

**THE ACTIVITIES OF THE SPECIAL ENVOY
FOR HUMAN RIGHTS IN NORTH KOREA**

**A REPORT TO CONGRESS
IN ACCORDANCE WITH § 107(d)**

OF THE

**NORTH KOREAN HUMAN RIGHTS ACT
(P.L. 108-333)**



**SUBMITTED BY THE
DEPARTMENT OF STATE
May 2007**

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This report is submitted pursuant to section 107 (d) of the North Korean Human Rights Act of 2004 (P.L. 108-333), which requires the Special Envoy for Human Rights in North Korea to submit, not later than 180 days after the date of the enactment of the Act and annually for the subsequent five year period, annual reports on the Special Envoy's activities undertaken in the preceding 12 months pursuant to his duties and responsibilities in section 107(c). This is the second in a series of reports, and covers activities through April 30, 2007.

EXECUTIVE SUMMARY

During the past year, the North Korean government regrettably has taken no significant steps to improve its abysmal human rights record. Its conduct stands as an affront to its citizens and also to the norms of the international community. The regime ignores the fundamental prerogatives recognized by the majority of the society of nations.

There are an estimated 150,000 to 200,000 North Koreans in a vast network of political concentration camps. The rights of free speech, religion, assembly, press, fair trial and emigration are ignored. The regime conducts mandatory political indoctrination, attempts to control all information, and supports a cult of personality around Kim Jong Il. The regime also has grossly negligent policies that exact a shocking humanitarian toll and put its population at risk of mass starvation. The regime has not accounted for all of the foreign nationals it abducted in the past.

Jay Lefkowitz serves as the Special Envoy for Human Rights in North Korea. He was appointed to the position by President Bush on August 19, 2005. He has sought to improve human rights conditions of the North Korean people by:

1. Welcoming North Korean refugees to the U.S. and seeking the humane treatment of refugees still in harm's way;
2. Encouraging reform in North Korea, which over time will lead to respect for fundamental human rights; and
3. Building an international consensus for multilateral action against human rights abuses committed against North Koreans.

During the past year, the Special Envoy has taken actions that have helped yield measurable results. North Korean refugees have been resettled in the U.S. Activities and expenditures by the U.S. government to reform in North Korea have increased, and plans have been laid for further enhancements. The Special Envoy conducted a global outreach effort to increase awareness of the situation facing the North Korean people. South Korea abandoned its past practice of abstaining from UN votes on North Korean human rights matters. While there was no measurable improvement in the conduct of the North Korean regime, initiatives have begun that could reasonably be expected to improve the situation over the long term.

For a more detailed description of the human rights abuses to which North Koreans are subjected, please see the “Country Reports on Human Rights Practices,” the “Report on International Religious Freedom” and the “Report on Trafficking in Persons” on North Korea. These Department of State reports can be found at www.state.gov.

BUILDING AN INTERNATIONAL CONSENSUS

Over the past year, the Special Envoy has sought to achieve a greater focus by the international community on North Korean human rights abuses. A particularly welcome development occurred in October, when the UN General Assembly’s human rights committee passed by 91-21 (with 60 abstentions) a resolution on North Korean abuses. Most significantly, following significant criticism from the Special Envoy and others, South Korea abandoned its past practice of abstaining from the vote on this resolution, and voted in favor. In addition, the European Parliament passed a resolution addressing North Korea’s human rights abuses. We hope that the UN Human Rights Council in Geneva will address North Korean human rights abuses in one of its sessions this year, and the Special Envoy has raised this issue with select Council member states.

A direct dialogue with the North Korean government on human rights has been elusive in the past year. The governments of North and South Korea invited the Special Envoy to visit the Kaesong Industrial Complex, which is inside North Korea just north of the demilitarized zone. The Special Envoy has expressed concern about Kaesong. He has noted that Kaesong could prove to be a productive factor in opening North Korea by empowering those it employs and allowing interaction between North and South Koreans. However, based on the information we have at present, Kaesong continues to raise significant concerns—especially its lack of overall transparency concerning the payment of wages to workers. The

Special Envoy has noted that Kaesong's existence does not necessarily foretell liberalization of North Korea's economy, but may eventually be improved or demonstrated to be a productive tool in opening the North. However, the onus of proof lies with those who contend Kaesong will help open North Korea and benefit its people, rather than provide the regime with another source of revenue. South Korea has considerable influence over North Korea and should seek improvements to Kaesong.

Mr. Lefkowitz had planned to commence a human rights discussion in relation to a trip to Kaesong. However, this trip was postponed twice in response to North Korean ballistic missile and nuclear tests, and no dialogue involving human rights is presently scheduled.

Over the past year, the Special Envoy and his staff have directly engaged the governments of numerous other nations. These include representatives of approximately a dozen East Asian and European nations. Discussions typically focused on assisting refugees, allowing refugees to apply to the U.S. for asylum, UN resolutions on North Korean human rights, promoting the free flow of information into North Korea, and means to garner greater attention for the human rights issue. Special Envoy Lefkowitz met with UN Special Rapporteur on the Situation of Human Rights in the DPRK Vitit Muntarbhorn, and participated in a discussion at the UN about North Korean human rights. The Special Envoy was in frequent contact with Japanese Human Rights Ambassador Fumiko Saiga and other Japanese officials.

