BUILDING BRIDGES NOT WALLS:

The Case for Constructive, Critical Engagement with North Korea

The Third Report by
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UK All Party Parliamentary Group for North Korea

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“To begin is to half-complete the task”

(A Korean Proverb)
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1 Executive Summary

“Men should build bridges, not walls”
(words written by Lord Alton and Baroness Cox in the visitors’ book at the De-militarised Zone (DMZ) at Panmunjom, on the border between North and South Korea, 16 September, 2003)

From October 22-27, 2010 we made our third visit to the Democratic People’s Republic of Korea (DPRK). Our visit coincided with the tenth anniversary of the establishment of diplomatic relations between the United Kingdom and the DPRK, and the sixtieth anniversary of the outbreak of the Korean War, in which an estimated three million Koreans and thousands of US, Chinese, British and other countries’ servicemen died.

Earlier in the year, in March, the sinking of the South Korean vessel, the “Cheonan”, led to the loss of 46 lives and within 48 hours of our departure from North Korea a missile attack was launched by the North, on Friday, 29 October, across the border at the 38th parallel, the DMZ. The shooting, the first across the land border since 2006, occurred in Hwacheon, 56 miles north-east of Seoul. Earlier in the day, the North warned its neighbour that it would face a “catastrophic impact” if the South continued to reject talks to ease the current tension. It remained unclear whether this was an accident or a deliberate provocation in advance of the G20 Summit of world leaders meeting in Seoul on November 11 and 12, 2010.

Behind lethal sabre rattling spats, and the recent theatrical military displays, staged in Pyongyang during the 65th anniversary of the founding of North Korea’s Workers Party, lies the ever present danger of a military skirmish igniting a major new conflict. It is our fundamental conclusion that through patient but firm engagement this dangerous situation is capable of resolution. Distinguishing between an antipathy towards a decaying political ideology and a love of the dignified and courageous Korean people, caught in this nexus of danger and despair, must remain our central concern. For sixty years Korea has neither had war nor peace – simply an Armistice signed at Panmunjom on July 27th 1953 – and which was designed to put a temporary halt to further carnage while a longer term solution was ironed out.

This report is a modest contribution to finding a way towards a permanent peace treaty, which itself would pave the way for reunification and denuclearisation of the Korean peninsula. It suggests confidence building measures, examines the human rights situation, and builds on our two previous reports, following our parliamentary visits to the DPRK in 2003 and 2009. Those reports were entitled “North Korea: Finding a Way Forward” (2003) and “Carpe Diem: Seizing The Moment for Change” (2009).

In 2004, we established the All Party Parliamentary Group for North Korea on the principle of constructive, critical engagement, and visits to the DPRK have been made by Gary Streeter MP and Lord Bates in 2004 and, at our request, by the former Chief of Defence Staff, General the Lord Guthrie of Craigiebank, GCB, LVO, OBE, DL, in 2005.
Bill Rammell MP, then Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs, became the first UK Government Minister to visit North Korea, in 2004. In the same year, the Speaker of the Supreme People’s Assembly (SPA), Choe Tae Bok, visited London, and he has accepted an invitation to visit the United Kingdom again early in 2011. In September, 2010 Middlesbrough Ladies’ Football Team visited the DPRK, which drew widespread interest and attention. The DPRK authorities have also extended an invitation to the Archbishop of Canterbury, the Most Reverend Dr. Rowan Williams, to visit the country and to engage in talks about religious liberties.

Our visit took place at a critical time in the DPRK’s history, just over one week after the sixty-fifth anniversary of the establishment of the Workers’ Party of Korea, which saw unprecedented access by international media to the country. The visit also followed soon after the Workers’ Party of Korea’s first conference since 1966, at which Kim Jong-Un, the son of the ruling leader Kim Jong-il, was promoted to the rank of four-star General and Vice-Chairman of the Central Military Commission. Kim Jong-Un, aged 27, is widely expected to succeed his father as the supreme leader, continuing the Kim family’s rule for a third generation. Senior officials in the DPRK government told us that the country is entering a period of “momentous change”.

In the eighteen months since our previous visit, several significant events have occurred which further strained relations between the DPRK and the rest of the world. The sinking of the South Korean submarine, the ‘Cheonan’, in March 2010, fuelled tensions on the Korean peninsula. The imprisonment of Korean-American activist Robert Park, who travelled to the DPRK across the border from China on Christmas Day, 2009, to protest at the DPRK across the border from China on Christmas Day, 2009, to protest at the DPRK regime’s grave violations of human rights, and the subsequent detention of U.S. activist Aijalon Gomes, put the spotlight on the human rights and humanitarian crisis in the DPRK. Both were subsequently released, after extensive diplomatic efforts by the U.S, after several months in detention. The United Nations conducted a ‘Universal Periodic Review’ (UPR) of the DPRK’s human rights record. A new Special Rapporteur on Human Rights in the DPRK, Mr. Marzuki Darusman, has replaced Professor Vitit Muntarbhorn (who throughout his tenure was refused admission to the country).

During our visit, we discussed the security situation and the quest for peace on the Korean peninsula. The DPRK officials made it clear that a permanent peace, and reunification of Korea, is their priority, and they emphasised their commitment to negotiating a peaceful resolution through dialogue.

We also raised a number of serious concerns over the grave, systematic and widespread violation of human rights, including reported executions, abuses in prison camps, torture, violations of religious freedom, women’s rights, child rights, disabled rights, and humanitarian concerns including malnutrition. We presented DPRK officials with a paper summarising our concerns and recommendations, as well as the former UN Special Rapporteur’s final report, documents pertaining to the Universal Periodic Review and its recommendations, UN General Assembly resolutions, Human Rights Watch reports and a summary of speeches made at a conference on human rights organised by the Chinese Government in Beijing from October 19-21, 2010, at which Lord Alton had spoken. In particular, we urged the DPRK government to invite the new Special Rapporteur, Mr. Marzuki Darusman, to visit the DPRK, and to open access to prison camps to international observers.
We also had the opportunity to see some encouraging developments, including the establishment of a Russian Orthodox Church in which Russian diplomats freely worship; a Protestant seminary; the work of British Council teachers; English-language teaching at Kim il-Sung University supported by Canada; a newly opened e-Library at Kim il-Sung University; and the establishment of the impressive Pyongyang University of Science and Technology (PUST), with a faculty of teachers from the United States, the United Kingdom and the Netherlands. These are welcome developments which we hope will ultimately contribute towards the establishment of a more open and prosperous society for all the people of North Korea.

The current situation - neither war nor peace, merely a fragile 60-year-old armistice - only serves to perpetuate instability, fear and tension, with a risk of further tragedy. We believe the time has come for North and South Korea and the United States, with assistance from others in the international community including the United Kingdom (as a former combatant nation which saw 1,000 of its servicemen lose their lives in the Korean War), a neutral country such as Switzerland or Sweden (who were among the countries given responsibility in 1953 to oversee the armistice), and, above all, China, to work to find ways to turn the armistice into a permanent peace. A Beijing Peace Conference at which North and South could resolve their differences should be convened once the necessary preliminary brokering has been completed.

Once a peace treaty has been agreed, we believe the United States should immediately seek the establishment of diplomatic relations with the DPRK and the opening of an embassy in Pyongyang. A unilateral declaration by the U.S. that the war is over would be a helpful catalyst for fundamental change.

We also believe grave human rights concerns should be discussed through a process of dialogue and constructive, critical engagement, in parallel with a resumption of the Six-Party Talks concerning security, in the same way as the Helsinki Process was established by President Ronald Reagan and Margaret Thatcher with the Soviet Union. It is time for peace, and “it is time for Helsinki with a Korean face”. We are in complete agreement with David Hawk’s conclusion in his report *Pursuing Peace While Advancing Rights: The Untried Approach to North Korea*:

“For the last twenty years, the paradigm that has guided approaches to the Democratic People’s Republic of Korea (DPRK or North Korea) is that the pursuit of peace – either in the form of diplomatic discussions centering on North Korea’s nuclear weapons and missile programs or in the form of extended social, economic, and political engagement aims at fostering improved relationships between the DPRK and other nation-states that intersect in Northeast Asia – requires that human rights concepts be kept off the table and that North Korea’s potential partners in the pursuit of peace and reconciliation affect a deaf, dumb, blind and mute posture toward the systematic, severe, and widespread human rights violations in the DPRK. Over the last two decades .... there have been recurring cycles of provocation, confrontation, and crisis alternating with negotiations and engagement. Throughout, these two contrasting approaches to North Korea – negotiations, reconciliation, and engagement in the pursuit of peace in ways that rebuff human rights considerations, or alternatively, the raising of human rights concerns about North Korea in the absence of an
attempt to reconcile and engage the DPRK – have both failed. .... [There is] an alternative that would pursue peace, engagement, and reconciliation in association with the promotion and protection of human rights: a fundamentally new and untried approach.”

