



Korea, Democratic People's Republic of

Country Reports on Human Rights Practices - [2000](#)

Released by the Bureau of Democracy, Human Rights, and Labor

February 23, 2001

The Democratic People's Republic of Korea (DPRK) is a dictatorship under the absolute rule of the Korean Workers' Party (KWP). Kim Il Sung led the DPRK from its inception until his death in 1994. Since then his son Kim Jong Il has exercised unchallenged authority. Kim Jong Il was named General Secretary of the KWP in October 1997. In September 1998, the Supreme People's Assembly reconfirmed Kim Jong Il as Chairman of the National Defense Commission and declared that position the "highest office of state." The presidency was abolished leaving the late Kim Il Sung as the DPRK's only president. The titular Head of State is Kim Yong Nam, the President of the Presidium of the Supreme People's Assembly. Both Kim Il Sung and Kim Jong Il continue to be the objects of intense personality cults. The regime emphasizes "juche," a national ideology of self-reliance. The judiciary is not independent.

The Korean People's Army is the primary organization responsible for external security. It is assisted by a large military reserve force and several quasi-military organizations, including the Worker-Peasant Red Guards and the People's Security Force. These organizations assist the Ministry of Public Security and cadres of the KWP in maintaining internal security. Members of the security forces committed serious human rights abuses.

The State directs all significant economic activity, and only government-controlled labor unions are permitted. Industry continued to operate at much-reduced capacity that reflects antiquated plant and equipment and a severe shortage of inputs. This decline is due in part to the collapse of the former Soviet Union and East European Communist governments and the consequent sharp decline in trade and aid. Efforts at recovery have been hampered by heavy military spending—which amounted to perhaps a quarter of gross domestic product before the economy went into decline and is probably now a larger share of national output. It also is held back by a lack of access to commercial lending stemming from the DPRK's default on its foreign debt and its inability to obtain loans from international financial institutions. Never food self-sufficient, the country relies on trade to supplement domestic production, which has been hobbled by disastrous agricultural policies. Since 1995 nearly annual droughts and floods have destroyed crops and ruined agricultural land, and hunger and malnutrition have been widespread. Famine has caused internal dislocation, widespread malnutrition, and approximately a million deaths from starvation and related diseases. Economic and political conditions have caused thousands of persons to flee their homes. The Government continued to seek international food aid, produce "alternative foods," and take steps to boost production. It has supported the spread of farmers' markets to make up for the contraction of food supplied through the public distribution system. Food, clothing, and energy are rationed throughout the country. The U.N.'s World Food Program provides assistance to the elderly, children and mothers, and persons employed in flood damage recovery efforts.

The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Citizens do not have the right to change their government peacefully. There continued to be reports of extrajudicial killings and disappearances. Citizens are detained arbitrarily, and many are held as political prisoners; prison conditions are harsh. The constitutional provisions for an independent judiciary and fair trials are not implemented in practice. The regime subjects its citizens to rigid controls. The leadership perceives most international norms of human rights, especially individual rights, as illegitimate, alien, and subversive to the goals of the State and party. The Penal Code is draconian, stipulating capital punishment and confiscation of all assets for a wide variety of "crimes against the revolution," including defection, attempted defection, slander of the policies of the party or State, listening to foreign broadcasts, writing "reactionary" letters, and possessing reactionary printed matter. The Government prohibits freedom of speech, the press, assembly, and association, and all forms of cultural and media activities are under the tight control of the party. Radios sold in North Korea receive North Korean radio broadcasts only; radios obtained abroad by the general public must be altered to work in a similar manner. Cable News Network (CNN) television is available in one Pyongyang hotel frequented by foreigners. Under these circumstances, little outside information reaches the

public except that approved and disseminated by the Government. The Government restricts freedom of religion, citizens' movements, and worker rights. There were reports of trafficking in women and young girls among refugees and workers crossing the border into China.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Defectors and refugees report that the regime executes political prisoners, opponents of the regime, repatriated defectors, and others (reportedly including military officers suspected of espionage or of plotting against Kim Jong Il). Criminal law makes the death penalty mandatory for activities "in collusion with imperialists" aimed at "suppressing the national liberation struggle." Some prisoners are sentenced to death for such ill-defined "crimes" as "ideological divergence," "opposing socialism," and other "counterrevolutionary crimes." In some cases, executions reportedly were carried out at public meetings attended by workers, students, and school children. Executions also have been carried out before assembled inmates at places of detention. Border guards reportedly have orders to shoot-to-kill potential defectors (see Section 2.d.).

Religious and human rights groups outside the country report that members of underground churches have been killed because of their religious beliefs and suspected contacts with overseas evangelical groups operating across the Chinese border (see Section 2.c.).

In August 1998, a Reuters report stated that, following a March 1998 coup attempt, authorities arrested several thousand members of the armed forces and executed many of them.

Many prisoners reportedly have died from disease, starvation, or exposure (see Section 1.c.).

According to unconfirmed press reports from Japan and the Republic of Korea in 1997, several senior party officials were executed publicly in September 1997. The Kyodo News Network reported that Seo Kwan Hui, Secretary of Agriculture for the KWP, and 17 other senior officials, including some from the army and from the Kim Il Sung Socialist Youth League, were executed for corruption and working for South Korea. In 1998 Agence France-Presse (AFP) reported that among those executed were a four-star general who ran the Political Bureau of the Korean People's Army and Choe Hyon Tok, a member of the Foreign Affairs Committee of the Supreme People's Assembly. According to the AFP, seven persons in this group were executed by firing squad before thousands of spectators.

In December a South Korean newsmagazine quoted a defector as stating that in 1999 in the city of Hyesan, on the border with China, the military had publicly executed 19 residents, secretly killed over 20 persons, and imprisoned 600. The targets of the purge were frequent travelers to China and opium addicts.

