



# Human Rights in North Korea

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### **Introduction and Research Methods**

- CSW has conducted interviews with around 50 North Koreans in 4 countries over the last two years to ascertain the situation of human rights in North Korea.
- Interviews have been carried out at the China border with North Korea, South East Asia, South Korea and Japan.
- Those interviewed include individuals who have been imprisoned and also those who have been responsible for imprisonment and torture.
- Alongside these interviews, CSW has worked with and talked to numerous individuals and organisations working with North Koreans, as well as diplomatic staff and those who have worked inside the country.
- CSW has also used medical examination, psychiatric analysis and expert medical advice in analysing evidence.

Without a doubt, the consistent evidence of egregious human rights abuses presents a *prima facie* case against North Korea. In the absence of co-operation by the North Korean regime in allowing investigation, the natural conclusion is that North Korea is in very serious violation of human rights obligations, requiring that the situation be addressed in strong and urgent terms. The following comments form a general survey of the situation. There are obviously local variations in practice and other variations depending on personnel and circumstances.

Nevertheless there are many similar accounts from witnesses interviewed at different times and locations.

### **General Repression and Society**

Human rights are repressed at every level in North Korea. Lack of the rule of law and arbitrary treatment create a culture of repression and fear. The practice of torture and violations of the right to life, physical integrity and due process appear to be frequent and systematic.

Control of society is extensive and intrusive, with constant projection of propaganda, close surveillance and very harsh suppression of any action or statement deemed to indicate a lack of total support for the regime. Thus freedom of expression and religion are strictly controlled and even freedom of thought is repressed. Freedom of movement, assembly and association are all strictly curtailed.

North Koreans do not generally see themselves as suffering as harshly as one might expect in a society with such severe repression of human rights. They generally consider themselves to be living in a relatively civilized society. This attitude can be attributed to the traditional, subservient nature of society, the all pervading propaganda and brainwashing and the long-term isolation from outside influence and information.

The propaganda has successfully inculcated respect and appreciation for the leaders. The sense that North Korea is always on alert against 'the enemy' also engenders a sense of nationalism that vitiates much of the unrest that might otherwise find expression. With no alternative system conceivable to them, North Koreans show remarkable support for the regime, despite abuse, famine and poverty. Respect for Kim Il Sung remains high, although there appears to be a degree of discontent regarding Kim Jong Il's leadership. However, such concerns would rarely find any form of expression as informants are prevalent throughout society.

Those who are deemed to be less than entirely supportive or loyal citizens are subject to swift and harsh penalties. Those singled out for punishment include, amongst others, those seen to have any sympathy or links with South Korea and those with religious beliefs.

It is not possible to present a truly systematic picture of punishment. Although clear trends emerge from the evidence gathered, there are differences in treatment due to varying local practices, individual relationships and responses. Nevertheless there are specific penalties which are mentioned frequently. As such the following details are given as generalisations. They are based on evidence from victims and perpetrators of human rights abuses, but by necessity present a simplistic impression of the situation.

North Koreans live with the knowledge that if they are deemed to be unworthy citizens or to be connected to someone who has in some way offended the system, they will be taken from their homes, often at night and with their whole family, and will disappear from society. North Koreans regularly refer to this phenomenon and cite incidents of those they knew who were taken away and never seen again. Witnesses believed that those involved were either taken away to be held in long-term detention, such as in a prison camp, or were killed.

### **Interrogation**

The standard practice appears to be that those suspected of 'political crimes' (including minor actions which are interpreted as showing insufficient respect) are detained and interrogated by the

State Security Agency. Some detainees describe being held at three levels of the SSA system, namely, central government, province and district or city levels.

### **Torture**

Interrogation routinely involves many forms of brutal and horrific torture. Evidence obtained includes accounts of three different types of water torture, severe beatings, sexual assault and violation, as well as psychological and verbal abuse. Sleep deprivation is a common tactic, which both victims and torturers have commented is especially effective in interrogation. In some serious cases this is induced through water torture where sleep is impossible without drowning. Other cruel treatment includes suspending detainees by their wrists from the ceiling or from bars, using blocks, guns, holsters, metal poles and wooden poker, as well as fists and boots, to inflict terrible pain and injuries, and the insertion of objects into the body, including the vagina.