Lord Alton of Liverpool
Baroness Cox of Queensbury
October 28, 2010

The delegation with the Speaker of the Supreme People’s Assembly, Choe Tae Bok, the Chairman of the DPRK-EU Friendly Parliamentary Group of the Supreme People’s Assembly, Ri Jong Hyok, the British Ambassador to the DPRK, H.E. Peter Hughes, and members of the Supreme People’s Assembly.

1 David Hawk, Peace While Advancing Rights: The Untried Approach to North Korea, p.7
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2 Background and Context

a. Brief Historical Background

The history of the Korean Peninsula over the past century is one of immense bloodshed, suffering, conflict and tension. From 1910 until 1945, Korea was under a brutal Japanese occupation, in which thousands of Koreans were tortured, raped, summarily executed and shot at random in the streets. In 1949, the Democratic People’s Republic of Korea (DPRK) was formed in the northern part of the peninsula, but a year later war broke out between North and South. The United Nations intervened, with troops from the United States, United Kingdom, Australia, Canada and twelve other countries, while China and the Soviet Union entered the war in support of North Korea. From 1950-1953, the peninsula was torn apart in a war which claimed between 2.5 million and 3.5 million lives. At least 1,000 British servicemen died in the Korean War, more than in Iraq, Afghanistan and the Falklands combined. After a ceasefire was agreed in 1953, the country was divided along the 38th parallel, but technically the parties are still at war and no permanent peace settlement has been achieved.

For over 60 years, North Korea has been ruled by the Workers’ Party led by the Kim dynasty. Kim il-Sung, known as the “Great Leader”, ruled the country for 45 years, and was succeeded by his son, the current leader Kim Jong-il, known as the “Dear Leader”. A philosophy known as “Juche”, or self-reliance, has been the guiding influence on the regime’s policies, and has resulted in decades of isolation. The regime has engaged in criminal activities including the narcotics and arms trades, money laundering, abductions, the alleged testing of chemical weapons on civilians, widespread and severe violations of human rights, and the development of a nuclear programme. An estimated 300,000 people have fled the country², and, according to figures cited by the United Nations, more than 200,000 are believed to be held in North Korea’s prison camps.

b. Contemporary context and recent developments

In October 2010, the Workers’ Party of Korea held its first conference since 1966³. Kim Jong-il’s son Kim Jong-un, believed to be only 27, was named Vice-Chairman of the Central Military Commission, appointed to the Workers’ Party central committee and given the rank of four-star General. A few days later, a senior North Korean official confirmed that Kim Jong-un was being prepared to succeed his father as the country’s ruler.⁴

This development, perpetuating the Kim dynasty’s rule over North Korea, is the latest in a series of key events in the past year. As The Daily Telegraph commented, Kim Jong-un’s “inheritance is a broken country, reduced to famine after years of on-off sanctions and isolation”.⁵

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² UNHCR, Thousands of North Korean children wander uncared for in China, 15 November, 2007
³ The Daily Telegraph, “North Korea: The Hermit Emerges,” 22 September, 2010
⁴ BBC, “North Korea talks up Kim Jong-un as likely successor,” 8 October, 2010
⁵ The Daily Telegraph, “North Korea: The Hermit Emerges,” 22 September, 2010
In November 2009, the regime’s decision to significantly devalue the nation’s currency caused misery for many ordinary people, already living in poverty. As Sharon LaFraniere, writing in *The New York Times*, notes, “It hardly seemed that life could get worse ... North Koreans are used to struggle and heartbreak. But the November 30 currency devaluation, apparently an attempt to prop up a foundering state-run economy, was for some the worst disaster since a famine that killed hundreds of thousands in the mid-1990s.” According to the UN World Food Programme, one in three North Korean children under the age of five is malnourished, and more than one in four people need food aid.

In March, 2010 the DPRK was accused of sinking a South Korean naval vessel, the *Cheonan*, causing the deaths of 46 people. As one of the authors of this report, Lord Alton, concluded in a recent article, *Helsinki with a Korean Face*, this led to “a massive deterioration in relations between South Korea and North Korea. It was reckless belligerence, with calamitous consequences. The folly of indifference to these events is self-evident. [The sinking of the Cheonan] represents one of the worst breaches of the armistice that ended the Korean War 57 years ago. Before this unprovoked attack, the Korean peninsula was already a tense and dangerous place. North Korea has the world’s fourth-largest standing army, comprising over one million troops, who are on a war footing. There is the added danger of nuclear capability.” Current tensions could make “the Korean peninsula the most dangerous place on earth.”

Other key incidents in the past year which have further strained North Korea’s relations with the international community, and particularly the United States, have involved the arrest of four U.S. citizens in North Korea. In August 2009, former U.S. President Bill Clinton visited Pyongyang and secured the release of two American journalists, Laura Ling and Euna Lee, who had been abducted five months earlier by North Korean agents on the North Korean-China border. The two reporters had been sentenced to twelve years’ hard labour for engaging in “hostile acts”. Their release was followed a few months later by the arrest of Robert Park, a Christian Korean-American human rights activist who illegally entered North Korea across the border with China on Christmas Day 2009, to protest at the regime’s grave violations of human rights. He was released in February 2010. Following Robert Park’s arrest, another American Christian activist, Aijalon Gomes, was arrested for illegally entering the country across the border from China and sentenced to eight years’ hard labour in April 2010. In August, 2010, former U.S. President Jimmy Carter visited North Korea and secured his release.

North Korea has a deplorable human rights record, and in the past year this has been highlighted once again by survivors of the North Korean prison camps or “gulags”, who have given evidence at hearings in the House of Commons in London, and the European Parliament in Brussels. In November 2009, two North Korean former prisoners, Jung Guang-il and Lee Sung Ae testified at a meeting of the All-Party Parliamentary Group (APPG) for North Korea chaired by one of the authors of this report, Baroness Cox. They described horrific forms of torture in the prison camps in North Korea. In the course of beatings, for example, prison guards broke all of Guang-il Jung’s teeth.

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8 Lord Alton, *Helsinki With a Korean Face*, 2010
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was subjected to “pigeon torture”, in which he was handcuffed with his arms tied behind him to an object, making it impossible for him to stand or sit. He told The Guardian that he felt as though his bones were breaking through his chest while the rest of his body was paralysed. After nine months in detention, his weight fell from 75kg to 38kg. When Lee Sung Ae was imprisoned, all her nails were pulled out with pliers, all her lower teeth destroyed and guards poured water, mixed with hot chillies, up her nose. On 7 April, another survivor of the prison camps, Shin Dong-Hyok, who was born in Political Prison Camp 14, testified at a hearing in the European Parliament and described witnessing executions and being roasted over a fire after being severely beaten. He has previously testified at hearings in the British Parliament, and his testimony has been documented in our previous reports. In a resolution in July, 2010 the European Parliament called on the UN to establish a Commission of Inquiry to investigate crimes against humanity in North Korea.

In 2010, public executions have reportedly increased significantly in North Korea. According to intelligence sources, in the first half of 2010 alone at least 22 people have been publicly executed, compared with seven executions in 2009. In December 2009, at least four people were shot in public for protesting against the currency devaluation, and in January, 2010 a man was executed for using a mobile phone to call South Korea. In August, 2010 it was reported that North Korean police raided an underground church in Pyongan province, arrested 23 Christians, and executed the three church leaders. In December, 2007 North Korea added new clauses to the Criminal Code, expanding the range of charges punishable by death from five to 21. The death penalty reportedly now applies to a broad range of offences, including robbery, economic crimes such as cutting and smuggling power cables, prostitution, mass copying and distribution of foreign audio-visual materials, espionage and “extremely serious cases of concurrent offences”. An editorial in The Times on 27 September, 2010 entitled Slave State sums up the situation powerfully:

“The condition of the people of North Korea ranks among the great tragedies of the past century. The despotism that consigns them to that state is one of its greatest crimes.”


c. Engagement with the DPRK on peace and security issues

As we argued in our previous reports, the current armistice on the Korean peninsula, sixty years after the outbreak of hostilities, is a completely unsatisfactory and destabilising situation. While there is no war, no lasting peace has been established, creating a dangerous atmosphere of mistrust, insecurity and instability for all Korean people. By the 1970s an estimated ten million people had been separated from relatives on either side of the 38th parallel, the line dividing North and South Korea, and the Vice Minister for Foreign Affairs, Kung Sok Ung, told us that, taking into account second and third generation family members, the number today could be as high as 20 million people.