Another South Korean newsmagazine reported that there were at least 20 public executions during 1997 either for economic offenses, including stealing cattle and electric wire, or for attempting to defect. Amnesty International (AI) reported in January 1997 that at least 23 persons had been executed publicly between 1970 and 1992 for offenses that reportedly included "banditry" and "stealing rice from a train." Government officials reportedly told AI in 1995 that only one or two executions had taken place since 1985.

North Korean officials informed AI in 1995 that Japanese citizens Cho Ho Pyong, his ethnic Japanese wife Koike Hideko, and their three young children were killed by the authorities in 1972 while attempting to leave the country. The authorities told AI that Cho escaped from a detention center where he was being held for spying and killed a guard in the escape.

b. Disappearance

The Government reportedly is responsible for cases of disappearance. According to defector reports, individuals suspected of political crimes often are taken from their homes by state security officials late at night and sent directly, without trial, to camps for political prisoners. There also have been reports of past DPRK involvement in the kidnaping abroad of South Koreans, Japanese, and other foreigners. In 1995 the Japanese press estimated that as many as 20 Japanese may have been kidnaped and detained in North Korea. According to Japanese government officials, these abductions took place between 1977 and 1983. In addition several suspected cases of kidnaping, hostage-taking, and other acts of violence apparently intended to intimidate ethnic Koreans living in China and Russia have been reported. There were unconfirmed reports that

North Korean agents kidnaped a South Korean citizen, Reverend Dongshik Kim, in China and took him to North Korea in January. There is credible evidence that the DPRK Government may have been involved in the July 1995 abduction of a South Korean citizen working in China as a missionary. This missionary subsequently appeared publicly in North Korea and was portrayed as a defector. The DPRK denies that it has been involved in kidnappings.

In November 1997, the South Korean Government arrested several alleged North Korean espionage agents. According to the South Korean Government's report on its investigation, those arrested claimed that three South Korean high school students, missing since 1978, had been kidnaped by the North Korean Government and trained as espionage agents. The three were identified as Kim Young Nam, who disappeared from Son Yu beach, and Yi Myong U and Hong Kyun Pyo, both of whom disappeared from Hong To island beach. According to those arrested, there were several other kidnappings in the late 1970's and early 1980's.

AI reports detail a number of cases of disappearances including that of Japanese citizen Shibata Kozo and his wife Shin Sung Suk, who left Japan in 1960 and resettled in North Korea. The authorities reportedly arrested Shibata in 1962 after he encouraged a demonstration by former Japanese residents protesting the poor treatment given them. In 1993 AI claimed that he was still in custody and in poor health and that there had been no word about his wife and three children since 1965. In 1995 North Korean officials informed AI that Shibata Kozo, his wife, and children died in a train accident in early 1990, a few weeks after he was released from nearly 30 years in prison. However, AI reports that Shibata Kozo was still in custody at the time of the alleged accident.

The cases of three ethnic Korean residents of Beijing, China (16, 18, and 20 years of age), reported by AI in 1995 to have been taken to North Korea against their will, remained unresolved. The three were taken in apparent retaliation for criticism in the Japanese media of North Korean human rights violations made by their father, a former prisoner in North Korea. The North Korean authorities deny this allegation, claiming that the three brothers were deported to North Korea for breaking Chinese law and that they are now living with relatives.

Numerous reports indicate that ordinary citizens are not allowed to mix with foreigners, and AI has reported that a number of North Koreans who maintained friendships with foreigners have disappeared. In at least one case, AI reported that a citizen who had disappeared was executed for maintaining a friendship with a Russian national.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

While there is no information on recent practices, credible reports indicate that prisoners are mistreated and that many have died from disease, starvation, or exposure.

In 1998 a Polish newspaper reported the experiences of a woman who spent 10 years in a North Korean concentration camp before fleeing first to China and then to South Korea. The approximately 1,800 inmates in this particular camp typically worked 16 to 17 hours per day. The woman reported severe beatings, torture involving water forced into a victim's stomach with a rubber hose and pumped out by guards jumping on a board placed across the victim's abdomen, and chemical and biological warfare experiments allegedly conducted on inmates by the army. South Korean media reported that the DPRK State Security Agency manages the camps through use of forced labor, beatings, torture, and public executions.

Prison conditions are harsh. International nongovernmental organizations (NGO's) and defector sources report that whole families, including children, are imprisoned together. "Reeducation through labor" is common punishment, consisting of forced labor, such as logging and tending crops, under harsh conditions. A small number of persons who claimed to have escaped from detention camps reported that starvation and executions are common. In one prison, clothing reportedly was issued only once in 3 years. AI reported the existence of "punishment cells," too low to allow standing upright and too small for lying down flat, where prisoners are kept for up to several weeks for breaking prison rules. Visitors to North Korea reported that they observed prisoners being marched in leg irons, metal collars, or shackles.

A former prison camp inmate who later defected to South Korea told the South Korean press that conditions in prison camps became more difficult as the food crisis worsened in the mid-1990's. With the food ration reduced to 23/4 ounces daily in 1996, 20 percent of the inmates in one camp died. Prisoners who tried to escape were publicly executed as a warning to others. Inmates were forced to find shelter in nearby mountains when authorities destroyed the camp's housing area in 1996 in anticipation of a visit by an international human rights group. The majority of prisoners in the camps were those who had contacted South Koreans, attempted to go to South Korea via China, those who studied abroad, and members of antigovernment groups.

In 1999 credible witnesses reported that prisoners held on the basis of their religious beliefs were treated worse than other inmates were. One witness, a former prison guard, reported that those believing in God were regarded as insane, as the authorities taught that "all religions are opiates." He recounted an instance in which a woman was kicked hard and left lying for days because a guard overheard her praying for a child who was beaten.

The Government normally does not permit inspection of prisons by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

There are no restrictions on the ability of the Government to detain and imprison persons at will and to hold them incommunicado.

Little information is available on criminal justice procedures and practices, and outside observation of the legal system has been limited to "show trials" for traffic violations and other minor offenses.

