

NORTH KOREA

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

The North Korean government continues to rank as one of the world's most repressive regimes, in part because of its deplorable human rights record. Freedom of religion or belief does not exist and is, in fact, profoundly suppressed. The regime considers religion to pose the utmost threat—both to its own survival and that of the country. The North Korean government relentlessly persecutes and punishes religious believers through arrest, torture, imprisonment, and sometimes execution. Once imprisoned, religious believers typically are sent to political prison camps where

they are treated with extraordinary cruelty. Based on the North Korean government's longstanding and continuing record of systematic, ongoing, and egregious violations of freedom of religion or belief, USCIRF again finds that North Korea, also known as the Democratic People's Republic of Korea (DPRK), merits designation in 2017 as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The State Department has designated North Korea as a CPC since 2001, most recently in October 2016.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Continue to designate North Korea as a CPC under IRFA;
- Continue to impose targeted sanctions on specific North Korean officials and government agencies, or individuals or companies working directly with them, for human rights violations—particularly violations of the freedom of religion or belief—or for benefitting from these abuses, as part of sanctions imposed via one or more of the following: an executive order, the North Korea Sanctions and Policy Enhancement Act of 2016, the "specially designated nationals" list maintained by the Treasury Department's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, asset freezes under the Global Magnitsky Act, other congressional action, or action at the UN;
- Call for a follow-up UN inquiry to track the findings of the [2014 report by the UN Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea \(COI\)](#) and assess any new developments—particularly with respect to violations of the freedom of religion or belief, and suggest a regularization of such analysis similar to and in coordination with the Universal Periodic Review process;
- Include, whenever possible, both the Special Envoy for North Korean Human Rights Issues and the Ambassador-at-Large for International Religious Freedom in formal and informal discussions about or with North Korea in order to incorporate human rights and religious freedom into the dialogue, and likewise incorporate human rights and religious freedom concerns into discussions with multilateral partners regarding denuclearization and security, as appropriate;
- Coordinate efforts with regional allies, particularly Japan and South Korea, to raise human rights and humanitarian concerns and specific concerns regarding freedom of religion or belief, and press for improvements, including the release of prisoners of conscience and closure of the infamous political prisoner camps;
- Explore innovative ways to expand existing radio programming transmitted into North Korea and along the border, as well as the dissemination of other forms of information technology, such as mobile phones, thumb drives, and DVDs, and improved Internet access so North Koreans have greater access to independent sources of information; and
- Encourage Chinese support for addressing the most egregious human rights violations in North Korea, including violations of religious freedom, and regularly raise with the government of China the need to uphold its international obligations to protect North Korean asylum-seekers in China, including by allowing the UN High Commissioner for Refugees and international humanitarian organizations to assist them, and by ending repatriations, which are in violation of the 1951 Refugee Convention and Protocol and/or the UN Convention Against Torture.

The U.S. Congress should:

- Reauthorize the North Korean Human Rights Act beyond 2017, incorporate updated language and/or recommendations from the 2014 COI report, particularly regarding freedom of religion or belief, and authorize funds for the act's implementation.

BACKGROUND

Although other Communist countries restrict freedom of religion or belief—even if they pretend to protect it constitutionally—the North Korean regime stands apart for its state-generated ideology known as *Juche*. Through this dogmatic stranglehold over society, the regime engenders cult-like devotion to and deification of current leader Kim Jong-un, just as it did for Kim’s father and grandfather before him. This forced loyalty leaves no room for the expression or practice of individualized thought, nor for freedom of religion or belief, which in practice does not exist. Those who follow a religion or other form of belief do so at great risk and typically in secret, at times even keeping their faith hidden from their own families. The most recent estimate puts North Korea’s total population at more than 25 million.

Given the country’s extremely closed nature, figures for religious followers are outdated and difficult to confirm. The United Nations (UN) estimates that less than 2 percent of North Koreans are Christian, or somewhere between 200,000 and 400,000 people. The country also has strong historical traditions of Buddhism, Confucianism, and Shamanism, as well as a local religious movement known as Chondoism (also spelled Cheondoism).