Since 1977, North Korea has proposed Three Charters of National Reunification. In 1977, the first principles were set out, proposing a peaceful reunification on the basis of “Grand National Unity”, to

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9 The Guardian, “North Korean defectors tell of torture and beatings,” by Mark Tran, 4 November, 2009
10 The Chosun Ilbo, “Public Executions on the rise in North Korea,” 7 October, 2010
be achieved by Koreans regardless of different political or religious beliefs and without foreign intervention. In 1980, North Korea proposed the establishment of a democratic federal republic of Koryo, built on the principle of “one country, two systems”. This was developed in 1992 into a ten-point programme for “Grand National Unity”, a detailed action plan to achieve independent, peaceful reunification. This emphasised the unique contribution to be made by all political forces, the reunion of separated families on a regular basis, the promotion of exchanges between the two sides across the border, and an end to political retaliation and “slandering” of each other. Broadly, South Korea has expressed agreement with these proposals, and the international community welcomed the concept of “one country, two systems” and a federal structure for reunification. In 2000 and 2007, summits were held between North and South Korea and joint declarations were issued, agreeing an action plan. In the 19 September, 2005 Joint Statement, a specific commitment to begin peace talks was agreed. The statement reads: “The six parties committed to joint efforts for lasting peace and stability in Northeast Asia ... The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum.” However, the current government in South Korea under President Lee Myung-bak has abandoned these since it was elected in 2007.

Despite the sinking of the South Korean naval vessel, the Cheonan, the indications from North Korea about its desire for a peaceful negotiation are encouraging. On 11 January, 2010 the North Korean Foreign Minister, Pak Ui-Chun, issued a remarkable statement, calling for peace talks. In his statement, he said:

“... The denuclearization of the Peninsula is the goal of the policy consistently pursued by the Government of the Republic with a view to contributing to peace and security in Northeast Asia and the denuclearization of the world ... It is our conclusion that it is necessary to pay primary attention to building confidence between the DPRK and the United States, the parties chiefly responsible for the nuclear issue, in order to bring back the process for the denuclearization of the Korean Peninsula on track. If confidence is to be built between the DPRK and the US, it is essential to conclude a peace treaty for terminating the state of war, a root cause of the hostile relations, to begin with. When the parties are in the state of war where they level guns at each other, distrust in the other party can never be wiped out and the talks themselves can never make smooth progress, much less realizing the denuclearization. Without settling such essential and fundamental issue as war and peace no agreement can escape from frustration and failure as now .... The conclusion of the peace treaty will help terminate the hostile relations between the DPRK and the US and positively promote the denuclearization of the Korean Peninsula at a rapid tempo. Upon authorization, the DPRK Foreign Ministry courteously proposes to the parties to the Armistice Agreement an early start of the talks for replacing the AA by the peace treaty this year which marks the lapse of 60 years since the outbreak of the Korean War. The above-said talks may be held either at a separate forum as laid down in the September 19 Joint Statement or in the framework of the six-party talks for the denuclearization of the Korean Peninsula like the DPRK-US talks now under way in view of their nature and significance. The removal of the barrier of such discrimination and distrust as sanctions may soon lead to the opening of the six-party talks. If the parties to the AA sincerely hope for peace and security and the denuclearization of the Peninsula, they should no longer prioritize their interests but make a bold decision to deal with the fundamental issue without delay.”

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Regrettably, the United States rejected the proposal and another opportunity was missed. We believe this was a mistake. As one observer told us, “if your adversary offers to talk, it is morally wrong to refuse. The unpredictability of the situation lies with the closed-ness of the system, but if we open a bit, the unpredictability will dissipate. The North Koreans are eager for outside contact. It is not self-isolation – we are isolating them.”

Immediately prior to our visit, the North Koreans initiated another round of family reunions, at Mount Kumkang. This time, they did not seek to impose any conditions, a step we warmly welcome.

During our visit, senior DPRK officials, including the Vice Minister for Foreign Affairs, told us that North Korea’s position “remains unchanged – to settle the issues through negotiation and dialogue, and to secure stability through peaceful means.” It is also interesting that the emphasis in North Korea has changed, from a focus on its ‘Songun’ or “military first” policy, to a new objective of establishing a “great, prosperous and powerful nation” by 2012. This was set out in a communiqué by the Workers’ Party of Korea on 11 October, marking its sixty-fifth anniversary, in which it spoke of building a “dignified and prosperous” nation. This change of emphasis is very welcome, and presents the international community with another important opportunity.

We restate our fundamental belief that the moment should now be seized to convene a peace conference, to bring together the governments of North and South Korea and the United States to negotiate a peace agreement. We reiterate that a former combatant country, such as the United Kingdom, a neutral country such as Switzerland or Sweden, could work together with China to facilitate such a peace conference, perhaps in Beijing.

A few days before our visit to the DPRK, Lord Alton met General Jin Mao, member of the Foreign Affairs Committee of the National People’s Congress in China, Vice Chairman of the China-UK Friendship Group, and a former admiral in the Chinese navy. During a discussion in Beijing, General Jin said that ultimately the situation must be resolved by the governments of North and South Korea themselves, and a solution to the current impasse must be found by the Korean people. This was also strongly emphasised by DPRK officials. However, the international community can and should assist North and South Korea by facilitating talks, introducing confidence-building measures and helping to prepare a blue-print for a peace treaty.

Such a process should be held in parallel with, and complementary to, the Six-Party Talks between North Korea, South Korea, China, Japan, Russia and the United States. The Six-Party Talks relate specifically to denuclearisation of the Korean Peninsula, and should resume as soon as possible. It must be recognised that the DPRK has energy security needs, and should be encouraged to find alternative sources of energy, entering into a denuclearisation process while developing hydro-power and other alternatives.
d. Engagement with the DPRK on social and welfare issues

Food security, health care and education in North Korea are areas which require serious attention in North Korea, and there are significant opportunities for meaningful engagement with the DPRK authorities on these issues.

Food Security
In the mid-1990s, the DPRK was hit by a severe famine which killed between one and two million people, or five percent of the population. Hundreds of thousands more fled to China to find food. Very belatedly, the North Korean regime allowed the limited opening of the country to foreign food aid, but in 2005 the regime asked the UN to discontinue the World Food Programme (WFP)’s emergency food assistance and focus on long-term development aid. Most other humanitarian agencies were asked to close their operations and leave the country. The same year, the regime banned the private buying and selling of grain, the main source of nutrition for most North Koreans, forcing people to rely on the state for their most basic needs.

All this has had lasting effects on the current generation. Professor Hazel Smith, who worked with the WFP in North Korea, has said: “The under twenties have never seen anything other than hunger and if food doesn’t go in there will be another famine, and soon.” More than 37 per cent of six year-olds are chronically malnourished, and stunted growth among the population has led to the North Korean army reducing its height requirement from 4 foot 11 to 4 foot 3. Malnutrition makes the population more vulnerable to disease, and when combined with a poor water system, a breakdown in the sewage and piping system, poor hygiene and an under-resourced public health and immunisation system, the humanitarian and health needs in the DPRK require urgent attention.

The British Ambassador to the DPRK, Peter Hughes, drew attention to “chronic malnutrition” in an interview with the BBC shortly before our visit. Whatever political difficulties there may be in the relationship between North Korea and the international community, food must never be used as a weapon. The international community should find ways to engage with the DPRK to ensure that necessary assistance is provided to address malnutrition and food shortages.

During a visit to a co-operative farm at Sariwon, 40 kilometres from Pyongyang, we were concerned to hear reports of a poor cabbage harvest (crucial to the provision of kim chi during the coming winter), and heard several anxious remarks about general shortages of other foods.