Family members and other concerned persons find it virtually impossible to obtain information on charges against detained persons. Judicial review of detentions does not exist in law or in practice.

Defectors claim that North Korea detains between 150,000 and 200,000 persons for political reasons, sometimes along with their family members, in maximum security camps in remote areas. An October 1992 report by two former inmates made reference to severe living conditions in what they called "concentration camps." North Korean officials deny the existence of such prison camps but admit that there are "education centers" for persons who "commit crimes by mistake."

In 1991 a North Korean defector who had been a ranking official in the DPRK Ministry of Public Security said that there were two types of detention areas. One consists of closed camps where conditions are extremely harsh and from which prisoners never emerge. In the other, prisoners can be "rehabilitated."

One credible report lists a dozen political prisoner camps and approximately 30 forced labor and labor education camps in the DPRK. It is believed that some former high officials are imprisoned in the camps. Visitors formerly were allowed, but currently any form of communication with detainees, including visitors, is said to be prohibited.

In mid-1999, an ethnic Korean with foreign citizenship was arrested for unauthorized contact with North Koreans. This person was detained for a month before being released.

In May 1998, a foreigner of Korean descent was detained and held incommunicado for nearly 3 months before he was finally released. In September 1998, another foreigner of Korean descent was held incommunicado for more than a month for an unspecified "violation of law" before being released and expelled from the country.

South Korean newspapers reported in 1997 that family members of North Korean defector Hwang Chang Yop, former head of the Juche Research Institute, and a senior advisor to Kim Il Sung and Kim Jong Il, who defected to South Korea in that year, either were under house arrest or incarcerated in political prisons. However, visiting foreigners have seen some members of his family.

In March 1999, North Korean officials in Thailand tried to detain a Bangkok-based North Korean diplomat, Hong Sun Gyong, and his family. Hong and his wife escaped from their abductors and then requested asylum. Their son was taken to Laos by North Korean officials but subsequently was allowed to rejoin his parents in Thailand.

The Government is not reported to use forced exile. However, the Government routinely uses forced resettlement and has relocated many tens of thousands of persons from Pyongyang to the countryside. Although disabled veterans are treated extremely well, there are also reports that other physically disabled persons and those judged to be politically unreliable have been sent to internal exile. Often those relocated are selected on the basis of family background. Nonetheless, there is some evidence that class background is less important than in the past because of the regime's emphasis on the solidarity of the "popular masses" and united front efforts with overseas Koreans. According to unconfirmed September 1997 foreign press reports, some 500 senior officials were sent into internal exile.

e. Denial of Fair Public Trial

The Constitution states that courts are independent and that judicial proceedings are to be carried out in strict accordance with the law; however, an independent judiciary and individual rights do not exist. The Public Security Ministry dispenses with trials in political cases and refers defendants to the Ministry of State Security for imposition of punishment.

The Constitution contains elaborate procedural protections, and it states that cases are heard in public, and that the accused has the right to a defense; hearings may be closed to the public as stipulated by law. When trials are held, lawyers are apparently assigned by the Government. Reports indicate that defense lawyers are not considered representatives of the accused; rather, they are expected to help the court by persuading the accused to confess guilt. Some reports note a distinction between those accused of political crimes and common criminals and state that the Government affords trials or lawyers only to the latter. The Government considers critics of the regime to be "political criminals."

Numerous reports suggest that past political offenses have included such behavior as sitting on newspapers bearing Kim Il Sung's picture, or (in the case of a professor reportedly sentenced to work as a laborer) noting in class that Kim Il Sung had received little formal education. The KWP has a special regulation protecting the images of Kim Il Sung and Kim Jong Il. All citizens are required by this regulation to protect from damage any likeness of the two Kims. Beginning in the 1970's, the 10 Great Principles of Unique Ideology directed that anyone who tore or otherwise defaced a newspaper photo of either of the two Kims was a political criminal and punished as such. Defectors have reported families being punished because children had accidentally defaced photographs of one of the two Kim's. Families must display pictures of the two Kim's in their homes, and if local party officials found the family had neglected its photos, the punishment was to write self-criticism throughout an entire year (see Section 1.f.).

A foreigner hired to work on foreign broadcasts for the regime was imprisoned for 1 year without trial for criticizing the quality of the regime's foreign propaganda. He then was imprisoned for 6 more years (with trial) shortly after his release for claiming in a private conversation that his original imprisonment was unjust. While AI has listed 58 political prisoners by name, the total number of political prisoners being held is much larger. Several defectors and former inmates reported that the total figure is approximately 150,000, while South Korean authorities said the total figure is about 200,000.

The South Korean Ministry of National Unification reported to its National Assembly in October 1997 that North Korea held more than 200,000 political prisoners in camps where many had frozen or starved to death, and that famine may have worsened conditions. The report went on to describe the camps as having no electricity or heating facilities. The report claimed that those who attempted to escape were executed immediately. Most camps are located in remote mountain or mining areas. Some reports indicated an increase in the number of political prisoners as North Koreans had begun to complain more openly about the failure of the Government's economic policies.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the inviolability of person and residence and the privacy of correspondence; however, the Government does not respect these provisions in practice. The regime subjects its citizens to rigid controls. The state leadership perceives most international norms of human rights, and especially individual rights, as alien social concepts subversive to the goals of the State and party. The Government relies upon an extensive, multilevel system of informers to identify critics and potential troublemakers. Whole communities sometimes are subjected to massive security checks. The possession of "reactionary material" and listening to foreign broadcasts are both considered crimes that may subject the transgressor to harsh punishments. In some cases, entire families are punished for alleged political offenses committed by one member of the family. For example, defectors have reported families being punished because children had accidentally defaced photographs of one of the two Kims. Families must display pictures of the two Kims in their homes, and must keep them clean. Local party officials have conducted unannounced inspections once a month, and if the inspectors found the family had neglected its photos, the punishment was to write self-criticism throughout an entire year (see Section 1.e.).

