



REPORT ON THE SITUATION OF TORTURE IN DPRK

North Korea: Republic of Torture

Citizens' Alliance for North Korean Human Rights (NKHR)



2 Report on the Situation of Torture in DPRK

The Citizens' Alliance for North Korean Human Rights (NKHR), since its establishment in 1996 as the Citizens' Alliance to Help North Korean Political Prisoners, aims to protect the lives of North Koreans and to defend their human rights. As one of the oldest non-governmental, non-profit organizations in South Korea devoted to informing people about the human rights atrocities in North Korea and assisting in the adjustment and education of North Korean refugees settled in South Korea, our ultimate goal is to create a peaceful environment for a harmonious North-South reunification and a democratic national community.

NKHR endeavors to accomplish these goals in the following ways:

- Proposes international organizations condemn human rights violations in North Korea, particularly with respect to the forced labor of political prisoners and extrajudicial killings.
- Collects and publicizes facts and other information on the current North Korean human rights situation, particularly regarding political prison camps.
- Protects the lives and human rights of North Korean refugees
- Assists North Korean defectors living in South Korea, focusing on youth education.
- Coordinates efforts with other human rights organizations to fulfill the above mentioned programs.

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North Korea: Republic of Torture

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REPORT ON THE SITUATION OF TORTURE IN DPRK

**NORTH KOREA:
REPUBLIC OF TORTURE**

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| CAT | Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women |
| CRC | Convention on the Rights of the Child |
| DC | Detention Center 【Jipgyeolso】 (North Korea) |
| DPRK | Democratic People’s Republic of Korea (North Korea) |
| HRC | United Nations Human Rights Council |
| HRCee | United Nations Human Rights Committee |
| HRCion | United Nations Commission on Human Rights |
| HSA | Headquarter of Security Agency 【Bowisaryeongbu】 (North Korea) |
| ICCPR | International Covenant on Civil and Political Rights |
| KCNA | Korean Central News Agency (North Korea) |
| KWP | Korean Worker’s Party 【Joseon Rodongdang】 (North Korea) |
| LPLC | Long-term Prison Labor Camp 【Gyohwaso】 (North Korea) |

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|-------|---|
| LRF | Labor Re-education Facility 【 <i>Rodongdanryeondae</i> 】 (North Korea) |
| NGO | Non-Governmental Organization |
| NKHR | Citizens' Alliance for North Korean Human Rights (South Korea) |
| NSA | National Security Agency 【 <i>Gukga-anjeonbowibu</i> 】 (North Korea) |
| OHCHR | Office of High Commissioner for Human Rights |
| PPC | Political Penal-labor Colony 【 <i>Gwalliso</i> 】 (North Korea) |
| PSA | People's Safety Agency 【 <i>Inminboanseong</i> 】 (North Korea) |
| SARS | Severe Acute Respiratory Syndrome |
| SOCF | Street Orphan Concentration Facility 【 <i>Kojebi Suyongso</i> 】 (North Korea) |
| UN | United Nations |
| UNHCR | United Nations High Commissioner for Refugees |

| PREFACE |

Confession No More Is the Queen of Evidence

Benjamin H. YOON

Representative

Citizens' Alliance for North Korean Human Rights (NKHR)

The principle of evidence means that the trial and judgment at court should be based on the definite and reasonable evidences. It is a common sense in the general judicial practice of the international society that forced confession or confession as the unique evidence is considered to be invalid ground of culpability.

The North Korean Criminal Code also provides for the principle of evidence and scientific investigation to secure evidence. However, the general judicial practice in DPRK is based on the conventional

misconception that "confession is the queen of evidence", consequently promoting serious torture and inhumane treatment in the judicial process.

In 1979, the Amnesty International published the memoirs of Ali Lameda, a Venezuelan poet and Communist activist, under the title of "A Personal Account of the Experience of a Prisoner of Conscience in the Democratic People's Republic of Korea".¹ The testimony was on his twenty years of imprisonment in the *Sariwon* long-term prison labor camp (*Kyohwaso*) under the charge of criticizing the personal cult of KIM Il-Sung when he visited *Pyeongyang* on the invitation of the North Korean authority in 1966. In his testimony that had made the existence of the *Sariwon* camp known to the international society for the first time, he testified as the following:

"I was taken to a prison cell and interrogated by the authorities. It was demanded that I 'confess'. I was denied food, on occasions taken out of cell at noon and not allowed to return until midnight, during which time I was continuously interrogated. There were many ways in which they would apply pressure. The usual pattern of the interview would be that I was ordered to "confess". To this I would reply, "To what do I have to confess?" I would then be told: "You know what there is to confess. Talk". I would insist: "But if it is you who are accusing me, you tell me". So it went on, always. They sit a man down and try to convince him he has committed crimes, they insult him and demand a "confession".