Even outside the torture rooms, violence can be fierce. Those in the cells who are deemed to be moving without permission have been forced to put their hands through the bars of the door, where the guard mercilessly beats or stamps on them until they are bleeding and the skin is shredded. A prisoner detained for a minor offence described the condition of one of his fellow inmates who had been placed in a special punishment chamber. He described the man as looking completely black where he still had skin, but that much of his skin on his face was missing, and all he could see were his eyes. The man was still alive, though barely clinging to his life.

After the interrogation and torture in the SSA detention facilities a decision is made as to which form of punishment will be imposed. No case was heard in which a person accused of a political crime was released from detention after this process of interrogation.

### **Absence of Fair Trial**

In some cases a form of trial was implemented. In other cases there was no such procedure, nor even an official charge. Where trials were held they were simply rituals in which the defendant had no effective rights to present his case, wholly lacking the ingredients of a fair trial and due process.

### **Detention**

After interrogation, and possible trial, political prisoners who are not executed will be sent to a detention facility from which they will probably never emerge, even in death. These secret prisons are distinct from those used for non-political criminals and take a number of forms, including tightly controlled, overcrowded prisons and detention settlement camps, which are large areas surrounded by barbed wires and watch towers.

The conditions in both the prisons and camps are brutal, the cruelty only defined by the parameters of the creativity of the guards. Conditions for all prisoners are inhuman, with severe under-nourishment, appalling sanitary conditions and long hours of gruelling labour. Prisoners are deformed as a result of the abuse, malnutrition and hard and dangerous work. One guard described his first sighting of prisoners in amazement that such creatures, who were all disabled and deformed, could still move around and be working.

It is a notable characteristic of accounts about the prisoners that they are not referred to as humans, but rather are viewed as sub-human and beasts. The guards and torturers are trained not to see the prisoners as humans and profess to no feelings of compassion or identification with the prisoners, whom they view as enemies, unworthy of life. The prisoners themselves describe how

their initial impression is that the other prisoners look like beasts and that they find that the only way to survive is to forget that one is human and act like an animal seeking survival.

Torturers are selected for their cruelty in tests of increasing barbarity. Only those who will inflict the greatest pain on their victims and show the least compassion will be selected. Those who show any humanity or sympathy for a prisoner are liable to be demoted or punished themselves. Sexual liaison between prisoners and guards is strictly forbidden, as it would involve recognition of the woman as a human. Alongside rape of women prisoners, guards do sometimes form relations with female prisoners. If found out, the prisoner will be brutally punished and the guard will also be penalised.

#### ➤ *Prisons*

Offenders who are not executed, but are deemed guilty of serious political crimes are liable to be sent to a prison where they will be held under strict control in overcrowded conditions and forced to work gruelling hours in attached factories. They will not be allowed contact with their family and cannot hope to ever emerge from the camp, either dead or alive. According to information from one witness, young children are also interned in such prisons, but are not allowed any contact with their mothers, who, heartbreakingly, can see them but not meet their needs for food and warmth.

Prisoners are violently mistreated and are subject to daily verbal and physical abuse, cruelty and arbitrary treatment. Work in the factories is gruelling, deforming and dangerous. The slightest mistake can result in the harshest of punishments and prisoners often die due to the violence, overwork, malnutrition and unsanitary conditions. Prisoners deemed to have committed a serious offence may be sent to a punishment chamber. These are little rooms, measuring around 2' x 2' x 3'. Being sent to a punishment chamber is seen in some prisons as a death sentence, as internment can be too much for a weakened prisoner to endure. Even though they may survive the detention, they may be so weakened that they cannot live for long afterwards. Others come out paralysed from the waist down after being held in the chamber during winter. Prisoners are not able to contest such punishments, and have no defence against the arbitrary cruel treatment of the guards.