The Government monitors correspondence and telephones. Telephones essentially are restricted to domestic operation, although some international service is available on a very restricted basis.

The Constitution provides for the right to petition. However, when an anonymous petition or complaint about state administration is submitted, the Ministries of State Security and Public Safety seek to identify the author through handwriting analysis. The suspected individual may be subjected to a thorough investigation and punishment.

The regime justifies its dictatorship with arguments derived from concepts of collective consciousness and the

superiority of the collective over the individual, appeals to nationalism, and citations of "the *juche* idea." The authorities emphasize that the core concept of *juche* is "the ability to act independently without regard to outside interference." Originally described as "a creative application of Marxism-Leninism" in the national context, *juche* is a malleable philosophy reinterpreted from time to time by the regime as its ideological needs change and used by the regime as a "spiritual" underpinning for its rule.

As defined by Kim Il Sung, *juche* is a quasi-mystical concept in which the collective will of the people is distilled into a supreme leader whose every act exemplifies the State and society's needs. Opposition to such a leader, or to the rules, regulations, and goals established by his regime is thus in itself opposition to the national interest. The regime therefore claims a social interest in identifying and isolating all opposition.

Since the late 1950's, the regime has divided society into three main classes: "Core," "wavering," and "hostile." These three classes are further subdivided into subcategories based on perceived loyalty to the Party and the leadership. Security ratings are assigned to each individual; according to some estimates, nearly half of the population is designated as either "wavering" or "hostile." These loyalty ratings determine access to employment, higher education, place of residence, medical facilities, and certain stores. They also affect the severity of punishment in the case of legal infractions. While there are signs that this rigid system has been relaxed somewhat in recent years—for example, children of religious practitioners are no longer automatically barred from higher education—it remains a basic characteristic of KWP political control.

Citizens with relatives who fled to South Korea at the time of the Korean War still appear to be classified as part of the "hostile class" in the DPRK's elaborate loyalty system. This subcategory alone encompasses a significant percentage of the population. One defector estimated that the class of those considered potentially hostile may comprise 25 to 30 percent of the population; others place the figure at closer to 20 percent. Members of this class are still subject to discrimination, although defectors report that their treatment has improved greatly in recent years.

The authorities subject citizens of all age groups and occupations to intensive political and ideological indoctrination. Even after Kim Il Sung's death, his cult of personality and the glorification of his family and the official *juche* ideology remained omnipresent. The cult approaches the level of a state religion.

The goal of indoctrination remains to ensure loyalty to the system and leadership, as well as conformity to the State's ideology and authority. The necessity for the intensification of such indoctrination repeatedly is stressed in the writings of Kim Jong Il, who attributes the collapse of the Soviet Union largely to insufficient ideological indoctrination, compounded by the entry of foreign influences.

Indoctrination is carried out systematically, not only through the mass media, but also in schools and through worker and neighborhood associations. Kim Jong Il has stated that ideological education must take precedence over academic education in the nation's schools, and he has also called for the intensification of mandatory ideological study and discussion sessions for adult workers.

Another aspect of the State's indoctrination system is the use of mass marches, rallies, and staged performances, sometimes involving hundreds of thousands of people. In September 1998, celebrations of the 50th anniversary of the founding of the DPRK included hours of carefully choreographed demonstration of mass adulation of the leadership. In October similar celebrations of the 55th anniversary of the KWP reportedly involved upwards of 1 million persons.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Although the Constitution provides for freedom of speech and the press, the Government prohibits the exercise of these rights in practice. The regime only permits activities that support its objectives. Articles of the Constitution that require citizens to follow "Socialist norms of life" and to obey a "collective spirit" take precedence over individual political or civil liberties.

The Government strictly curtails freedom of expression. The authorities may punish persons for criticizing the regime or its policies by imprisonment or "corrective labor." One defector reported in 1986 that a scientist, whose home was under surveillance through his radio set, was arrested and executed for statements that he made at home critical of Kim Il Sung. In another case, AI reports that a family formerly resident in Japan was sent to a "reeducation-through-labor" center because one member of the family allegedly made remarks disparaging the Government.

The Government attempts to control all information. It carefully manages the visits of Western journalists. In 1996 the Cable News Network was allowed to broadcast live, unedited coverage of the 2nd year memorial service for the death of Kim Il Sung. The regime recently allowed foreign journalists to report on the food situation. Foreign journalists also were allowed to report on the Korean Peninsula Energy Development Organization (KEDO) light-water reactor groundbreaking at Kumho in 1997. During the June 13 to 15 inter-Korean summit, and during the October visit of U.S. Secretary of State Albright, groups of foreign journalists were permitted to accompany official delegations and to file reports, although under strict state monitoring. Also, the presidents of 46 South Korean newspaper and broadcast organizations, led by the South Korean Minister of Culture and Tourism, traveled to the country in August and met with Kim Jong Il. Although more foreign journalists have been allowed into North Korea, the Government still maintains strict control over the movements of foreign visitors. For example, journalists accompanying a foreign minister from another country were not allowed to visit a department store or a train station; they were not allowed to talk to officials or to persons on the street. Those who arrived with cellular or satellite phones had them confiscated for the duration of their stay. Domestic media censorship is strictly enforced, and no deviation from the official government line is tolerated.

The regime prohibits listening to foreign media broadcasts except by the political elite, and violators are subject to severe punishment. Radios and television sets receive only domestic programming; radios obtained from abroad must be submitted for alteration to operate in a similar manner. CNN television broadcasts are available in a Pyongyang hotel frequented by foreigners. Private telephone lines operate on an internal system that prevents making and receiving calls from outside the country. International phone lines are available under very restricted circumstances. There may be very limited Internet access in North Korea for government officials, according to recent reports.

During the year, the DPRK defended threats and reiterated criticisms first made in late 1997 of the South Korean media for criticizing the North Korean leadership. The first instance was in response to a South Korean newspaper editorial, the second in reaction to a television drama about life in North Korea.