Prison regimen was always the same: the prisoner sat for 16 hours a day looking at the warders and the prison bars. The cell had bars from the

¹ Amnesty International, "Ali Lameda: A Personal Account of the Experience of a Prisoner of Conscience in the Democratic People's Republic of Korea," AI index: ASA 24/02/79 (London: AI, 1979). Ali Lameda had worked at the *Pyeongyang* Foreign Language Press since 1966 as a director in charge of Spanish, but was charged of espionage and sentenced to twenty years of imprisonment. The Amnesty International investigated the case in early 1970, recognized him as a prisoner of conscience in March 1974 and carried out an international campaign to help him. He was released and went back to his own country in 1974. The book on his testimony was published and distributed to the international society with a news release titled "An account of political imprisonment in North Korea" on July 2, 1979.

ceiling to the floor, and in the middle was a passage where the guards patrolled. Prisoners must stay awake throughout the day, the official explanation went, since how could a prisoner continually ponder his guilt if he slept?"

Reports on the human rights situation in DPRK so far have been dealing with mostly general or comprehensive subjects depending on the testimonies of individuals, so that there have been limits on the intelligibility of the changing situations in different periods and the cross-verification among different testimonies to enhance the reliability and validity of research. In addition, most researches depended on the testimonies of defectors who had escaped from DPRK before 2000, so that they could not sufficiently reflect the up-to-date reality of the human rights situation in DPRK.

As NKHR set about the research in the human rights situation in DPRK, it focused on the following four objectives: Firstly, it traced what had been going on in DPRK from 2000 to 2005; Secondly, it followed up the changes from the past to the present; Thirdly, it carried out an intensive research in the specific subject of torture; Fourthly, it aimed to clarify the effect of monitoring and collective petition from Non-Governmental Organizations (NGOs) and the international society upon the substantial improvement of the human rights situation in DPRK.

Concerning the method of research, the NKHR performed interviewing with the victims of torture to collect more concrete evidences from their testimonies. The number of twenty interviewees may seem to be insufficient to generalize the findings of the research, but the research could draw out many common elements from different periods and places that the twenty interviewees had experienced.

As for the types of torture used to extract confession, they are not confined to the mere physical violence applied to body, but are comprehensive of the serious starvation and the worst environment of

incarceration the interviewees had been exposed to. Ali Lameda, who had experienced relentless torture in DPRK in 1960s, testified that he had wanted rather to be beaten than starved and raised a question to the general conception of torture that saw torture as a simple physical violence or maltreatment.

“Hunger was used as a control. The conditions of the prison were appalling. The place lacked proper sanitary facilities. The food provided in the prison was fit only for animals. In my opinion, it is preferable to be beaten, as it is possible to grit one's teeth and withstand physical beating. To be continually starving is worse. They didn't beat or torture me like they did the others. However, once the guard gave me a beating and kicked me with his boots, also hitting me on my bare feet that were badly swollen.

In fact, beating was also used as a means of persuasion during interrogation. Whilst in my cell, I could hear the cries of other prisoners. You can soon learn to distinguish whether a man is crying from fear, or pain or from madness in such a place.

No, I was not tortured, if by this one means the systematic infliction of pain but, if terrible hunger and continual nastiness come under this definition, then I was.”

The North Korean Criminal Code and the Criminal Procedure Code are just for show to the UN and the international society. The obvious gap between legality and reality lies in the formal legal system that does not function to protect the rights of people, to put it concretely, the absence of due procedure and the right of defense. None of the twenty interviewees had ever gone through with the due procedures or received any legal aid for self-defense. Of course, DPRK has courts and lawyers and performs trials for some socially important crimes. But, seen from the standard of the international society, it is not so difficult to recognize that such formal systems are decorative and deceitful. Ali Lameda correctly noticed the truth and falsehood of the North Korean legal system as follows:

“I was not brought to trial before a tribunal, if it is possible to call what happened a trial. The tribunal was under the direction of the Ministry of Internal Security and, apart from members of the tribunal, there was a representative from what they call the High Court who acted as the judge and prosecutors, I was provided with a so-called defense counsel. The pattern of my trial followed the interrogations I had undergone. It was demanded that I confess my guilt. The tribunal did not make any specific accusations – there were no formal charges – but the accused has to accuse him before the tribunal. Thus there was no necessity for the tribunal to produce any evidence.