Health Care

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13 This section is primarily background information. A summary of issues raised during our visit is contained in section 6.
15 Ibid., p.2
16 Ibid., p.2
17 Lord Alton & Baroness Cox, Carpe Diem: Seizing the moment for change in North Korea, February 2009, p.6
18 Ibid., p.6
North Korea continues to face significant health care challenges, particularly concerning Hepatitis B, Tuberculosis and Malaria. However, several sources report positive progress. The World Health Organisation (WHO), for example, reports a 95% decrease in the number of malaria cases from 185,420 in 2002 to 9,300 in 2006, and a drop in chronic malnutrition from 62% in 1998 to 37% in 2004.\textsuperscript{20} At the Millennium Development Goals (MDG) debate on 21-22 September, 2010 the DPRK spokesperson H.E. Mr. Pak Kil Yon claimed that his country has already met several of the eight goals, including universal free healthcare.\textsuperscript{21}

Despite this progress, increased engagement between the DPRK and the international community is necessary, including greater access for humanitarian agencies. The DPRK reportedly allocates only $2-4 per capita for official development assistance,\textsuperscript{22} and a recent Amnesty International report, \textit{The Crumbling State of Healthcare in North Korea}, details some serious concerns.

On previous visits, we encouraged the DPRK authorities to provide access for MERLIN (Medical Emergency Relief International), a British medical charity co-founded by Baroness Cox, and we reiterated that request during this visit.

We were, however, heartened that, working through Christian Friends of Korea, organisations such as Samaritan’s Purse and the Eugene Bell Foundation, have been able to do much life-saving work on the alleviation of tuberculosis. A remarkable Catholic priest, Fr. Gerry Hammond, working with the Foundation, has been able to make over 43 visits to the DPRK, bringing much needed medicines and equipment to assist with tuberculosis diagnosis and relief.

\textit{Education}

English is now the predominant foreign language taught in primary and secondary schools in North Korea. On all our visits, we have been very impressed by the levels of English language proficiency among students at the Kim Il-Sung University (whom we met and with whom we spoke), in schools in Pyongyang (such as Moranbong Secondary School where we took part in an English lesson), and among our talented interpreters from the Ministry of Foreign Affairs. Ten years ago, the British Council began its teaching programme in North Korea, and there are currently three teachers in Pyongyang, with a fourth soon to arrive – reaching what Ambassador Hughes describes as “generation next.” In February, 2010 the BBC website carried an excellent article about the British Council teachers\textsuperscript{23} - whom we met during our visit and whose admirable work we highly commend. The British Government has also introduced the Chevening scholarships for North Koreans to study in the UK for brief stints. Canada has also provided English language assistance – and we saw their excellent software programmes in use at Kim Il-Sung University.

\textsuperscript{22}Press Conference by Under-Secretary-General for Political Affairs on Visit to DPRK (16 February 2010). Available at: http://www.un.org/News/briefings/docs/2010/100216_Pascoe.doc.htm
In 2010, North Korea’s first privately-funded university, the Pyongyang University of Science and Technology (PUST), was opened by its President, Dr. James Chin-Kyung Kim. We had the privilege of visiting the campus, meeting the formidable Dr.Kim (who spent time in a North Korean gaol) and were deeply impressed by what has been achieved. The university has faculty from the United States, the UK, the Netherlands, China and other countries, and classes will be carried out in English.

These are very welcome developments, and the DPRK authorities should be commended for this progress. The international community should continue to engage with the DPRK to further increase and expand educational opportunities for the people of North Korea.

e. Engagement with the DPRK on human rights

The former UN Special Rapporteur on the Situation of Human Rights in the DPRK, Mr. Vitit Muntarbhorn, who ended his term of office in 2010 and earlier in the year appeared before the APPG, has described North Korea’s human rights record as “abysmal” due to “the repressive nature of the power base: at once cloistered, controlled and callous.” The exploitation of ordinary people, he said, “has become the pernicious prerogative of the ruling elite”. All eight of his reports to the UN have detailed a very grave situation, in which the abuses are “both systematic and pervasive” and “egregious and endemic”, and he has concluded that “it is incumbent upon the national authorities and the international community to address the impunity factor which has enabled such violations to exist and/or persist for a long time.” He has further recommended that the UN consider “whether the issue of violations in [the DPRK] will be taken up at some stage at the pinnacle of the system, within the totality of the United Nations framework,” and has called on the international community to “mobilise the totality of the United Nations to promote and protect human rights in the country; support processes which concretise responsibility and accountability for

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human rights violations, and an end to impunity." 28 In his final report, the outgoing Special Rapporteur concluded:

“The human rights situation in this country can be described as sui generis (“in its own category”) ... Simply put, there are many instances of human rights violations which are both harrowing and horrific .... It is thus essential to mobilise more comprehensively the international system, especially the United Nations and all its affiliates, to act in a more concerted manner. To this end, the Special Rapporteur is open to both incentives and disincentives to influence the authorities of the country to act more responsibly towards its citizens.” 29

The Special Rapporteur specifically recommended a range of measures that the DPRK should take to improve human rights, including action to ensure effective provision of and access to food and other basic necessities for its people in need of assistance, co-operate with UN agencies and other humanitarian organisations, adopt a moratorium on capital punishment, end public executions and other abuses and stop the punishment of North Koreans who seek asylum abroad and are returned to the DPRK. 30

Regrettably, the DPRK has not permitted the Special Rapporteur to visit the country, and has failed to engage with him.

However, as we pointed out during our talks in Pyongyang, the Special Rapporteur has noted some constructive developments in regard to the DPRK’s willingness to engage with the international community. For example, the DPRK is a party to four key human rights treaties, on civil and political rights, economic, social and cultural rights, women’s rights and child rights, and has engaged with the monitoring bodies relevant to these treaties. Several UN agencies have been permitted to maintain a presence in the DPRK and in some respects, particularly child immunization, the authorities have been co-operative. In amendments to the Constitution in 2009, the words “human rights” were inserted into the text for the first time, and new policies on child rights have been developed.

In 2009, the DPRK was subject to a Universal Periodic Review by the UN, and the DPRK engaged with this process, sending representatives to participate and expressing a willingness to co-operate. A range of recommendations were made to the DPRK in the Universal Periodic Review.

28 Ibid.,
30 Ibid.,
f. UK Parliamentary engagement

On 13 March, 2003 Lord Alton initiated a debate in the House of Lords concerning human rights in North Korea. He quoted testimonies from survivors of the North Korean prison camps who described the horrific use of torture, forced labour, rape, starvation and executions. He also highlighted the particular plight of Christians in North Korea. “The threat to international security posed by North Korea may best be considered by way of pernicious actions against its own citizens,” Lord Alton said. “North Korea’s Stalinist dictatorship has treated its own people with unbelievable brutality and viciousness. The people are starving, the hospitals are without medicine and a whole generation has grown up stunted and mentally retarded because of malnutrition.” He concluded with these words:

“By championing the cause of those who are suffering in North Korea, the international community will create the conditions for the establishment of democracy ....Learning the lessons of [the] Helsinki [process], we must do nothing to licence the regime in Pyongyang to commit further atrocities against its own people. We should enter negotiations which guarantee human rights, such as free exchange of people and religious liberties ... By linking the present crisis with the human rights violations, a crisis can be turned into an opportunity. To do nothing about North Korea would be the most dangerous option of all.”

Despite such strong remarks, the DPRK invited us to visit the country for the first time in September, 2003. The then Deputy Foreign Minister, Chae Su Hun, told us:

“We also believe that the human rights issue is very important. We are not hesitant to hold a dialogue – although the question is whether it creates dialogue or confrontation. How to define human rights is the issue; the most important issue is the sovereignty of the State. The worst violation is to invade another country. The second right is the right to existence, the right to life.

In 2004, Lord Alton told the House of Lords:

“I believe that hard-headed, Helsinki-style engagement is worthwhile. The Helsinki Final Act 1975 linked foreign policy to basic human rights principles. That measure recognised that increasing the pressure for human rights, in combination with a firm policy of military containment, could act as the catalyst for change. The history of the DPRK suggests that mere threats will be counter-productive, inducing paranoia, isolationism and the destabilisation of the region. ... However, the regime knows that the status quo is not an option. The DPRK now needs a face-saving exit strategy.”