The Government severely restricts academic freedom and controls artistic and academic works. Visitors report that one of the primary functions of plays, movies, operas, children's performances, and books is to contribute to the cult of personality surrounding Kim Il Sung and Kim Jong Il.

b. Freedom of Peaceful Assembly and Association

Although the Constitution provides for freedom of assembly, the Government does not respect this provision in practice. The Government prohibits any public meetings without authorization.

Although the Constitution provides for freedom of association, the Government does not respect this provision in practice. There are no known organizations other than those created by the Government. Professional associations exist primarily as a means of government monitoring and control over the members of these organizations.

c. Freedom of Religion

The Constitution provides for "freedom of religious belief;" however, in practice the Government discourages organized religious activity except that supervised by officially recognized groups. Genuine religious freedom does not exist. The Constitution also stipulates that religion "should not be used for purposes of dragging in foreign powers or endangering public security."

Although in the past the Government has branded religiously active persons as "counterrevolutionaries" and killed or imprisoned them, in more recent times, it has allowed the formation of several government-sponsored religious organizations. These serve as interlocutors with foreign church groups and international aid organizations. Foreigners who have met with representatives of these organizations believe that some are genuinely religious but note that others appear to know little about religious dogma, liturgy, or teaching. A constitutional change in 1992 deleted the clause about freedom of antireligious propaganda, authorized religious gatherings, and provided for "the right to build buildings for religious use."

The number of religious believers is unknown but has been estimated by the media and religious groups at 10,000 Protestants, 10,000 Buddhists, and 4,000 Catholics. There are also an undetermined number of persons belonging to underground Christian churches. In addition the Chondogyo Young Friends Party, a government-sponsored group based on a traditional Korean religious movement, still is in existence. There are 300 Buddhist temples. Most of the temples are regarded as cultural relics, but in some of them religious activity is permitted. Two Protestant churches under lay leadership and a Roman Catholic church (without a

priest) have been opened since 1988 in Pyongyang. Several schools for religious education exist. There are 3-year religious colleges for training Protestant and Buddhist clergy. A religious studies program also was established at Kim Il Sung University in 1989; its graduates usually go on to work in the foreign trade sector.

There has been a limited revival of Buddhism with the translation and publication of Buddhist scriptures that had been carved on 80,000 wooden blocks and kept at an historic temple. It is not known whether any Catholic priests, whose role is a fundamental element for the practice of the Catholic faith, remain in the country. Seoul Archbishop Nicholas Jin-Suk Cheong, appointed by the Pope as Apostolic Administrator of Pyongyang, was quoted in July as stating that while there were 50 priests in the country in the 1940's, it is not known if they are still alive. In November a delegation from the Vatican visited the country. Although some foreigners who have visited the DPRK over the years say that church activity appears staged, others believe that church services are genuine, although sermons contain both religious and political content supportive of the regime. The Government claims, and visitors confirm, that there are more than 500 authorized "house churches."

Persons engaging in religious proselytizing may be arrested and are subject to harsh penalties, including imprisonment and prolonged detention without charge. The regime appears to have cracked down on unauthorized religious groups in recent years, especially persons who proselytize or who have ties to overseas evangelical groups operating across the border with China, as the Government appears concerned about religiously based South Korean relief and refugee assistance efforts along the northeast border with the People's Republic of China becoming entwined with more political goals, including overthrow of the regime. The food crisis apparently has heightened government concern about antiregime activity. An article in the Korean Workers Party newspaper in 1999 criticized "imperialists and reactionaries" for trying to use ideological and cultural infiltration, including religion, to destroy socialism from within. South Korean law requires all parties, including religious groups, travelling to North Korea or contacting North Koreans to request permission from the South Korean security agency. This requirement increases suspicions among North Korean officials about the intentions of such groups.

There is no reliable information on the number of religious detainees or prisoners, but there have been unconfirmed reports that some of those detained in the country are detained because of their religion.

Religious and human rights groups outside the country have provided numerous, unconfirmed reports that members of underground churches have been beaten, arrested, detained in prison camps, or killed because of their religious beliefs. One unconfirmed report stated that a dozen Christians have been executed since January 1999. According to another unconfirmed report, 23 Christians were executed between October 1999 and April; some reportedly were executed under falsified criminal charges, and some reportedly were tortured prior to their executions. A religious nongovernmental organization quoted an unnamed South Korean pastor's claims that 400 Christians were executed in 1999. These reports could not be confirmed or disproved because of the effectiveness of the Government in barring outside observers. Nonetheless, the collective weight of anecdotal evidence of harsh treatment of unauthorized religious activity lends credence to such reports. The regime deals harshly with its critics and views religious believers belonging to underground congregations or with ties to evangelical groups in North China as opponents. Reports of executions, torture, and imprisonment of religious persons in the country continue to emerge.

Little is known about the actual life of religious persons in the DPRK. Members of government-recognized religious groups do not appear to suffer discrimination; in fact some reports claim they have been mobilized by the regime. Persons whose parents were believers but who themselves are nonpracticing are able to rise to at least the midlevels of the bureaucracy. Such individuals, as a category, suffered broad discrimination in the past. Members of underground churches connected to border missionary activity appear to be regarded as subversive elements.

The Government deals harshly with all opponents, including those engaging in religious practices deemed unacceptable to the regime. In April 1999, witnesses testified before the U.S. Congress on the treatment of persons held in prison camps through the early 1990's. The witnesses stated that prisoners held on the basis of their religious beliefs generally were treated worse than other inmates. One witness, a former prison guard, testified that those believing in God were regarded as insane, as the authorities taught that "all religions are opium." He recounted an instance in which a woman was kicked repeatedly and left with her injuries unattended for days because a guard overheard her praying for a child who was being beaten. Because of the effectiveness of the Government in barring outside observers, such allegations could not be substantiated.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

In the past, the regime has controlled internal travel strictly, requiring a travel pass for any movement outside one's home village. These passes were granted only for official travel or attendance at a relative's wedding or

funeral. Long delays in obtaining the necessary permit often resulted in denial of the right to travel even for these limited purposes. In recent years, it appears that the internal controls on travel have eased significantly. There are reports of the large-scale movement of people across the country in search of food. Only members of a very small elite have vehicles for personal use. The regime tightly controls access to civilian aircraft, trains, buses, food, and fuel.

