the UN High Commissioner for Refugees (UNHCR) to confer temporary asylum on those seeking asylum 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 relating to any bilateral agreement with North Korea 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, address growing social problems, abuses, and exploitation experienced by this vulnerable population, and work with regional and European allies to articulate a clear and consistent message about China’s need to protect North Korean refugees;
- continue to stress U.S. and international concerns about providing safe haven, secure transit, quick processing, and clear resettlement procedures for North Koreans in bilateral relations with China, Russia, Mongolia, Vietnam, Thailand, Cambodia, and other countries in East Asia;
- educate embassy personnel more thoroughly in countries where North Koreans have fled about the circumstances such refugees face, increase staffing levels particularly of Korean language speakers to assist North Korean refugees, and publicize the availability of support for North Koreans who seek resettlement in the United States; 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 carry out the recommendations of various UN bodies and special procedures, particularly those of the Human Rights Council's Special Rapporteur on North Korea;
- urge the Office of the UN High Commissioner on Human Rights to open an office in Seoul, South Korea in order to initiate 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 so 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.