I had no right to defend myself; I could only admit guilt. The basis for the tribunal's condemnations is the confession of the prisoner and the prosecutor told me that I should speak out and confess everything, to rid myself of my crimes. I insisted that I had committed no crimes that I had only come to Korea as a servant of the government. During the trial, I asked for a lawyer of my choice and that the tribunal should be made open, but such demands were dismissed as bourgeois.

When I tried to ask questions, I was abruptly interrupted and told that I had no rights in defending myself. The so-called defense counsel, whom I had seen for just half an hour, made a lengthy eulogy of KIM Il Sung, and in lodging my plea, asked for 20 years' imprisonment. The tribunal retired for just five minutes and then returned to sentence me, to 20 years' imprisonment with forced labor.”

Readers may find out that there has been no change in the practice of systematic torturing and the deceitful judicial system ever since Ali Lameda's imprisonment forty years ago and such lamentable practice gets even more systematic and well organized. Moreover, it needs to be pointed out that China is to blame for the systematic involvement in the repatriation of the North Korean defectors through the close cooperation between the Public Security Agency of China and the National Security Agency (NSA) of

DPRK.

The NKHR will continuously monitor the situation of and changes in the incarceration facilities through further research. And the NKHR will soon set about the issue of missing family members of defectors, who are treated as guilty by association. We sincerely wish the continued concern and encouragement of all.

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North Korea: Republic of Torture

I. Introduction

1. Purpose of Research

The purpose of the research is to examine the human rights situation in the Democratic People's Republic of Korea (DPRK) based on the survey of victims of torture and through which analyze the causes of either improving or worsening human rights situation in the respective country. The Citizens' Alliance for North Korean Human Rights (NKHR) conducted interviews with twenty North Korean defectors (9 men and 11 women) who had been incarcerated in various forms of detention facilities in DPRK including political penal-labor colony (PPC, *Gwalliso*), long-term prison labor camp (LPLC, *Gyohwaso*), detention center (DC, *Jipgyeolso*), labor re-education facility (LRF, *Rodongdanryeondae*) and street orphan concentration facility (SOCF, *Kotjebi Suyongso*) from 1993 to 2005 and had escaped from DPRK between 2000 and 2005, with a focus on how they had been tortured in the process of interrogation by the National Security Agency (NSA, *Gukga-anjeonbowibu*), the People's Safety Agency (PSA, *Inmin-boanseong*, former Social Safety Agency until 2000), and concentration facilities, etc.

Based on the information gathered through the interviews, the NKHR identifies both some favorable changes in human rights situation and several problems that still need urgent redress and presents a few recommendations

for the better protection of human rights in DPRK. The Research Team expresses its sincere wish that the report would be of some assistance to the research and reporting activities of Vitit Muntarbhorn, the UN Special Rapporteur on Human Rights in North Korea, whose status as such and activities in DPRK have been denied by the North Korean authority.

2. Method of Research²

With consideration of the special statuses of the interviewees as "defectors," the research was performed on the basis of one-to-one and face-to-face interviewing, which was believed to be more effective in developing rapport with the interviewee and securing more specified and detailed data, compared to the filling up of questionnaires. In addition, this method was very useful in gathering such information as the interviewees would otherwise be reluctant to release in the presence of other people, such as the name of charge or the mobilization of personal connections or the means of survival adopted in the camps including resorting to one's social position or relationship.

The one-to-one interview provided better opportunity to detect the emotional fluctuation of the interviewee to a considerable accuracy, which had been hinted by his/her body language such as the slight changes in voice tone, gestures, facial expressions, etc. As far as the interviewer could catch up with such subtle details and draw out the implications, the one-to-one and face-to-face interview could bring out more benefits than group interview or other non-face-to-face surveys.

However, it was quite probable for each interview so far to be affected by the subjective bias of interviewer in the process of dictating what was orally delivered and organizing what was written. To avoid such possible bias of subjectivity, interviews were recorded with the approval of the interviewees. In addition, so as not to be too much involved in dealing with matters not directly related to their torture experiences such as living in

² Regarding the research method targeting the North Korean defectors, see CHOI Bong-Dae, "Method of Interviewing the North Korean Defectors", *Research Method of North Korean Studies*, University of North Korean Studies ed. (Seoul: Hanul Academy, 2003), pp.306-334.