The regime limits foreign travel to officials and trusted artists, athletes, academics, and religious figures. It does not allow emigration. In recent years, there have been numerous reports of a steady increase in North Korean migrants arriving in China, Hong Kong, Vietnam, and other Asian countries. The regime reportedly retaliates against the relatives of some of those who manage to escape. According to the Penal Code, defection and attempted defection (including the attempt to gain entry to a foreign embassy for the purpose of seeking political asylum) are capital crimes. Refugees have stated that DPRK border guards have received orders to shoot-to-kill persons attempting to cross the border into China, although some border crossings for family visits and trade are permitted. Others have reported that some would-be refugees who have been involuntarily returned have been executed (see Section 1.a.). Following the collapse of European communism, the regime recalled several thousand students from overseas but in recent years again has allowed small numbers of students to study abroad. Nonetheless, in recent years substantial numbers of persons have fled to neighboring countries in search of food. Many return after securing food.

The Chinese Government states that there are only a few hundred North Koreans in China; others estimate that there are tens of thousands. Most have crossed the border clandestinely in small groups to seek food, shelter, and work. In January China returned to the DPRK seven persons who had been granted refugee status by the U.N. High Commissioner for Refugees in Russia in December 1999 but were forced back into China. How the DPRK authorities dealt with the seven is unknown.

The Government strictly controls permission to reside in, or even enter, Pyongyang. This is a significant lever, since food, housing, health, and general living conditions are much better in Pyongyang than in the rest of the country.

AI has reported serious human rights abuses involving North Korean workers and refugees living in Russia. There are about 6,000 DPRK workers in North Korean-run camps in the Russian Far East engaged in farming, mining, and construction. Conditions in these camps are harsh; food is scarce; and discipline is severe. In the past, there have been allegations that discipline includes physical torture such as placing wooden logs between the knees of offenders, after which they were forced to sit down, causing them excruciating pain. In recent years, offenders have been sent back to the DPRK for punishment due to the increased scrutiny that the labor camps have been under since Russian and foreign media began reporting on the conditions in these camps in the early 1990's.

North Koreans in Russia comprise two groups: Those who were selected to work in Russia but refused to return to the DPRK and those who have fled into Russia from the DPRK. Until 1993 under a secret protocol, the DPRK Public Security Service reportedly was allowed to work inside Russia to track down workers who fled the camps. Since 1993 many North Koreans have been engaged in business in the Russian Far East.

Many North Koreans in Russia face severe hardships due to their lack of any identification. Workers arriving in Russia usually have their passport and other identification confiscated by North Korean border guards.

The DPRK Government reportedly tried to prevent persons from staying in Russia by using diplomatic channels to influence Russian authorities and international organizations. In a number of cases, North Korean authorities reportedly told Russian authorities that a particular North Korean who had applied for asylum in Russia or elsewhere was a criminal offender in North Korea. An extradition treaty signed by both nations in 1957 requires that persons with criminal records be returned to their country.

From 1959 to 1982, 93,000 Korean residents of Japan, including 6,637 Japanese wives, voluntarily repatriated to North Korea. Despite DPRK assurances that the wives, more than a third of whom still had Japanese citizenship, would be allowed to visit Japan every 2 or 3 years, none were permitted to do so until 1997. However, many have not been heard from, and their relatives and friends in Japan have been unsuccessful in their efforts to gain information about their condition and whereabouts.

The DPRK and the Japanese Government held a series of bilateral meetings in Beijing in the second half of 1997, during which the DPRK agreed to allow some Japanese wives resident in North Korea to visit Japan. The first such visit occurred in November 1997 when 15 Japanese wives arrived for a 1-week visit. An additional 12 Japanese wives visited for a week in January and February 1998. However, in June 1999 the DPRK cancelled a visit by Japanese wives to Japan, citing "artificial hurdles and inhuman acts on the Japanese side." The visits resumed after the Japanese Government and the DPRK restarted normalization

talks in April. A group of 16 Japanese wives visited Japan from September 12 to 16.

Although the DPRK has permitted an increasing number of overseas Koreans to visit their relatives in North Korea over the past decade, most requests for such visits are still denied. From August 15-18, the DPRK and the Republic of Korea sent delegations of 100 members of separated families to each other's capitals for family reunion meetings. However, the meetings generally were of limited duration and certain topics were not allowed to be discussed. From November 30 to December 2, a second such reunion took place, and further reunions were scheduled for 2001. Many foreign visitors to the 1995 International Pyongyang Sports Festival reported that they were denied permission to visit or otherwise contact their relatives, even those who lived only a few miles from Pyongyang.

Although more foreign journalists have been allowed into North Korea, the Government still maintains the strictest control over the movements of foreign visitors. For example, journalists accompanying a foreign minister from another country were not allowed to visit a department store or a train station; they were not allowed to talk to officials or to persons on the street. Those who arrived with cellular or satellite phones had them confiscated for the duration of their stay.

Reports, primarily from refugees, indicate that the Government routinely uses forced resettlement, particularly for those deemed politically unreliable.