Living conditions in the prisons are barbaric with prisoners fed on starvation rations. This constant hunger has been described as worse than being beaten. Prisoners are kept in horrifically unsanitary conditions, crammed into overcrowded cells where they may not even be able to lie down straight. They are deprived of sleep and given minimal clothing, even in the cold extremes of North Korea's mountain regions.

#### ➤ *Detention Settlement Camps*

Others are sent to detention settlement camps. These are large areas, from which escape is virtually impossible. Prisoners live in appalling inhumane conditions in groups of sheds which are clustered together into what would equate to a village. The camps have different levels of severity and there are often different sections within the camps. For example, in one camp, prisoners will be separated from their families, and in another section of the camp, or another camp, prisoners will be able to live together with their family.

Certain areas are designated re-socialisation areas, where a prisoner is still considered to have a chance of being re-integrated into society. Those held in the other parts of the camp are deemed to be unworthy of such re-integration. Those in the former class are subject to re-education, whereas those held in the other categories of prison and prison camp are regarded as being beyond reform.

Prisoners in the camps have to work long gruelling hours, are fed with minimum rations and are subjected to terrible abuse and arbitrary treatment. They have no rights (other than a poorly protected right not to be arbitrarily killed unless they show insubordination) and are at the mercy of the guards, who misuse and abuse them at will. Sanitary conditions are appalling, with insufficient toilet facilities, no provision for washing and no soap or laundry powder. A prisoner will have one set of clothes and so if they are able to wash them they will have to wear them while they dry, even in freezing conditions. Female prisoners are not even given sanitary towels, so those who still menstruate will just bleed while they work.

Although they are not watched over by the guards as fully as those in the harshest prisons, detainees lives are fully controlled and all their choices are at the whim of the guards. Although families are allowed to live together in certain conditions, reproduction among these groups is generally prevented, either directly or through control of working hours. Freedom for a couple to marry might be given as a very occasional reward to encourage prisoners to work very hard. Other prisoners are denied this basic right. Even in the very rare event that marriage is permitted, it is often the case that the couple are rarely able to see each other because of the way their work schedule is controlled.

### **Families of Political Prisoners**

The targeting of families is a particularly insidious aspect of the system. In the majority of cases described, prisoners' families were taken into custody at the same time as the 'offender'. Thus children may grow up and spend all their lives in the camps, never knowing life outside these harsh conditions.

### **Exile**

Another punishment for those deemed to be inadequate citizens is exile to cold harsh mountainous areas where making a living is harder than elsewhere in North Korea. Tactics of denial of access to means of livelihood and withholding aid from such areas are used by the regime to repress those judged to be opposition classes.

### **Human Experimentation**

A number of accounts have been received describing experimentation on political prisoners. It is believed that the Third Bureau carries out human experiments and that they use political prisoners for their activities. Witnesses who described chemical experimentation on political prisoners talked about experimentation being carried out on animals at first and then on humans. Eye-witness evidence was received describing how seven political prisoners, including an elderly couple, a man in his twenties and a couple and their two children, aged ten and seven, were taken into gas chambers. The gas in the first chamber caused extreme agony and that in the second chamber killed them. Even in the midst of such horror and agony, the mother was still holding her youngest child to her very tightly.

### **Execution**

Even internment in prison is not the worst punishment for those deemed guilty of political or other crimes. Execution - either arbitrary or planned - is part of the functioning of the prisons and camps, but is also used outside the camps.

North Koreans frequently refer to witnessing executions. Psychological assessment of North Koreans reveals Post Traumatic Stress Disorder and they describe nightmares where they see executions re-enacted.

Descriptions of the executions often depict a similar scene. Typically, eye-witnesses see victims, who have obviously been tortured, dragged out in front of an assembled crowd. The victims are prevented from speaking by a stone which has been thrust into their mouths. In some cases a formal hearing / enactment takes place, where the crime is read out and witnesses recount the event. There are no opportunities for the 'defendant' to speak. In reality it would appear that these are not so much public hearings as public spectacles, and the witnesses are not so much giving evidence as denouncing the victim in an attempt to distance themselves from the crime in order to avoid their own punishment.