The Special Envoy has also directly engaged the public through a variety of interviews, articles and speeches directed to foreign audiences. In addition to Asia-focused public outreach, the Special Envoy delivered a keynote address to the Henry Jackson Society in London in January. In it, he laid out a number of initiatives that European and other nations with diplomatic missions to North Korea can do to help open the nation. The speech also described the scope of human rights abuses committed against North Koreans, and detailed the link between respect for human rights and long-term security. Also in January, Special Envoy Lefkowitz published an op-ed in the Wall Street Journal about the use of trafficked North Korean labor abroad and the revenue this generates for the regime.

REFUGEES

When President Bush appointed Mr. Lefkowitz as his Special Envoy, the President directed that Mr. Lefkowitz's highest priority should be to welcome

North Korean refugees to the U.S. In May 2006, the first group of six North Korean refugees came to America. We have now resettled a total of thirty refugees, and we expect the rate of resettlement to increase. While we believe that most North Korean refugees will continue to choose to resettle in South Korea, we impose no quota or limit on the number we are willing to accept.

Achieving U.S. resettlement of North Korean refugees required resolving obstacles relating to the multi-agency screening of refugees that is required by law. It also required securing the agreement of governments hosting North Koreans. Most North Korean refugees are located in China, which generally considers them to be “illegal economic migrants”—a position the U.S. does not accept, given the well-founded fear of persecution North Koreans have upon forcible repatriation to North Korea. As a result, China refuses to allow the UN High Commissioner for Refugees full access to this population, nor does it permit their general protection. China forcibly repatriated an untold number of North Koreans in the last year. Those who remain in China have no legal status and live in fear of discovery by law enforcement authorities, making them susceptible to exploitation—including human trafficking—due to their inability to seek protection or recourse from officials.

The Special Envoy has noted that the coming of the 2008 Olympic Games in Beijing provides an opportunity to focus attention on the large population of North Korean refugees in China and on China’s refusal to abide by its international obligations in regard to this vulnerable group. The Special Envoy has pointed out that this is an issue of considerable importance to the U.S., and we expect that before and during the Games this will come to the attention of the international media and others around the world.

This situation causes some refugees to flee onward to countries throughout the region, which places a considerable burden on those countries. The Special Envoy has conveyed our willingness to assist these countries and consider North Koreans there for refugee resettlement in the U.S. We have urged host governments to refrain from forcibly repatriating these refugees to North Korea.

The Special Envoy has sought to assist grant-issuing bureaus within the Department in identifying organizations willing to help North Korean refugees. These organizations include charities willing to shelter and assist the large North Korean refugee diaspora. Other local organizations have asked to assist North Korean refugees admitted to the U.S. as they acclimate to life in America.

ENCOURAGING REFORM

Given the closed nature of North Korea, there are limited options for directly promoting respect for human rights there. One option is to seek to increase the flow of information going into North Korea, which has been a priority for the Special Envoy. The regime attempts to control all information in the country, and to convince people that they live in a socialist paradise while the world outside is hostile and barbaric. Defectors have told Special Envoy Lefkowitz how receiving factual information from abroad stirred in them an awakening that the propaganda was not true. When the President met with North Korean defectors last year, a former North Korean soldier who was able to listen clandestinely to broadcasts from South Korea said this was the key factor in his decision to escape from North Korea. Through enhanced radio broadcasting and other forms of information dissemination, we will seek to circumvent the blockade on information that the government has imposed on its people.

The Special Envoy has worked closely with the Broadcasting Board of Governors (BBG). Last year, the BBG provided increased resources to the Korean services of Voice of America and Radio Free Asia. For the next fiscal year beginning this October, the Administration has requested a significant increase for these services, from \$4.6 to \$8 million. Along with many other improvements, this increase will allow Radio Free Asia to begin transmitting in medium wave, which will be a highly effective supplement to its current shortwave broadcasting.

Appropriated funds have also contributed partially to broadcasts by independent groups. Some of the most persuasive voices are not those of U.S. government employees, but private citizens who can sympathize with those living under repression. These include the voices of Korean democracy activists, defectors from North Korea, and Korean-Americans. A Japanese group also conducts approximately one hour of shortwave broadcasts to North Korea each day. The Special Envoy has welcomed and supported the increase in this activity.

For the first time, the President's budget requests funds directly for the promotion of North Korean human rights and media freedom: specifically \$2 million the State Department's request. When combined with the aforementioned BBG programming, we are asking the Congress for a total of \$10 million in FY2008 to promote North Korean human rights. Additional funds will be provided from accounts related to refugees and victims of trafficking in persons.

The Special Envoy is evaluating other options to help open up North Korea. A number of European and Asian countries have exchange programs with North Korea. These can serve a useful long-term purpose, provided they do not impart participants with knowledge that can enhance the regime's oppression or misconduct. We are presently evaluating exchanges of athletes, musicians, artists and others.

It should be noted that China and South Korea are the two countries that can have the largest impact on North Korea. The prospects of reform in North Korea would improve if their commitment were increased.

CONCLUSION

The Administration remains committed to alleviating the suffering of the people of North Korea. This is an issue of importance to President Bush. The Special Envoy plans to continue his diplomatic and communications efforts, working with other governments, international organizations and private groups. The Administration will increase support to NGOs and programs that we believe will have a positive effect. Our strategy is to support the aspirations of the North Korean people, attempt to alleviate their suffering, and build an international consensus that the North Korean government must begin to recognize the rights of its citizens.

BASIC REPORT INFORMATION

1. Name, title, address, and telephone number of person to be contacted with questions about the report.

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2. Electronic address for report.

<http://www.state.gov/g/senk>

3. How to obtain a copy of the report in paper form.

Write to the above address.