Although the DPRK is a member of the United Nations, it does not participate in international refugee forums, and it is not in contact with the U.N. High Commissioner for Refugees. There is no known policy or provision for first asylum.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have no right or mechanisms to change their leadership or government. The political system is completely dominated by the KWP, with Kim Il Sung's heir Kim Jong Il in full control. Very little reliable information is available on intraregime politics following Kim Il Sung's death. The legislature, the Supreme People's Assembly (SPA), which meets only a few days a year, serves only to rubber-stamp resolutions presented to it by the party leadership. In October 1997, Kim Jong Il acceded to the position of General Secretary of the Korean Worker's Party. In September 1998, the SPA reconfirmed Kim as the Chairman of the National Defense Commission and declared that position the "highest office of State." The presidency was abolished, leaving the late Kim Il Sung as the DPRK's only President. The titular head of state is Kim Yong Nam, the President of the Presidium of the Supreme People's Assembly.

In an effort to give the appearance of democracy, the DPRK has created several "minority parties." Lacking grassroots organizations, they exist only as rosters of officials with token representation in the Supreme People's Assembly. Their primary purpose appears to be promoting government objectives abroad as touring parliamentarians. Free elections do not exist, and the regime has criticized the concept of free elections and competition among political parties as an artifact of capitalist decay.

Elections to the Supreme People's Assembly and to provincial, city, and county assemblies are held irregularly. In July 1998, SPA elections were held for the first time since 1990. According to the government-controlled media, over 99 percent of the voters participated to elect 100 percent of the candidates approved by the KWP. Results of previous SPA elections have produced virtually identical outcomes. The vast majority of the KWP's estimated 3 million members (in a population of 23 million) work to implement decrees formulated by the Party's small elite.

Few women have reached high levels of the Party or the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not permit any independent domestic organizations to monitor human rights conditions or to comment on violations of such rights. Although a North Korean Human Rights Committee was established in 1992, it denies the existence of any human rights violations in North Korea. However, by offering international human rights organizations an identifiable official interlocutor, the Committee helped increase the ability of international human rights organizations to enter into two-way communication with the regime.

Although the World Food Program has been given access to most counties in North Korea, it has been excluded from several dozen. Foreign aid workers and aid workers from international organizations, who

provide substantial food aid, frequently are denied access to sites where this food is distributed, and thus are unable consistently to verify that the aid reaches its intended recipients. Many foreign NGO's report being charged large fees by Government officials to get visas for foreign staff, to set up offices, and to establish programs. There have been reports of abduction of ethnic Korean aid workers by government officials; some victims were required to pay a large fine to obtain their release.

In April 1998, during the 54th meeting of the U.N. Commission on Human Rights, the North Korean delegation accused the international community of slandering the DPRK's human rights record, adding that the DPRK Government would not tolerate "any attempt to hurt the sovereignty and dignity of the country under the pretext of human rights."

In 1996 a delegation from AI visited the DPRK and discussed legal reforms and prisoner cases with senior government officials. The Government has ignored requests for visits by other international human rights organizations, and none are known to have visited.

In August 1997, the U.N. Subcommission on Prevention of Discrimination and Protection of Minorities adopted a resolution criticizing the DPRK for its human rights practices. The DPRK subsequently announced that it would withdraw from the International Covenant on Civil and Political Rights (ICCPR), calling the resolution an attack on its sovereignty. In October 1997, the U.N. Human Rights Committee issued a statement criticizing the attempt by North Korea to withdraw from the ICCPR, noting that countries that had ratified the ICCPR could not withdraw from the covenant. In August 1998, the Human Rights Committee readopted a resolution urging the DPRK to improve its human rights record. In July for the first time in 16 years, the regime submitted a report on human rights to the U.N. Human Rights Committee.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution grants equal rights to all citizens. However, in practice the Government denies its citizens most fundamental human rights. There was pervasive discrimination on the basis of social status.

Women

There is no information available on violence against women.

The Constitution states that "women hold equal social status and rights with men." However, although women are represented proportionally in the labor force, few women have reached high levels of the party or the Government. In many small factories, the work force is predominantly female. Like men, working-age women must work. They are thus required to leave their preschool children in the care of elderly relatives or in state nurseries. However, according to the Constitution, women with large families are to work shorter hours. There were reports of trafficking in women and young girls among North Koreans crossing the border into China (see Sections 6.c. and 6.f.).

Children

Social norms reflect traditional, family-centered values in which children are cherished. The State provides compulsory education for all children until the age of 15. Some children are denied educational opportunities and subjected to other punishments and disadvantages as a result of the loyalty classification system and the principle of "collective retribution" for the transgressions of their parents (see Section 1.f.).

According to the World Food Program, the international community is feeding nearly every child under the age of 7 years. In some remote provinces, many persons over the age of 6 years reportedly appear to be suffering from long-term malnutrition. A nutrition survey carried out by UNICEF and the World Food Program in the aftermath of flood disasters found that 16 percent of children under 7 years of age suffered from acute malnutrition and that 62 percent suffered from stunted growth. In August 1997, a senior UNICEF official said that about 80,000 children were in immediate danger of dying from hunger and disease; 800,000 more were suffering from malnutrition to a serious but lesser degree.

Like others in society, children are the objects of intense political indoctrination; even mathematics textbooks propound party dogma. In addition foreign visitors and academic sources report that children from an early age are subjected to several hours a week of mandatory military training and indoctrination at their schools. School children sometimes are sent to work in factories or in the fields for short periods to assist in completing special projects or in meeting production goals.

In practice children do not enjoy any more civil liberties than adults. In June 1998, the U.N. Committee on the Rights of the Child (UNCRC) released its concluding observations on a February 1996 report submitted by the DPRK, detailing its adherence to the International Convention on the Rights of the Child. The UNCRC found that the DPRK strategy, policies, and programs for children do not fully reflect the rights-based approach enshrined in the convention. The UNCRC also expressed concern over de facto discrimination against children with disabilities and at the insufficient measures taken by the state party to ensure that these children have effective access to health, education, and social services, and to facilitate their full integration into society.