DPRK, the motives of escaping from the country and living in the third countries (mostly in China), a quasi-schematized interviewing method was adopted using a list of questions that could be flexibly reorganized.

3. Target Areas and Period

The North Korean defectors interviewed had been incarcerated by various organizations and for various periods as shown in the following table:

<Table 1> Target Areas and Period of Research

| | National Security Agency | People's Safety Agency | Detention Center | Labor Re-education Facility |
|--------------------------|---|---|---|--------------------------------------|
| North Hamgyeong Province | Onseong Sep.1998~Dec.1998 Jun.2000~Jul.2000 Jun.2002 Nov.2002~Dec.2002 Apr.2003~May2003 Nov.2003 | | | |
| | Hoeryeong Jul.1999~Mar.2000 Jun.2002~Nov.2002 Apr.2004~May2004 | | | |
| | Musan Nov.1999~Jul.2000 | Musan May.1997~Aug.1997 Jul.2003 | | Musan Aug.1999 Jul.2000 |
| | Gyeongseong Dec.2002~Feb.2003 | | Cheongjin Jul.2000~Aug.2000 Jul.2002 | |
| South Hamgyeong Province | | Hamju May1993 | | |

| | | | | |
|--------------------------------|---|--|---|--|
| North Pyeongang Province | Shinuiju Oct. 1998~Dec. 1998 Aug. 1999 Apr. 2000~May 2000 Dec. 2000 Jul. 2001~Aug. 2002 Oct. 2003~Feb. 2003 Apr. 2004 | | Shinuiju Aug. 1999 Jul. 2000 | |
| Pyeongyang | Jul. 2000~Oct. 2000 | | | |

II. North Korea's Duty to Prohibit Torture and Related Criminal Procedure

1. Provisions on Prohibition of Torture in International and DPRK Laws

1) International Laws

Article 3 of the Universal Declaration of Human Rights upholds the right to life, liberty and security of person as the cornerstone of the Declaration and the most fundamental rights that are essential to the enjoyment of all other rights. The principle of torture prohibition and the right to fair trial are stipulated from Article 4 to 11: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment (Article 5); Everyone has the right to recognition everywhere as a person before the law (Article 6); All are equal before the law and are entitled without any discrimination to equal protection of the law (Article 7) Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law (Article 8); No one shall be subjected to arbitrary arrest, detention or exile (Article 9); Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations of any criminal charge against him (Article 10); Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at

which he has had all the guarantees necessary for his defense (Article 11).

DPRK became a state party to the International Covenant on Civil and Political Rights (ICCPR) in 1981 and has the duty to observe the respective Covenant. ICCPR stipulates the principle of torture prohibition and the right to fair trial from Article 6 through 16. Article 6 provides for the inherent right to life, Article 7 prohibits torture or cruel, inhuman or degrading treatment or punishment, Article 9 stipulates the right to liberty and security of person and the duty of informing reason for arrest. Article 10 provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person and accused juvenile persons shall be separated from adults and be accorded treatment appropriate to their age and legal status. Article 14 stipulates that all persons shall be equal before the courts and entitled to a fair trial and to defense through legal assistance, as well as not to be compelled to testify against oneself or to confess guilt. Article 16 reaffirms that everyone shall have the right to recognition everywhere as a person before the law.

Let alone her responsibility as a party to the Convention, DPRK cannot be discharged of the duty to prohibit torture, for the right not to be subjected to torture is considered as *jus cogens* in the international society today, thus making the right not to be reserved, derogated, or restricted, whether or not a country is a party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

2) DPRK Laws

NKHR welcomes the revision of the Criminal Code³ and the Criminal Procedure Code⁴ in 2004 that DPRK executed at the recommendation of the international society and partial amendment of the both in 2005⁵, calls forth her attention to the provisions on torture prohibition and fair trial in the revised laws, and recommends that she carry out the rule of law to protect

³ The 6th Revised Criminal Code of DPRK (April 29, 2004).

⁴ The 9th Revised Criminal Procedure Code of DPRK (May 6, 2004).

⁵ The 8th Partial Amendment of Criminal Code and the 10th Partial Amendment of Criminal Procedure Code of DPRK (July 26, 2005).

her own people.

Article 4 of the revised Criminal Procedure Code of DPRK provides, "The state shall guarantee scientific objectivity, prudence and fairness in dealing with criminal cases." Article 5 stipulates, "The state shall thoroughly protect human rights in handling criminal cases." Article 8 asserts that the principles and methods provided in the law shall be observed in treating and processing criminal cases.