The APPG for North Korea is very active in Parliament, holding regular speaker meetings to highlight the human rights situation in the DPRK and explore ways of addressing the suffering of the people of North Korea. In recent years the APPG has held a series of meetings, including several evidence sessions where escapees have given their harrowing personal accounts and recently with the award
winning BBC journalist Sue Lloyd-Roberts, the previous UN Special Rapporteur Vitit Muntarbhorn, and the DPRK Ambassador to the United Kingdom, H.E. Ja Song Nam.

3 Objectives for the Visit

The purpose for the visit was to build on the opportunities for dialogue which have developed as a result of previous visits, and specifically:

- To build bridges with the DPRK, with a view to encouraging greater openness and respect for universal values of human rights;
- To mark the tenth anniversary of the establishment of diplomatic relations between the United Kingdom and the DPRK;
- To discuss details for a planned visit to the United Kingdom in 2011 by Mr. Choe Tae Bok, the Speaker of the Supreme People’s Assembly; a proposed visit to the DPRK by the Archbishop of Canterbury; and the holding of an English Literature Festival in Pyongyang during 2011;
- To promote educational and cultural exchange;
- To discuss humanitarian needs, particularly in health care, with the DPRK and assess how the delegation and others might offer assistance;
- To raise serious concerns regarding the grave violations of human rights in the DPRK, and engage in a meaningful discussion about how the DPRK can address these concerns;

The delegation brought at least 30 books as gifts for senior officials and for the Kim Il-Sung University, including multiple copies of the biography of William Wilberforce written by British Foreign Secretary, William Hague MP, and the film, “Amazing Grace”.

4 Personnel

The delegation consisted of:

- Professor the Lord Alton of Liverpool – Chairman, All Party Parliamentary Group (APPG) for North Korea
- The Baroness Cox of Queensbury – Vice-Chairman, APPG North Korea and Chief Executive, the Humanitarian Aid Relief Trust (HART)
- Benedict Rogers – Personal Assistant to the delegation, former Parliamentary Candidate (2005), and Deputy Chairman of the Conservative Party Human Rights Commission
5  Itinerary and Summary of Meetings

Friday, 22 October

The delegation arrived in Pyongyang, and was received at the airport by the Chairman of the DPRK-EU Friendly Parliamentary Group of the Supreme People’s Assembly (SPA), Ri Jong Hyok, who also serves as President of the Institute for National Reunification. Mr. Ri hosted a welcome dinner for us, with the British Ambassador to the DPRK, H.E. Peter Hughes.

Saturday, 23 October

We visited Mangyongdae, the birthplace of Kim Il Sung, the Juche Tower and the Arch of Triumph. We also visited the Pyongyang Hospital of Preventative Medicinal Practice No.3, and were impressed by the tuberculosis centre established with support from several international organisations, In the evening, we attended a concert by the Unhasu Art Troupe.

Sunday, 24 October

We attended services at the Russian Orthodox Church at Jongbaek-dong, where we had a discussion with one of the two priests, and the Janchung Catholic Church, where we met the Chairman of the Council of Korean Religionists. We visited the Bongsu Protestant Chapel and a new Protestant seminary. Our observations are noted in the section on Freedom of Religion.

In the afternoon, we visited the Folklore Street and the Migok Co-operative Farm in Sariwon, and had dinner in the evening with the British Council teachers, hosted by the British Ambassador.

Monday, 25 October

We had meetings with the following:

- The Vice-Foreign Minister, Kung Sok Ung
- The Chairman of the DPRK-EU Friendly Parliamentary Group of the Supreme People’s Assembly (SPA), Ri Jong Hyok
- The Deputy Director of the Department of International Relations of the Worker’s Party of Korea
- The Vice-Chair of the Democratic Women’s Union of Korea
- The Deputy Chairman of the Korean Federation for the Protection of Disabled People, Kim Mun Cho.

31 The delegation funded the costs of the visit themselves, through their own resources and through funds raised, but accommodation was provided in Pyongyang.
In these and other meetings we discussed the political, security, human rights and humanitarian situation in North Korea.

We visited the Pyongyang University of Science and Technology (PUST).

**Tuesday, 26 October**

We visited the E-Library and the new swimming pool at Kim IL Sung University, and observed an English-language class. We were impressed with these new facilities, although we recognise they are only available to an elite selection of students. We also visited the Grand People’s Study House, a public library with a collection of over 30 million books, more than 600 rooms and a variety of public lectures and seminars available to the general public. It can accommodate more than 5,000 seats, and 12,000 people can use it every day.

In the afternoon, we visited the Supreme Court, where we had an extensive discussion with the Senior Law Officer about the rule of law, the judiciary and human rights concerns. Details are reflected in the section on Legal and Judicial Concerns below.

We visited the Moranbong High School No.1, where we observed an English language class and an artistic and musical performance by students. We were impressed by the level of English language ability and the artistic talent of the students.

We concluded with a dinner, hosted by the British Ambassador, attended by the Chairman of the DPRK-EU Friendly Parliamentary Group of SPA, Ri Jong Hyok; the Director of the European Department at the Ministry of Foreign Affairs (MFA), Kim Chun Guk; the UK Desk Officer at the MFA, Mun Myong Sin; the Section Chief of the External Affairs Department of the SPA, Jo Kum Chul; the Official of the External Affairs Department of the SPA, Hyon Jong Ung; our interpreter from the MFA, Kim Ju Song; the First Secretary and Deputy Head of Mission at the British Embassy, William Palframan; the interpreter of the British Embassy, Ro Kwang Ryol; and the President of the Pyongyang University of Science and Technology, Dr. James Chin-Kyung Kim.

**Wednesday, 27 October**

We had a meeting with officials of the Central Committee of the Korea Journalists Union, and we discussed Internet access and prohibitions on broadcasts by the BBC. Currently, Internet is only available to the Korea Central News Agency, who produce bulletins of international news from the Internet, for circulation to Korean journalists on the Intranet.

We concluded our visit with a meeting with the Speaker of the SPA, Choe Tae Bok, with whom we discussed arrangements for his forthcoming visit to the UK, planned for early 2011. The Speaker told us that the goal of the DPRK “is to open wide the gate to a great, prosperous and powerful nation in 2012”.

We departed for Beijing at 17.20 and returned to London on 28 October.
6 Human Rights & Humanitarian Issues Discussed

The delegation raised concerns with the DPRK government over a range of humanitarian and human rights issues. This section summarises some of the concerns and issues discussed.

Freedom of Religion and Belief

We were pleased to be able to visit three churches in Pyongyang: the Russian Orthodox Church at Jongbaek-dong, where we had a discussion with one of the two priests, the Janchung Catholic Church, where we met the Chairman of the Council of Korean Religionists, and the Bongsu Protestant Chapel and a new Protestant seminary. We welcome the establishment of the Russian Orthodox Church, and were encouraged to see several Russian diplomats worshipping. On our previous visit in 2009, we gave a Bible to the North Korean Russian Orthodox priests, and we were pleased to learn this year that they continue to use the Bible we provided.

At the Bongsu Protestant Church, which was built in 1988, we were told that 20,000 Bibles and hymnals had been printed, and that there were 13,000 Protestants in North Korea. We were also told by the Korean Christian Federation that there are now 500 house churches in North Korea, although other sources question this and we were unable to verify these figures. We were encouraged to see the new seminary next to the church, with twelve students and ten teachers. The students pursue a five-year course and are then admitted to the Korean Christian Fellowship as pastors upon graduation. On the wall of the classroom are the words, in Korean, of James 2: 26 – “As the body without the spirit is dead, so faith without deeds is dead,” and Proverbs 9:10 – “The fear of the Lord is the beginning of wisdom, and knowledge of the Holy One is understanding”. The Protestant church expressed a desire to establish links with Protestant, particularly Presbyterian, churches in the UK, and appears to receive support from Korean-American Christians in some parts of the United States.
It is worth remembering that Kim IL Sung was raised in a Presbyterian family, his grandfather had been a church minister, and his family, particularly his mother Kim Jong Suk, regularly attended the Chilgol Protestant Church in Pyongyang, which still exists today. During Kim Jong IL’s visit to Jilin, China, in August, 2010 he visited a Catholic church. However, despite this strong historical association between the Kim family and Christianity, and despite some small, incremental progress in some areas, North Korea continues to severely restrict and suppress religious freedom. In 2009 the execution of at least two Christians, Ms. Ryi Hyuk Ok, and Ms. So Keum Ok, was reported, and in August this year an Asian news agency reported the execution of three house church leaders in the DPRK after a raid in Pyongan province. At least 20 other Christians were arrested and sent to Camp No. 15 in Yodok. We raised this case in several official meetings, but were told that these reports were “lies” and that the execution of Christians was “impossible”.