Most accounts describe the victims being tied to a pole with three strips or ropes or wires. There are often three marksmen who each shoot three shots at the ropes, one at the head, one at the heart and one at the stomach. A number of witnesses commented that the victim would fall progressively forward at each shot as the ropes were broken, until at the last shot he would fall to the ground.

Other forms of execution are used and the number of marksmen and shots vary. Other forms of securing the prisoner have also been described. One eyewitness related how victims were secured to crucifix shaped structures with six strips, one around the chest, one around the waist and two on the shoulders and wrists.

The crimes were often simple efforts to secure food, such as stealing a cow or exchanging public property to obtain food.

### **Religious Freedom**

Religious freedom is harshly repressed in North Korea. North Koreans systematically report that being a Christian in the country is viewed as a very serious crime. Kim Il Sung has been exalted and is revered as a god to be followed with unswerving obedience. Faith in a greater power is ruthlessly repressed and the word for God has been banned in North Korea. Many North Koreans become Christians when they leave the country and they consistently refer to the remarkable parallels between how they were required to worship the leaders and how they worship God.

Believers are not free to fellowship. Surveillance and informing is so widespread that meeting together is fraught with danger. Even parents often do not allow their children to know of their faith, as teachers ask the children questions to make them unwittingly inform on their parents. All those who lived outside Pyongyang said they had never seen a church or even a Bible before leaving the country. Although there are three churches in the capital, many accounts indicate that these exist as show churches.

A number of North Koreans described cases where those believed to be Christians, and their families, had disappeared. Although North Korea had a strong Christian presence in the past, most Christians fled when it was still possible or have since been martyred. It is known that there are Christians in the prison camps. A number of accounts state that they are treated particularly harshly in the camps. Even the prisoners ostracise the Christians since, due to propaganda, they consider them to be psychologically impaired. One prisoner described a special village of Christians' families within a camp. Others describe witnessing Christians being ordered to recant their faith and being publicly or arbitrarily executed.

### **Punishment of those who have left the Country Illegally**

Execution has been particularly commonly referred to as the punishment for those North Koreans who return from China having had contact with Christians or with South Koreans. A number of eyewitnesses have described such executions, with several of these incidents taking place in Musan and Onsong.

Others who leave the country illegally and then return are subject to interrogation and punishment. It appears that returnees who are caught are liable to be interrogated by the State Security Agency to see whether they fall into one of the categories of particularly serious offenders. Men and women are stripped and women are made to squat and stretch repeatedly in order to show that they do not have money hidden in their vagina. Those detained typically describe being held in a crowded cell where they are not allowed to move without permission. Those who are found to be moving are subject to harsh beatings and punishment. Guards will at times refuse permission to go to the toilet. Excrement is checked to see whether the detainee has swallowed money.

### **Forced Abortions and Infanticide**

Women who have become pregnant in China are especially targeted in detention. According to a number of reports from those detained with such women, all women found to be pregnant by a Chinese man are taken for forced abortion. North Korean officials say that they do not want any 'Chinks' and make derogatory and insulting comments about sleeping with Chinese men. (Many women have no choice as they are picked up by men posing as helpers when they reach China. They are then taken to a house where, unknown to them, they are sold as brides, after which they often endure horrific sexual and physical abuse, even being locked up and rented out as the man's property.) Witnesses spoke of women detained with them who were pregnant being taken away and coming back without their baby, complaining of the heartbreak, pain and abuse of having a forced abortion. One witness described how she personally saw a prisoner giving birth to a baby and the nurses cutting the umbilical cord and then smothering the baby with a wet towel.

### **The Situation at the Border**

Despite its obligations as a party to the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol, China consistently refuses to acknowledge the existence of refugees from North Korea and refuses the UNHCR access to the border area to make an independent assessment. The evidence from those escaping North Korea and those who have endured punishment as a result clearly indicates that the 1951 convention provides protection to North Koreans. Nevertheless, China continues its blanket policy of refusing asylum applications and repatriating all North Koreans, in violation of its obligations, including those under article 33 which protects against *refoulement*. North Koreans endure terrible fear and abuse in China as a result of having to live in hiding from the authorities.

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