Regarding the specific provisions on the investigation of the accused, Article 163 provides that investigation shall be conducted between 8:00 and 20:00. While investigation in other time may be allowed for exceptional cases, the supervision by a prosecutor is required to prevent any illegal conduct in the process of investigation.

To prevent torture in the process of investigation, Article 167 bans forced interrogation by providing that the pretrial board (*Yeshimwon*) shall not force the accused to testify against himself/herself or to confess guilt. Article 169 provides for the duty of the Pretrial Board to notify the accused of his/her rights after identifying him/her. The rights of the accused listed in Article 170 includes: Firstly, the accused may offer his opinion if he/she does not approve of the charges described in the criminal investigation record; Secondly, the accused himself/herself may present counter proof or demand an intensified investigation, if he/she does not agree with the Pretrial Board; Thirdly, the accused may demand the replacement of personnel including the member of the Pretrial Board. Fourthly, the accused himself/herself may fill in the investigation record or demand the revision or deletion or addition of a certain part of the record; Fifthly, the accused may appeal to the prosecutor when he/she thinks his/her rights are transgressed.

In this regard, DPRK is to be reminded of the provisions of her Criminal Code and Criminal Procedure Code that are designed to prohibit torture and protect the rights of the accused.

2. Continued Concern on Torture and Recommendation for Improvement

DPRK joined the ICCPR in 1981. Under Article 40 of the Covenant, each country shall submit the first report within two years after ratification and periodic reports every five years. Yet, DPRK has not submitted any report since 1983 (revised report was submitted in 1984).

As international concern on human rights problem in DPRK gets intensified, DPRK submitted her second periodic report in February 2002, 17 years after her first one. After reviewing the report, the UN Human Rights Committee (HRCee) in 2001 concluded that the data presented by DPRK (6 cases from 1998 to 2000) did not seem to reflect reality, taken into account many cases of cruel treatment or torture reported to the Committee. The Committee recommended that DPRK should consider independent investigations on various types of cruel treatment, torture, or other inhumane treatment executed by governmental organizations and should establish a body to oversee all types of incarceration and detention facilities and prevent law enforcement officers from abusing their authority.⁶

The resolution on human rights in DPRK adopted in 2003 by the 59th UN Commission on Human Rights (HRCion) expressed its "deep concern on reports that torture and other cruel, inhumane, or degrading treatment or punishment are continuously occurring" and recommended that DPRK should join human rights organizations that it yet is not a state party, for example the CAT. The resolution also calls for "the DPRK to refrain from sanctioning citizens of the DPRK who have moved to other countries, in particular for humanitarian reasons, and to refrain from treating their departure as treason leading to punishments of internment, inhuman or degrading treatment."⁷

The resolution on human rights in DPRK adopted in 2004 by the 60th UN HRCion reaffirmed what is provided above and called for "cooperation with the UN system in the field of human rights and cooperating without restriction with the thematic procedures of the Commission relevant to the situation of the DPRK, in particular with the Special Rapporteur on the right

⁶ The 72nd UN Human Rights Committee, CCPR/CO/72/PRK (August 27, 2001).

⁷ The 59th UN Commission on Human Rights, E/CN.4/2003/L.31/Rev.1 (April 15, 2003).

to food, on the question of torture, and other cruel, inhumane, or degrading treatment or punishment, without restriction."⁸ In June 2004, the UN Committee on the Rights of Child expressed concern on the organized violence on the youth in correctional facilities.

The resolution on human rights in DPRK adopted in 2005 by the 61st UN HRCion 2005 reaffirmed the two previous resolutions and added a strong concern on "extra judicial and arbitrary detention, the absence of due process and the rule of law." It strongly urged that "the Government of the DPRK to accept the mandate of the Special Rapporteur on Human Rights in North Korea appointed based on the resolution of the 60th UN HRCion, and to extend its full and unreserved cooperation and assistance to the Special Rapporteur in the discharge of his mandate and to take all necessary steps to ensure that the Special Rapporteur has free and unlimited access to any person in the DPRK whom he might wish to meet."⁹

Such concerns and recommendations were reaffirmed in the 60th General Assembly in 2005¹⁰ and in the Resolution on Human Rights in DPRK adopted in the Third Commission of the 61st General Assembly in 2006.¹¹

The Resolution on Human Rights in DPRK adopted by the European Parliament in June 2006 urged the DPRK to "provide remedies against human rights violations, "quoting concerns and recommendations of the UN on torture."¹²

In *2006 White Paper on Human Rights in North Korea* (published by the Korean Bar Association), which conducted face-to-face interviews with 100 North Korean defectors who entered Republic of Korea in 2000 or after, absolute majority testified that they had experienced directly or indirectly one or more types of torture, including detention and interrogation without

⁸ The 60th UN Commission on Human Rights, E/CN.4/2004/31 (February 17, 2004).