The government appears to designate certain detention facilities specifically for Christians, and these include the Suseong Edification Centre in Cheongjin City for ‘religious leaders and their families’, and gwalliso No. 18 for ‘people of faith’. In many camps religious offenders rank alongside Korean-Japanese ‘dissidents’ and families of those who have defected to South Korea, and are regarded as ideological enemies of the Party. Open Doors believe 50,000 to 70,000 Christians are currently detained in prison camps in the DPRK, although it is difficult to verify this figure. Recent accounts from defectors and China-based Christian organizations support the claim by the US Commission on International Religious Freedom (USCIRF) that there has been no “significant progress towards the protection of religious freedom in North Korea [2003-2008]”. The USCIRF’s report, A Prison without Bars, published in 2008, reveals growing trends, including the ongoing connection between religious activity and cross-border contact with China, and an increase in illegal or clandestine practice of Shamanism and Protestant Christianity. Interviews also found differences in the way different religions are regarded by both officials and the public. Shamanism and fortune-telling are widely tolerated: even government officers visit fortune tellers and practitioners receive only light sentences. Buddhist temples exist as sites of cultural heritage maintained by the Party, although genuine worshipers are taking a risk by worshipping openly. There are no estimates of the

32 ‘Kim Jong-il visits church but ‘remains hardline’.
33 Christian Solidarity Worldwide. ‘Violations of Human Rights in the DPRK’. (Nov 2009), ‘Recent Developments’ 2a)
number of practicing Buddhists in the DPRK. However, whereas Buddhism and Shamanism do not seem to be considered dangerous, both Protestantism and Catholicism are still severely oppressed due in part to perceived links with South Korea. As one Korean Bishop’s Conference official said, “North Korea has not given any sign of improving its relationship not only with the Catholic Church but with other religions in South Korea.” Protestant Christianity, in particular, continues to be regarded as a “direct ideological challenge” to the Kim ideology.

Although Article 68 of the DPRK Constitution guarantees freedom of religious belief, it also states that, “no one may use religion as a pretext for drawing in foreign forces or for harming the State and social order.” It is therefore possible for the government to argue that Christians returning from China are using the Christian faith to undermine the State. This claim is strengthened by Korean-American and South Korean Christians’ involvement in churches and safe houses along the Chinese border.

The Catholic Cathedral of Jangchung where three ministers led a liturgy. No Catholic priest has been permitted to say Mass for sixty years.

During our visit to the Catholic Church in Pyongyang, and in our official meetings, we expressed concern that the church has not given approval to a Catholic priest to be resident and to celebrate Mass. Instead, there are three ministers – possibly deacons - who lead the liturgy, and the Catholic congregation is denied a celebration of the Mass. We proposed to the DPRK authorities that they consider appointing a Catholic priest to serve the diplomatic community resident in Pyongyang, as there are undoubtedly Catholic diplomats. If the DPRK took such a step, this would be a welcome sign of progress. We note a recent report by Asia News that five North Koreans have been selected by Cardinal Nicholas Chung Jin-Suk to study at Seoul’s Incheon University and it would be a significant step forward if they are permitted to return to the North once ordained. We know that such pastoral provision was “an unfulfilled dream” of the widely admired and revered late Cardinal Stephen Kim Sou-Hwan.

We discussed with the Korean Christian Federation and with DPRK officials the possibility of a visit to the DPRK by the Archbishop of Canterbury, the Most Rev. Dr. Rowan Williams. Speaker Choe Tae Bok extended an open invitation to the Archbishop to visit the country and to preach in the three churches in Pyongyang.

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We welcome some of these small, incremental signs of progress, but continue to express grave concern over the continuing, severe repression of Christians, particularly outside Pyongyang, and we urge the DPRK to undertake steps to improve protection for religious freedom, in accordance with Article 18 of the UDHR and the ICCPR.

Legal & Judicial Issues

During our visit to the Supreme Court, where we met a Senior Law Officer, our discussion highlighted two key issues of concern. Firstly, when being given a tour of the courtroom, it was evident that the defendant in a trial is already deemed a suspect, as reflected in the structure of the courtroom in which the defendant is placed in small, wooden enclosure, seated on a small, very uncomfortable stool, in contrast to more comfortable chairs for others. The Senior Law Officer confirmed to us that the principle of innocent until proven guilty does not apply in the North Korean judicial system. “Most defendants are those whose crime has already been revealed, before indictment, by investigation by the police. When a person comes to court, we do not think of them as innocent,” he said. Furthermore, it appears that the legal defence available for the defendant would only become actively involved in the process once the “suspect” is brought to trial and all the relevant evidence has been prepared. We would urge the DPRK authorities to ensure that the accused receives legal assistance before the trial stage.

Revisions to the Criminal Code and Criminal Procedure Code in 2004 and further amendments in 2005 have been described as “positive” by human rights groups, although defectors’ testimonies suggest an inconsistency between criminal and/or constitutional legislation and its application. According to the Senior Law Officer, the death penalty is applied only in the most serious cases of treason and murder, and amounts on average to one or two executions a year. However, while exact numbers are unknown and difficult to verify, this is inconsistent with numerous reports claiming the much more regular use of the death penalty. Following the currency devaluation crisis, it was reported that former Finance Minister Pak Nam-gi was executed, in March 2010, for example. It is worth noting that on 7 October, 2010 the European Parliament adopted a resolution to mark the World Day against the Death Penalty, in which it specifically urges North Korea “to immediately and permanently stop public executions”.

In our discussions, we presented a list of countries which have abolished or strictly limited the use of the death penalty. Of North Korea’s top ten major donor countries, excluding China and South Korea, nine, including the UK, prohibit the death penalty. Brazil, an emerging trading partner for the DPRK, recommended that North Korea should establish a moratorium on executions with a view to abolishing the death penalty. Even countries such as Russia and Burma, while not officially abolishing the death penalty, can be considered abolitionist in practice because they have not executed anyone for ten years and are believed to have a policy of not implementing the death penalty.

We also discussed the reported widespread use of torture, and welcomed the fact that the Criminal Procedure Code prohibits the use of “statements acquired from the accused or plaintiff through repression or coercion” as evidence.41 The Senior Law Officer told us that if coercive measures are found to have been used, the authorities investigate and those who have used such measures are prosecuted. Despite this, cases of severe beatings at the hands of interrogators and prison guards

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after 2004 are widely documented, particularly by the Citizens’ Alliance for North Korean Human Rights,\textsuperscript{42} Free the North Korean Gulag\textsuperscript{43} and the Committee for Human Rights in North Korea.\textsuperscript{44} In addition, testimonies by former prisoners suggest that sexual harassment, assault and rape of female detainees are common, even though the government appears to criminalize rape. The US State Department believes the security forces do not have adequate mechanisms to investigate possible abuses.\textsuperscript{45}

We reminded the Court’s officials that Article 158 of the Constitution states that, “court cases are heard in public and the accused is guaranteed the right of defence”. However, in certain cases the police may “determine the length of sentence on the spot of arrest” and send “a minor offender [to the kyo-yang-so: re-education facility] without a trial”, for example in cases of violence, theft, or defamation (presumably non-political).\textsuperscript{46} Article 286 of the Criminal Procedure Law stipulates that, “courts may organize on-site trials”.\textsuperscript{47} These ‘on-site’, ‘on-the-spot’ trials run the risk of failing to guarantee the accused sufficient access to legal representation and adequate time to prepare. An overwhelming 96% of defectors interviewed by the Korean Bar Association were given no explanation at the time of their arrest, and 90% did not believe the investigation agency follows due procedure.\textsuperscript{48} The DPRK authorities deny the use of detention without trial, or on-the-spot trials.