Through increasingly aggressive rhetoric and actions aimed at provoking the international community, particularly the United States, the North Korean government continues to look inward to bolster its legitimacy, such as through the expansion of its nuclear weapons program.

[UN Resolution 31/18] condemns longstanding violations, including the denial of freedom of thought, conscience, and religion. . . .

In May 2016, the regime held the Workers’ Party of Korea’s Seventh Congress, the first such gathering in nearly four decades. Formally, the party holds a congress to self-organize, set an agenda, and determine leadership roles. Analysts believe the rare meeting also served as a vehicle for Kim Jong-un to consolidate his power.

During 2016, North Korea experienced a series of highly publicized defections, including a high-profile diplomat and a rare group defection. In April 2016, 13 North Koreans working at a restaurant in Ningbo, China, defected. In August 2016, North Korea’s former deputy ambassador in London, Thae Yong-ho, defected, eventually arriving with his family in Seoul, South Korea, where he remains under government protection. In October 2016, news reports suggested that as many

as three Beijing-based embassy officials or other North Korean government employees defected.

During the year, the UN Human Rights Council named Tomás Ojea Quintana of Argentina as the new Special Rapporteur on the situation of human rights in North Korea

and continued to underscore that country’s deplorable human rights record. In March 2016, the UN Human Rights Council adopted Resolution 31/18 examining the human rights situation in North Korea. The resolution condemns longstanding violations, including the denial of freedom of thought, conscience, and religion, and instructs the UN High Commissioner for Human Rights to assign a two-person expert group to work on issues of accountability for human rights abuses with the Special

Rapporteur. In the group's February 2017 report, the experts recommended a "multi-pronged and comprehensive" approach to "pursuing accountability for human rights violations in [North Korea]," specifically with respect to violations that may constitute crimes against humanity. In November 2016, the UN Security Council unanimously adopted a resolution sanctioning North Korea for its fifth nuclear test in September. In December 2016, however, several of Pyongyang's allies, including China, attempted and failed to block a debate on North Korea's human rights abuses when the Security Council met for its third annual discussion on the subject.

RELIGIOUS FREEDOM CONDITIONS 2016–2017

Government Control and Repression of Christianity

All religious groups are prohibited from conducting religious activities except through the handful of state-controlled houses of worship, and even these activities are tightly controlled. According to the Database Center for North Korean Human Rights, individuals face persecution for propagating religion, possessing religious items, carrying out religious activities (including praying and singing hymns), and having contact with religious persons. However, the North Korean regime reviles Christianity the most and considers it the biggest threat; it associates that faith with the West, particularly the United States. Through robust surveillance, the regime actively tries to identify and search out Christians practicing their faith in secret and imprisons those it apprehends, often along with their family members even if they are not similarly religious. According to the State Department, the North Korean regime currently detains an estimated 80,000 to 120,000 individuals in political prison camps known as *kwanliso*. Reports indicate tens of thousands of these prisoners are Christians facing hard labor or execution.

Underground churches do exist in North Korea, but information about their location and number of parishioners is nearly impossible to confirm. There are three

Protestant churches, one Catholic church, and the Holy Trinity Russian Orthodox Church, all state run.

In December 2016, Canadian diplomats traveled to North Korea to visit Pastor Hyeon Soo Lim, a South Korean-born Canadian citizen sentenced in December 2015 to life in prison with hard labor for alleged subversive activities and insulting North Korea's leadership. In November 2016, news reports indicated Sweden's ambassador to North Korea met with the North Korean Foreign Ministry on behalf of Reverend Lim, but there was no change in his status. Sweden serves as protecting power for Canada, Australia, and the United States—which do not have diplomatic relations with North Korea—providing limited consular services to these countries' citizens.

During the year, several reports surfaced about the death of Korean-Chinese Pastor Han Chung-ryeol, who led Changbai Church, located in China's Jilin Province near the border with North Korea. After Pastor Han's body was found in April 2016, rights activists accused North Korean agents of murdering him for his work assisting North Korean defectors in China. North Korean officials denied any involvement in Pastor Han's death and instead accused South Korea of slander.

