

Time to Address North Korea's Prison Labor Camps

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It is time for the international community to address itself directly to the most serious of North Korea's human rights violations – the prison labor camps. Situated in the mountains of North Korea, the camps are estimated to hold some 100,000 to 200,000 prisoners, including whole families, many of whom are not expected to survive.

The issue has come to the fore through the combined efforts of human rights NGOs and former North Korean prisoners who have escaped the country. For several decades, NGOs, academics and journalists from the United States, Western Europe and the Republic of Korea have conducted painstaking research to unearth verifiable information about the camps and North Korea's overall human rights situation. They have come up with persuasive evidence despite the regime's efforts to conceal its conduct through denial of access. The last time a human rights organization was allowed into North Korea was in 1995 when Amnesty International visited the capital under heavy restrictions. Since that time, no human rights NGO or UN human rights expert looking into North Korea has been allowed into the country. When in 2003 the Committee for Human Rights in North Korea published its widely quoted report about the penal labor camps, updated in 2012, it was unable to set foot in North Korea. It relied instead on the testimony of those who escaped the coun-

try. Of the 25,000 North Koreans who have made their way to the South over the past ten to fifteen years, hundreds were former prisoners and former prison guards. Their testimonies were found to largely corroborate one other and have been verified by satellite photos. North Koreans hiding in China have reinforced this testimony as well.

The accumulated information contradicts Pyongyang's assertions that there are no human rights violations in North Korea nor any labor camps. In fact, governments and the United Nations have come to rely on the NGO information in producing their own reports and policy positions. The information will prove critical as well to any transitional justice measures developed to hold North Korean authorities accountable. The South Korean NGO, the Data Base Center for North Korean Human Rights and others have been compiling information on individual prisoners, including those currently held in the camps and on the perpetrators so that the information can become the basis for accountability in the future.

But there are serious challenges to this work that need to be addressed. Because the testimony of survivors has been damaging to North Korea, the Kim regime has sought to stem the flow of North Koreans escaping to tell their stories. It has been cracking down at the border in collaboration with China and has reduced by nearly half the number of North Koreans escaping through China to South Korea. In 2012, some 1,500 reached the South as compared to close to 2,800 the year before. North Korea of late has been filling its detention centers with people trying to escape or those pushed back. Its most recent foray was into Laos to forcibly bring back a group of young North Koreans.

North Korean authorities have also harassed defectors in the South, sometimes by designating them enemies of the state, hacking into their computers or punishing their family members, friends and colleagues left behind. North Koreans who come out are haunted by what has happened or may happen to those with whom they were close.

Still another impediment to collecting information has been the lack of resources. Whether in the United States or South Korea, resources are limited when it comes

to NGO research and publication of reports, even though the importance of putting the information out there could not be more evident. While new technology, the growing role of private markets, and some courageous North Koreans sending out messages have been eroding the information blockade, significant gaps remain in what we know. This includes the rate of deaths in detention, the extent to which whole families continue to be incarcerated, the status of existing camps and the numbers and punishment of North Koreans forcibly repatriated from China. Nonetheless, as a well-attended conference in Washington on the gulag concluded last year, “We know enough” to make a serious case meriting action.

Indeed, defector testimony – the main source of information about North Korea’s camp violations – has begun to be given more weight by UN officials and governments. For many years United Nations High Commissioners for Human Rights espoused the view that it was necessary for the UN *itself* to assess the situation on the ground in order to form an independent diagnosis. Even the annual State Department Human Rights Reports on North Korea include a disclaimer about defector testimony and being able fully to assess human rights conditions. But increasingly, UN and government officials have come to realize that the gold standard of proof in which international monitors can verify on the ground every piece of information is unrealistic when a country has a deliberate closed door policy. Moreover, constantly drawing attention to the lack of fully verifiable information on North Korea can serve as a rationale for inaction and could even have the unintended effect of lending support to North Korea’s claims that the human rights abuses reported are unfounded emanating from those who have betrayed their country.

Last year, the world body made important strides on this point. After some ten years of resolutions and requests for dialogue and entry into North Korea, the UN Special Rapporteur on Human Rights in North Korea declared that human rights violations had reached “a critical mass.” And the UN High Commissioner for Human Rights took the decision to meet with camp survivors for the first time and called North Korea’s human rights situation unparalleled. She declared: “I don’t think the world should stand by and see this kind of situation, which is not improving at all.” With the support of Japan and the European Union, followed by South Korea and the United States, the 47 member Human Rights Council set up a commission of

inquiry in March to investigate whether North Korea's violations constitute crimes against humanity for which its officials could be held accountable. The vote was by consensus, reflecting a growing international unanimity around North Korea's widespread abuses.

But the commission of inquiry will face many challenges. When it comes to the penal labor camps, or to forced abductions, information is available to establish crimes against humanity, but when it comes to other violations, a great deal of time and effort will be needed to put together the information required. If the commission needs to extend its work – it was allotted a year – then Japan, the European Union, and the U.S.-South Korean alliance should be ready to support its continuation, even though China will be on the Council next year. And these countries must be prepared to recommend strong steps if North Korea is found to be committing crimes against humanity.

The commission should not be considered an end in itself but rather part of a larger strategy at the UN to promote human rights in North Korea. There is a myriad of UN offices and agencies – whether on refugees, health, information, food and development, that are involved with North Korea. The entire system should be tapped to reinforce human rights where it can. Humanitarian agencies, for example, which emphasize the importance of reaching the most vulnerable in the society should at least be expected to strategize about gaining access to the camps, especially to reach children, who pose no danger to North Korea's security.

In their bilateral relations with North Korea, both the United States and South Korea have been cautious when it comes to raising human rights issues. Political and strategic issues and preoccupation with North Korea's nuclear program have been the main reasons. But it is also true that discussions over sensitive strategic and nuclear issues with the former Soviet Union did not stop human rights discussions. Nor do discussions with China preclude reference to human rights concerns. With North Korea the ground needs to shift and there are signs it is beginning to. In the past, the camps were always considered too provocative to talk about, but in March Ambassador Glyn Davies told the Senate that “The world is increasingly taking note” of North Korea's human rights violations, and he specifically drew attention

to North Korea's "elaborate network of political prison camps" on which he commented at some length, and made reference to defector testimony – Shin Dong-hyuk and the book *Escape from Camp 14*. "How the DPRK addresses human rights," he continued, "will have a significant impact on prospects for improved U.S.-DPRK ties." And in his confirmation hearings, Secretary Kerry also publicly pointed to the gulags in North Korea and spoke of an American leadership role here.

It is now time for these pronouncements to make their way into actual policy toward North Korea. Otherwise the issues which North Korea can benefit from – food issues or family reunification issues for which they receive payments – would principally be on the table together with possible training programs for select lawyers hand-picked by Pyongyang.

Last month's G8 communique urged North Korea for the first time to address human rights violations and it specified the abductions of foreigners and the treatment of returned refugees. But it omitted reference to the camps. And the May Joint Declaration of Presidents Obama and Park Geun-hye omitted human rights principles as a foundation of peaceful reunification. Denuclearization, democracy and a market economy were mentioned but do not adequately cover those principles.

On this 60th anniversary of the U.S.-ROK alliance, it is time for the U.S. and South Korea to begin to end the exceptionalism accorded North Korea in the human rights area, and to develop a strategy with other countries and international institutions for bringing onto the diplomatic agenda international access to North Korea's political prisoners.

The views expressed herein do not necessarily reflect the views of the Asan Institute for Policy Studies.



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