We raised the situation in the prison camps, or kwan-li-so, but the judicial authorities denied their existence. When we specifically named Camp Number 15 at Yodok, we were told that there were no prisons at all in Yodok. Such stories, the officials claimed, were fabrications made up by “criminals” with “sinister intentions”, and should not be held up as prime examples. “Anyone who forsakes the motherland and goes to another country is a criminal wanting to justify themselves”, the official said. When we presented the specific example of Shin Dong-Hyok, who was born in Camp No. 14 in 1982, saw his mother and brother publicly executed, and was tortured many times including once by being roasted over a fire, we asked how could he be a criminal? We asked repeatedly whether we, or any foreigners, could visit the prisons and we were told emphatically “no”.

The DPRK Constitution sets the minimum working age at 16 years old, adding: “The State shall prohibit child labour under the stipulated working age”. However, human rights organisations believe children below the age of 16 are routinely treated as cheap labour by schools and teachers under the guise of various ‘campaigns’, ‘projects’ and ‘assignments’.\textsuperscript{49} Furthermore, while desperate circumstances lead many children to resort to stealing in order to survive, incidents of theft are severely punished. The Asian Centre for Human Rights (ACHR) reports cases of 11 year-old children being sent to forced labour camps for stealing electric wires,\textsuperscript{50} despite the DPRK’s claim in a report in 1996 under the Convention on the Rights of the Child (CRC) that “institutions for reform through

\begin{thebibliography}{99}
\bibitem{42} Survival under Torture, p. 26
\bibitem{43} Free the NK Gulag. Interviews with the Victims of Torture. Seoul: Free the NK Gulag, 2009, p.44
\bibitem{44} Committee for Human Rights in North Korea. Lives for Sale. (Washington: CHRNK, 2009), p. 47
\bibitem{46} The North Korean Gulag. The Voice of the People the NK Gulag. (Seoul: 2009), p.16
\bibitem{48} Citizens’ Alliance for North Korean Human Rights. The Last Outposts of Slavery of the Past XX Century. (Seoul: Life and Human Rights, 2009) p. 28
\bibitem{50} Asia Centre for Human Rights, cited in the Working Group on the Universal Periodic Review. A/HRC/WG.6/6/PRK/3 (28 August 2009), par. 28
\end{thebibliography}
When we raised these reports, officials in the DPRK deny detaining children as young as 11.

We believe it is essential that the DPRK authorities open up all detention and investigation facilities for regular and rigorous inspection by appropriate judicial inspectors and international monitors, including the UN Special Rapporteur on Human Rights in North Korea and the International Committee of the Red Cross (ICRC). Access needs to be given and a resolution made of the long running issue of Japanese abductees. We are surprised that Japanese political leaders have not taken the same approach as their German counter-parts in seeking to “heal history” and recognise their role on the Korean peninsula – which appears to be the rationale behind the unacceptable abduction of Japanese nationals.

In a spirit of constructive engagement, we will continue to recommend to the DPRK that they allow us to visit detention facilities, including the kwan-li-so or prison camps. When the Speaker of the SPA and his delegation visit the United Kingdom, we will arrange visits to British prisons, courtrooms and meetings with judicial and penal authorities. Furthermore, we will encourage exchanges between judges and lawyers from the international community and the DPRK. We recommend to the DPRK that it ensures that guards receive clear guidance on the treatment of prisoners, and that accusations of misconduct must be immediately investigated and those found guilty should be punished, rather than relocated. Grounds for the use of on-site, on-the-spot trials should be clarified and accused citizens should be granted access to legal defence and a clear explanation of their rights and the reason for arrest. Judicial authorities should be encouraged to develop the principle of innocent until proven guilty. Finally, we offer the DPRK authorities the opportunity to meet former North Korean defectors, now living in exile, such as Shin Dong-Hyok, in a neutral location, so that they can hear first-hand the experiences of people who have fled the prison camps.

In conclusion, we urge the DPRK to take note of the final report of former Special Rapporteur Vitit Muntarbhorn, which we gave to officials in Pyongyang. Mr Muntarbhorn noted that “the justice system is subservient to the State, and judges, prosecutors, lawyers and juries are part of the State machinery and safeguards for the accused. Capital punishment ensues from a broad range of crimes against the State as listed and extended periodically by the Criminal Code. At times, there are also public trials to teach the general population a lesson.” We would encourage the DPRK to offer the new Special Rapporteur full co-operation and an invitation to visit the country, to engage in discussion over these and other concerns.

**Women’s Rights**

In our meeting with the Vice-Chairman of the Democratic Women’s Union of Korea, we were told that women have 106 seats in the SPA, making up 15.7% of the seats.

In our discussions with her, we raised women's rights, particularly the treatment of refugees crossing the border and the issue of trafficking of women. Human trafficking remains one of the gravest human rights abuses against North Korean women: 70-80% of female defectors are victims of...
trafficking. The US’ Trafficking in Persons Report 2010 considers the DPRK to be a source country for men, women, and children, the most common form of trafficking involving North Korean women and girls forced into marriage or prostitution in China. Even women who enter China on a legal pass may find themselves forced into marriage or prostitution in the struggle to pay back the US$500 usually paid for visa application and travel expenses. Women forced into China’s sex trade face exploitation and insecurity. China considers them economic migrants; the DPRK considers them ‘traitors’, and does not distinguish between those who cross the border voluntarily and those who are coerced, tricked or drugged.

However, in the January 2010 UPR Working Group report, the DPRK delegate “welcomed international efforts to prevent and punish human trafficking” and claimed that “the DPRK strongly guard against the occurrence of such practices in the country”. Furthermore the DPRK tacitly admitted to its own trafficking problem, saying, “there are some people linked to outside forces seeking profit from human trafficking. The DPRK is strongly against these practices and competent institutions are doing their best to identify and take necessary measures”. It is therefore possible that the DPRK may consider engaging in dialogue on human trafficking and could even potentially be open to help and advice from countries already engaged in preventing this practice. Since the DPRK seeks to keep tight control over its’ citizens cross-border movements, it follows that the Party have a keen interest in preventing human trafficking over the border with China. Furthermore, human trafficking deprives the country of a key section of its workforce, destroys the family which is “the basic unit of social life”, and leads to the ‘polluting’ of the Korean race through mixed marriages and mixed nationality children, all undesirable in the eyes of the State. The U.S. governments’ decision to withhold humanitarian aid from the DPRK and other countries who fail to ‘comply with the minimum standards on human trafficking’ also adds weight to the issue. It is therefore possible that human trafficking may be a source of mutual concern between the DPRK and the international community, albeit for different reasons.

A September 2009 report by the Citizens’ Alliance highlights sexual harassment, violence against women including domestic violence and violence against detained women as major areas of abuse against women in the DPRK. Anti-Slavery International (who appeared before our APPG) and the August 2009 Stakeholders’ Submission report cite testimonies of induced abortion in prisons and the killing of live babies at birth. In terms of domestic violence it has been difficult to ascertain the scope of the problem, although there are some individual reports, for example a woman beaten by

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61 Working Group on the Universal Periodic Review, A/HRC/WG.6/6/PRK/3 (28 August 2009), par. 18
her husband for sending corn to her parents in Barbara Demick’s *Nothing to Envy*.\(^{62}\) CEDAW also expressed concern about the lack of specific legislation to deal with domestic abuse.\(^{63}\) We submitted these concerns to the DPRK authorities in our written recommendations.

We recommend to the DPRK that it immediately sign the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Optional Protocol, and introduce legislation to protect those at risk of becoming victims of human trafficking; prosecute perpetrators of human trafficking and their accomplices; and protect and support victims of human trafficking both in China and in the DPRK. This legislation should be enforced, as far as possible, with the cooperation of the relevant Chinese authorities. We also urge the DPRK to become a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which aims to prevent and combat trafficking in persons, protect and assist victims, and to promote cooperation among States Parties in order to meet those objectives. In line with the Protocol, the DPRK should establish centres for rehabilitation and therapy in order to aid victims’ physical, psychological and social recovery. We would also encourage the DPRK to become a party to the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 29, Forced Labour, and ILO Convention 105, Abolition of Forced Labour. The Government should carefully investigate allegations of forced abortion and infanticide in prisons.

**Health Care**

We were impressed by the facilities at the Pyongyang Hospital of Preventive Medicinal Practice No. 3 (Pyongyang City Hospital No.3), and the support it has received from overseas charities including Christian Friends of Korea and the Eugene Bell Foundation. The DPRK authorities expressed particular concern over the challenges of malaria, tuberculosis and Hepatitis B, and we wish to offer assistance to the DPRK in combating these diseases. We will therefore discuss with the Liverpool School of Tropical Medicine, and MERLIN (Medical Emergency Relief International), what ways they may be able to offer assistance. We hope that the DPRK will find a way to facilitate access for people from both institutions to share expertise and resources for the suffering people of North Korea.