North Korean Refugees in China

The Chinese government holds longstanding concerns about an influx of North Korean refugees crossing its border. Following severe floods in 2016 along the border with China, North Korean authorities reportedly took steps to fortify border security to prevent defections. The few religious materials that make their way into North

Korea often do so along this border. Accounts from North Korean defectors reveal that individuals caught attempting to cross the border or who are forcibly repatriated from China are severely punished, particularly if

North Korean officials believe they have interacted with missionaries or engaged in religious activities. Increasingly, reports indicate Chinese officials conspire with their North Korean counterparts to hunt down, arrest, and forcibly repatriate North Koreans attempting to cross

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into China. This violates China's obligations under the 1951 UN Convention on Refugees and its 1967 Protocol.

U.S. POLICY

In recent years, the international community, including the United States, has made great strides in recognizing the importance of jointly advocating North Korea's security and human rights challenges as related concerns, rather than favoring the former over the latter. The United States government must continue to raise these two spheres of concern in a mutually reinforcing way and engage stakeholders—such as South Korea, Japan, and the UN—in the same manner to maximize efforts on both fronts; this should include addressing North Korea's broad-ranging violations of human rights—including freedom of religion or belief—and wholesale repression of dissent.

During 2016, the U.S. government for the first time ever identified and sanctioned specific human rights abusers in North Korea. In July 2016, the State Department released a report on North Korea's human rights abuses and censorship pursuant to the North Korea Sanctions and Policy Enhancement Act of 2016 (P.L. 114-122). The report named 23 North Korean individuals and state entities responsible for human rights violations and censorship, 15 of which the Treasury Department placed on the “specially designated nationals” (SDN) list maintained by the Office of Foreign Assets Control. North Korean leader Kim Jong-un was among the individuals named. When the State Department issued its second report in January 2017, the Treasury Department concurrently placed seven individuals and two government agencies on the SDN list. In statements for both reports, the State Department said, “Human rights abuses in the DPRK remain among the worst in the world.”

In December 2016, then President Barack Obama signed into law the Fiscal Year 2017 Department of State Authorities Act (P.L. 114-323), which acknowledged the regime's crimes against religious believers and expressed the sense of Congress that the secretaries of state and treasury “should impose additional sanctions against the DPRK, including targeting its financial assets around the world, specific designations related to human rights abuses, and a redesignation of the DPRK as a state sponsor of terror.”

At the end of fiscal year 2017, the North Korean Human Rights Act (P.L. 112-172) will expire, requiring congressional reauthorization to continue. The underlying act became law in 2004 and was twice extended in 2008 and 2012. The act outlines several human rights goals in North Korea: to improve the information flow into the country, create a special envoy position within the State Department, and support U.S. efforts to resettle North Korean refugees in the United States. The 2012 reauthorization also expressed the sense of Congress that China should cease forcibly repatriating North Korean refugees.

North Korea continues to target individuals with close ties to the United States; the regime routinely detains them and compels confessions designed to embarrass and undermine the United States. In March 2016, North Korea sentenced University of Virginia student Otto Frederick Warmbier to 15 years of hard labor for allegedly committing a “hostile act” when he tore down a political banner hanging in a Pyongyang hotel. The previous month, Warmbier publicly confessed to the charges. In April 2016, North Korea's Supreme Court sentenced a naturalized U.S. citizen born in South Korea, Kim Dong-chul, to 10 years of hard labor on charges of alleged spying. The North Korean government paraded both men in front of international media to confess their alleged crimes. By June 2016, the North Korean government threatened not to negotiate the release of the two men with the United States unless U.S. missionary and former detainee Kenneth Bae ceased denigrating the country. Bae, who was released from North Korean custody in November 2014 after serving two years' hard labor of a 15-year sentence for allegedly undermining the government, published a memoir describing his arrest and imprisonment.

In February and October 2016, the State Department redesignated North Korea as a CPC. In lieu of prescribing sanctions specific to the CPC designation, the State Department consistently has applied “double-hatted” sanctions against North Korea, in this case extending restrictions under the Jackson-Vanik amendment of the Trade Act of 1974. Jackson-Vanik originated when Congress sought to pressure Communist countries for their human rights violations and has since been used to deny normal trade relations to North Korea and Cuba.