⁹ The 61st UN Commission on Human Rights, E/CN.4/2005/32 (December 22, 2005).

¹⁰ The 60th UN General Assembly, A/C.3/60/L.48 (November 2, 2005).

¹¹ The 61st UN General Assembly, A/C.3/61/L.37 (November 2, 2006).

¹² European Parliament, *North Korea: Human Rights Violations* (Strasbourg: June 15, 2006).

warrant for over two months; not providing meals in time; sleep-deprivation investigation; use of abusive language, sexual assaults; and use of violence and torture. In some cases, even the suspect's families have been subjected to inhuman and brutal treatments.¹³

<Table 2> Please check off all relevant items related to summons or arrests by the investigative agencies, including your personal experience and indirectly obtained information (All checked items, 100 NK defectors)

| Dichotomy Label | Number of Replies | Percentage of Replies | Percentage of Respondents |
|--|-------------------|-----------------------|---------------------------|
| Interrogation that continued longer than two months without arrest warrant | 54 | 17.5 | 71.1 |
| Meals not on time | 52 | 16.8 | 68.4 |
| Sleep deprivation | 68 | 22.0 | 89.5 |
| Degrading, cursing, sexual harassment | 55 | 17.8 | 72.4 |
| Physical torture | 67 | 21.7 | 88.2 |
| Use of violence on family | 7 | 2.3 | 9.2 |
| Other cruel treatment | 6 | 1.9 | 7.9 |

2005 Report of the Amnesty International pointed, "North Koreans forcibly repatriated from China were detained and interrogated in detention centers or police stations operated by the NSA or the PSA. Beatings were reportedly common during interrogation. If prisoners were caught communicating, they were beaten with wooden sticks or iron bars. After the beating, cold water was reportedly poured over the prisoner's bodies, even in the middle of winter. Some prisoners were reportedly subjected to "water torture", where they were tied up and forced to drink large quantities of water."¹⁴ 2006 Report pointed out that female detainees are often subject to humiliating treatment or sexual harassment in detention facilities before trial,

¹³ LEE Jae-won, "Actual Applications of Human Rights," *2006 White Book on North Korean Human Rights* (Seoul: Korean Bar Association, 2006), pp.43-49.

¹⁴ Amnesty International, "Korea (Democratic People's Republic of)," *Amnesty International Report 2005*, p.152.

or beating if they resist.¹⁵

Though she is not a state party to the CAT, DPRK has consistently and strongly denied the existence of torture through every official document and announcement.

3. Criminal Procedures and Responsible Organization

The Criminal Procedure Code of DPRK on the whole shows five stages of judicial process: Investigation, pretrial examination, prosecution, trial and execution. Investigator of relevant organization or the prosecutor, if needed, commits investigation (Article 10). Pretrial examination is performed by the investigators of either the PSA or the prosecutor's office or the NSA or agencies of the Ministry of the People's Armed Forces (Article 11). Prosecution is under the jurisdiction of the prosecutor (Article 12), trial the court, and the decision of execution the court (Article 13). The prosecutor is responsible for the supervision of investigation, pretrial examination and trial (Article 14).

Investigation in a broad sense comprehends investigation, pretrial examination and prosecution and is under the jurisdiction of the PSA, the Prosecutor's Office, the NSA and the Ministry of the People's Armed Forces. The PSA is in charge of non-political crimes, the NSA political crimes, the Ministry of the People's Armed Forces crimes of military personnel, and the Prosecutor's Office any crime committed in the judicial process.

Illegal interrogation and torture committed by the NSA and the PSA has been reported through numerous researches of NGOs and testimonies of the defectors. Though there have been sporadic research reports on the existence and the situation of political prison camps,¹⁶ there still has not been any in-depth report on torture. NKHR has conducted in-depth interviews with a part of defectors, who had experienced or witnessed torture or abuse in the

¹⁵ Amnesty International, "Korea (Democratic People's Republic of)," *Amnesty International Report 2006*, p.160.

¹⁶ See David Hawk, *The Hidden Gulag* (New York: U.S. Committee for Human Rights in North Korea, 2003).

process of interrogation in detention facilities and came to the Republic of Korea in the past 6 years. This report aims to shed light on the specific situation of torture happening in various organizations and regions in DPRK.