In the fall of 1998, the NGO's Doctors Without Borders (DWB) and Doctors of the World closed their offices in the country because the Government reportedly denied them access to a large population of sick and malnourished children. DWB officials said that they had evidence that orphaned and homeless children had been gathered into so-called "9-27 camps." These camps reportedly were established under a September 27, 1995 order from Kim Jong Il to "normalize" the country. North Korean refugees who have escaped from the 9-27 camps into China have reported inhuman conditions.

Information about societal or familial abuse of children is unavailable. There were reports of trafficking in young girls among North Koreans crossing the border into China (see Sections 6.c. and 6.f.).
People with Disabilities

Traditional social norms condone discrimination against the physically disabled. Apart from disabled veterans, disabled persons almost never are seen within the city limits of Pyongyang, and several defectors and other former residents report that disabled persons are assigned to the rural areas routinely. According to one report, authorities check every 2 to 3 years in the capital for persons with deformities and relocate them to special facilities in the countryside. There are no legally mandated provisions for accessibility to buildings or government services for the disabled. In an April 1998 statement, the U.N. Committee on the Rights of the Child criticized "de facto discrimination" in the country against children with disabilities.

Section 6 Worker Rights

a. The Right of Association

Nongovernmental labor unions do not exist. The KWP purports to represent the interests of all labor. There is a single labor organization, the General Federation of Trade Unions of Korea, which is affiliated with the formerly Soviet-controlled World Federation of Trade Unions. Operating under this umbrella, unions function on the classic "Stalinist model," with responsibility for mobilizing workers behind production goals and for providing health, education, cultural, and welfare facilities. Unions do not have the right to strike.

North Korea is not a member of, but has observer status with, the International Labor Organization.

b. The Right to Organize and Bargain Collectively

Workers have no right to organize or to bargain collectively. Government ministries set wages. The State assigns all jobs. Ideological purity is as important as professional competence in deciding who receives a particular job, and foreign companies that have established joint ventures report that all their employees must be hired from lists submitted by the KWP. Factory and farm workers are organized into councils, which do have an impact on management decisions.

There is one free economic and trade zone (FETZ). The Korean Peninsula Energy Development Organization (KEDO) negotiated a separate protocol and service contracts for workers at the site of its light water reactor project. The government agency, which supplied the labor to KEDO, bargained effectively on the workers behalf (see Section 6.e.).

c. Prohibition of Forced or Compulsory Labor

In its report to the U.N. Human Rights Committee, the regime stated that its laws prohibit forced or compulsory labor. The Government frequently mobilizes the population for construction projects. Military conscripts routinely are used for this purpose as well. "Reformatory labor" and "reeducation through labor" are common punishments for political offenses. All reports that forced labor, such as logging and tending crops, is common among prisoners. School children are assigned to factories or farms for short periods to help meet production goals (see Section 5).

There are reports of the trafficking of North Korean women and young girls among North Koreans crossing the border into China. Many become brides, but some work in the sex industry. Many reportedly are held as virtual prisoners (see Sections 5 and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

According to the Constitution, the State prohibits work by children under the age of 16 years. As education is universal and mandatory until the age of 15, it is believed that this regulation is enforced. There is no prohibition on forced labor by children, and school children are assigned to factories or farms for short periods to help meet production goals (see Section 6.c.).

There are reports of trafficking in young girls among North Koreans crossing into China, some to become brides and others forced to work in the sex industry (see Sections 5, 6.c., and 6.f.).

e. Acceptable Conditions of Work

No data is available on the minimum wage in state-owned industries. Until the recent food crisis, wages and rations appeared to be adequate to support workers and their families at a subsistence level. Wages are not the primary form of compensation since the State provides all educational and medical needs free of charge, while only token rent is charged. The minimum wage for workers in North Korea's FETZ is approximately \$80 per month; in foreign-owned and joint venture enterprises outside the FETZ the minimum wage is reportedly close to \$110 per month. It is not known what proportion of the foreign-paid wages go to the worker and what proportion remains with the State. KEDO, the international organization charged with implementation of a light-water reactor and other projects, has concluded a protocol and a related memorandum of understanding concerning wages and other working conditions for citizens who are to work on KEDO projects. Unskilled laborers receive about \$110 per month while skilled laborers are paid slightly more depending on the nature of the work performed (see Section 6.b.).

The Constitution states that all working-age citizens must work and "strictly observe labor discipline and working hours." The Penal Code states that anyone who hampers the nation's industry, commerce, or transportation by intentionally failing to carry out a specific assignment "while pretending to be functioning normally" is subject to the death penalty; it also states that anyone who "shoddily carries out" an assigned duty is subject to no less than 5 years' imprisonment.

Even persistent tardiness may be defined as "anti-Socialist wrecking" under these articles, although as a result of food shortages absenteeism reportedly has become widespread as more time must be spent finding food. A DPRK official described the labor force to an audience of foreign business executives by noting that "there are no riots, no strikes, and no differences of opinion" with management.

In 1994 the authorities reportedly adopted new labor regulations for enterprises involving foreign investments. The regulations on labor contracts set out provisions on the employment and dismissal of workers, technical training, workhours, rest periods, remuneration, labor protection, social security, fines for violations of regulations, and settlement of disputes.

The Constitution stipulates an 8-hour workday; however, several sources report that most laborers work from 12 to 16 hours daily when factories are operating. Some of this additional time may include mandatory study of the writings of Kim Il Sung and Kim Jong Il. The Constitution provides all citizens with a "right to rest," including paid leave, holidays, and access to sanitariums and rest homes funded at public expense. Many worksites are hazardous, and the rate of industrial accidents is high. It is believed that workers do not have the right to remove themselves from hazardous working conditions without jeopardizing their employment.

f. Trafficking in Persons

There are no known laws specifically addressing the problem of trafficking in persons.

There have been reports of trafficking in women and young girls among North Koreans crossing the border into China. Some were sold by their families as wives to men in China. A network of smugglers reportedly facilitates this trafficking. Many such women, unable to speak Chinese, are held as virtual prisoners. Many end up working as prostitutes (see Sections 5 and 6.c.).

[End.]