Malnutrition is clearly a concern, particularly as the DPRK is reporting a poor cabbage harvest this year, which will affect supplies of *kimchi* in both the North and the South. We urge the international community to continue to monitor the situation and to be ready to provide assistance if required. Food must never be used as a political weapon in international relations. Following the significant reduction in malnutrition achieved 1998-2004, the DPRK must continue to work with international agencies and make every effort to secure adequate funding by quickly accepting offers of aid regardless of political relations with donor countries.

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\(^{63}\) Flowers, *Guns and Women on Bikes*, p. 18
Disabled Rights

We met the Deputy Chairman of the Korean Federation for the Protection of Disabled People (KFPD), Kim Mun Cho, and his staff, and were deeply impressed by the pioneering work they have done for disabled rights since the organisation was established in 1998. After conducting a National Sample Survey on disability, they established that about 3.4% of the population are disabled. The disability NGO World Association of Militant Organizations concurred, although South Korean professor, Kwon Hyun Chul, believes this estimate is unrealistic. According to Article 72 of the DPRK’s Constitution, all citizens who are unable to work because of a physical disability are entitled to material assistance.

KFPD has primarily focused on sourcing and providing prostheses, crutches and other support for the disabled. The prostheses have been made in the UK, but they have imported 20,000 wheelchairs and 5,000 crutches, which have been distributed to the disabled. The KFPD, which receives funding from the UK and the EU, estimate they still require a further 1,500 wheelchairs to complete the task. They are discussing with construction designers about access for the disabled, and we discussed proposing to the new government legislation to make disabled access mandatory for newly constructed buildings. A new law prohibiting discrimination in past in June 2003, and it has been ratified by the Cabinet. Vocational education for the disabled, funded by the UK, has started, and a serious of training for the 2012 London Olympic Games is underway. Consideration is now being given to developing foster care in North Korea, and this is developing.

In 2006, Disabled Peoples’ International reported that those with disabilities were expelled from Pyongyang and sent to different camps according to their disability. The article cited a report by Special Rapporteur Vitit Muntarbhorn describing defectors’ testimonies of merciless discrimination and subhuman conditions in camps known as ‘Ward 49’. In the same year The Times featured the testimony of a North Korean doctor Ri Kwang-Chol who escaped in 2005, in which he claimed that babies with deformities were killed soon after birth by medical staff.

The exception to this apparently uniform discrimination is war veterans. A 2002 report by the Korean Central News Agency (KCNA) claims that, factories manned exclusively by disabled soldiers are found everywhere [...] the result of government measures to maintain their appetite and help them lead a fulfilling life. North Korean defector Lee Aeran, speaking in 2007, supported the claim that disabled veterans are honored, but added that, in contrast, those who are born disabled or become disabled through accidents or malnutrition are despised.

65Radio Free Asia. ‘North Korea begins to help disabled’ (5 March 2008) Available at: http://www.unhcr.org/refworld/docid/47de46d1c.html
68Times Online. ‘Nation under a nuclear cloud: ‘Racially impure’ children killed’ (15 October 2006). Available at: http://www.timesonline.co.uk/tol/news/world/article600929.ece
69KCNA. ‘Disabled soldiers contribute their mite to powerful nation-building’ (Pyongyang, 27 March 2002 [Juche 91]) Available at: http://www.kcna.co.jp/index-e.htm
70Radio Free Asia. ‘Disabled in North Korea Confined to Homes’, [see above]
However, a more recent account by Kim Hae Young of Shalom Disability Ministries in 2008 suggests that attitudes towards disability may be changing. According to Kim, “rehabilitation centres [aided by NGOs] for the disabled are beginning to appear”. Kim concludes that assistance for people with disabilities is now part of social welfare policy in North Korea. This may be part of the DPRK’s Action Plan for Persons with Disabilities for 2008-2010. Furthermore research by the Citizens’ Alliance suggests that the number of disabled people living in Pyongyang has increased since ‘bad practices’ toward this group were exposed by the international community.

We applaud the work of the KFPD, and offer our support whenever it is needed. We urge the Ministry of Public Health and other relevant authorities to continue working with international organizations to ensure that rehabilitation centres are accessible and well-equipped. In order to solidify the change in attitude towards disabled persons, the government should consider introducing laws prohibiting discrimination based on physical or mental disability. We hope the DPRK will immediately sign and ratify the Convention on the Rights of Persons with Disabilities and accompanying Optional Protocol.

Refugees

It is almost impossible to obtain accurate figures for the number of North Korean refugees in China, but it is estimated that as many as 300,000 have fled over the years, and are mostly in hiding in Jilin province along the border with the DPRK. At least 50,000 are believed to be in China currently, while an estimated 20,000 are in South Korea, having endured an epic journey through China and South-East Asia or Mongolia to reach Seoul. A few thousand are now in Europe and the United States.

North Koreans have fled their country for a mixture of economic and political reasons, but primarily severe economic hardship, food shortages, class-based discrimination and harsh repression are the causes. Those who escape do so at great risk, because leaving the country without permission is a criminal offence. China has adopted a policy of forcibly repatriating North Korean refugees found in China, violating the principle of non-refoulement in international law. Those who are returned to North Korea face interrogation, mistreatment, torture and, in the worst cases, long-term imprisonment or execution. Pregnant women face forced abortion or infanticide, particularly if the father is suspected to be Chinese. Those suspected of having contact with South Koreans or with Christians are treated most harshly, and in some cases have been executed.

The plight of North Korean refugees requires urgent attention. Several Non-Governmental Organisations (NGOs) are doing excellent work providing humanitarian assistance, but the international community needs to seek ways to persuade China to end its policy of forced repatriations. During his discussion with General Jin Mao, Lord Alton made the suggestion that China might establish a special economic zone – like that with South Korea, at Kaesong - close to the border with the DPRK, in which North Koreans could live and work legally, thus reducing the flow of illegal workers. This could be in the DPRK’s interests, as it could result in much-needed foreign currency flows into the DPRK.

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71 Radio Free Asia. ‘North Korea begins to help disabled’ (see above)
7 Conclusions

The events of the past two years, and the history of the Korean peninsula, summarised in section 2 of this report clearly demonstrate why it is essential to try to engage in dialogue with the DPRK, robustly engaging on a range of issues whilst extending a hand of friendship. The current situation is dangerous for all concerned, most of all the Korean people, and a long-term strategy is required.

Such efforts are not easy. Throughout our meetings, we cited the Korean proverb: “To begin is to half-complete the task”. We saw the beginnings of clear improvements in some important areas. Seven years ago, it would have been impossible for an independent university to open in North Korea. We cite the example of an American priest who has been able to make 43 visits to the country, bringing in medicines for people with tuberculosis, demonstrating that this is not quite the impregnable fortress which people assume. A decade ago the prospect of a Russian Orthodox Church at which Russian diplomats are free to worship, or a Protestant seminary, would have been ridiculed. New restaurants, more cars (in Pyongyang but not outside the city), an e-Learning centre and swimming pool at Kim IL Sung University are all signs of progress, and while these benefit the elite, the implications are wider. As one observer told us, money is coming into the country and its impact is broader than simply the political classes, though not yet the general populace.

North Korea needs to understand that the outside world wishes to help it, not destroy it; that, in this sixtieth anniversary year of the commencement of the Korean War, the international community wants to facilitate a formal peace treaty; that a denuclearised and unified Korean peninsula, supported by a Korean “Marshall Aid Programme” would be the outcome. Flowing from this would be prosperity, human dignity and fundamental freedoms. Mr. Ri Jong Hyok told us that the current level of economic co-operation between the DPRK and European countries was “pathetic.” This would radically and dramatically change if the DPRK now follows China in ushering in an era of reform.

Whatever outside observers may think of the ideology or the system in North Korea, they should not confuse this with an unthinking hatred of North Korean people. They are a fine people who deserve much better. They deserve a liberalised economy, the implementation of the UN Conventions to which the DPRK has already committed itself, the development of an independent judiciary, a just penal system, an open society and freedom from fear. Above all, they deserve peace.
8 Acknowledgments

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10 Appendices

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