III. Torture Experiences and Defectors Who Testified

1. Defectors Who Gave Testimony (A total of 20: 9 men and 11 women)

<Table 3> Personal Information and Detained Experience¹⁷

| ID | Name | Sex | Age at the Time | Final Escape | Hometown (Year of Birth) | Detained |
|----|-----------------|-----|-----------------|--------------|---|---|
| 1 | KANG Won-Cheol | M | 17 | Apr 2000 | Cheongjin City, North Hamgyeong Province (1982) | Shinuiju NSA (Aug 5~12, 1999) → Shinuiju DC (Aug 12, 1999) → Cheongjin DC (Aug 12~Oct 30, 1999) |
| 2 | PARK Eun-Cheol | M | 16~17 | Oct 2000 | Bukcheong County, South Hamgyeong Province (1982) | Shinuiju NSA (Oct~Dec 1998) → Shinuiju DC (Jan~Mar, 1999) |
| 3 | KIM Ran (Alias) | F | 32-33 | Oct 2000 | Musan County, North Hamgyeong Province (1967) | Onseong NSA (Jun 30~Jul 11, 2000) → Onseong LRF (Jul 11~Sep 30, 2000) → Hoeryeong DC (Sep 30~Oct 3, 2000) |

¹⁷ Acronyms: NSA (National Security Agency, *Gukga-anjeonbowibu*); PSA (People's Safety Agency, *Inminboanseong*); DC (Detention Center, *Jipgyeolso*); LRF (Labor Re-education Facility, *Rodongdanryeonda*).

| | | | | | | |
|---|---------------------------|---|-------|----------|--|--|
| 4 | KIM Chun-Ae (Alias) | F | 45 | Nov 2000 | Pyeongyang (1955) | Musan NSA (Aug 10, 1999) → Musan PSA (Aug 11, 1999) → Musan LRF (Aug 12~14, 1999) |
| 4 | KIM Chun-Ae (Alias) | F | 45 | Nov 2000 | Pyeongyang (1955) | Musan NSA (Jul 15~21, 2000) → Musan PSA (Jul 22, 2000) → Musan LRF (Jul 22~28, 2000) → Cheongjin DC (Jul 28~Aug 30, 2000) |
| 5 | KIM Hyuk | M | 16-17 | Dec 2000 | Cheongjin City, North Hamgyeong Province (1982) | Onseong NSA (Sep~Dec 1998) → Onseong Police Station (Dec 1998~Mar 1999) → Onseong PSA (Mar~Nov 1999) → Hoeryeong No.12 Long- term Prison Labor Camp (Nov 1999~Jul 6, 2000) |
| 6 | JI Hae-Nam | F | 44 | Oct 2001 | Hamheung City, South Hamgyeong Province (1949) | Hamju PSA (May 15~30, 1993) → Myeongcheon PSA (Jun 1993) → Hwaseong PSA (Jul 1993) → Gaecheon Long-term Prison Labor Camp (Jul 1993~Sep 1995) |
| | | | | | | Shinuiju NSA (Dec 3~23, 2000) |

| | | | | | | |
|----|------------------------------------|---|-------|----------|--|---|
| 7 | PARK Sun-Ja (Alias) | F | 23~24 | Oct 2001 | Hoeryeong City, North Hamgyeong Province (1977) | Shinuiju NSA (Apr 30~May 7, 2000) → Shinuiju DC (May 7~Jul 5, 2000) → Shinuiju NSA (Jul 27~Aug 3, 2000) |
| | | | | | | Hoeryeong PSA (Aug 3~13, 2001) |
| 8 | SHIN Jung-Ae | F | 54-56 | Nov 2001 | Cheongjin City, North Hamgyeong Province (1945) | Musan NSA (Nov 1999~Apr 2000) → No.15 Yodeok Political Penal-labor Colony (Apr 2000~Apr 2001) → Onseong NSA (Oct 2001) |
| 9 | LEE Gwang-Il (Alias) | M | 21 | Nov 2002 | Hoeryeong City, North Hamgyeong Province (1981) | Hoeryeong NSA (Jun 21~Nov 4, 2002) |
| 10 | SHIN Hyeok- Cheol (Alias) | M | 46 | Dec 2002 | Cheongjin City, North Hamgyeong Province (1956) | Musan PSA (May~Aug 1997) |
| | | | | | | Onseong NSA (Jun 11~21, 2002) → Onseong PSA (Jun 21~25, 2002) → Onseong LRF (Jun 25~Jul 1, 2002) → Cheongjin DC (Jul 1~16, 2002) → Musan LRF (Jul 16~Oct 27, 2002) |

| | | | | | | |
|----|-------------------------|---|-------|----------|---|---|
| 11 | LEE Kwang-Cheol (Alias) | M | 15~17 | Mar 2003 | Pyeongyang (1985) | Pyeongyang Headquarter of Security Agency (Jul~Oct 2000) → Pyeongyang Street Orphan Concentration Facility (Oct 2000~Nov 15, 2002) |
| 12 | KIM Gwang-Soo (Alias) | M | 35~40 | Apr 2003 | Cheongjin City, North Hamgyeong Province (1963) | Hoeryeong NSA (Jul 1999~Apr 2000) → No.15 Yodeok Political Penal-labor Colony (Apr 2000~Apr 2003) |
| 13 | KIM Jeong-Sook (Alias) | F | 51 | Sep 2003 | Onseong County, North Hamgyeong Province (1952) | Onseong NSA (May 3~13, 2003) → Onseong PSA (May 13, 2003) → Onseong LRF (May 13~Jun 8, 2003) → Cheongjin DC (Jun 8~Jul 15, 2003) → Eorang PSA (Jul 15~Aug 20, 2003) |
| 14 | OH Soon (Alias) | F | 19~20 | Feb 2004 | Hoeryeong City, North Hamgyeong Province (1984) | Shinuiju NSA (Oct 23~Dec 30, 2003) → Shinuiju DC (Dec 30, 2003~Feb 2004) → Musan PSA (Feb 2004) → Musan Street Orphan Concentration Facility (Feb 2004) |
| 15 | WON Cheol (Alias) | M | 13 | May 2004 | Onseong County, North Hamgyeong Province (1990) | Onseong NSA (Nov 20~29, 2003) → Onseong PSA (Nov 29, 2003) |

| | | | | | | |
|----|----------------------------------|---|-------|----------|---|--|
| 16 | LEE Min-Ok (Alias) | F | 18 | Sep 2004 | Hoeryeong City, North Hamgyeong Province (1986) | Shinuiju NSA (Apr 6~9, 2004) → Hoeryeong DC (Apr 9~May 10, 2004) → Hoeryeong PSA (May 10~17, 2004) → Hoeryeong LRF (May 17~Aug 15, 2004) |
| 17 | KANG Seong- Hwa (Alias) | F | 52~54 | Oct 2004 | Gyeongsong County, North Hamgyeong Province (1950) | Onseong NSA (Nov 8~Dec 8, 2002) → Gyeongseong NSA (Dec 8, 2002~Feb 22, 2003) → Hamheung LRF (Feb 23, 2003~Jan 22, 2004) |
| 18 | LEE Yeong (Alias) | F | 44 | Nov 2004 | Hoeryeong City, North Hamgyeong Province (1960) | Shinuiju NSA (Apr 6~9, 2004) → Hoeryeong NSA (Apr 9~May 10, 2004) → Hoeryeong PSA (May 10~17, 2004) → Hoeryeong LRF (May 17~Oct 2004) |
| 19 | PARK Yeong-Hee (Alias) | F | 43~44 | Feb 2005 | Musan County, North Hamgyeong Province (1960) | Onseong NSA (Apr 30~May 20, 2003) → Cheongjin DC (May 20~Jul 11, 2003) → Musan PSA (Jul 12~20, 2003) → Musan LRF (Dec 20, 2003~Jan 10, 2004) |
| 20 | KIM Eun-Cheol | M | 20~25 | Apr 2005 | Musan County, North Hamgyeong Province (1980) | Musan PSA (Jan 16, 2000) → Musan NSA (Jan 16~Jun 30, 2000) → No.15 Yodeok Political Penal-labor Colony (Jun 30, 2000~Jul 2003) → Musan LRF (Oct 2004~Apr 2005) |

2. Situation of Torture in Different Organizations and Regions

<Table 4> Defectors Who Gave Testimony on the Situation of Torture

| | North Hamgyeong Province | | | | | South Hamgyeong Province | North Pyeongan Province | Pyeongyang |
|-----|--------------------------|-----------|-------|-------------|-----------|--------------------------|-------------------------|------------|
| | Onseong | Hoeryeong | Musan | Gyeongseong | Cheongjin | Hamju | Shinuju | |
| NSA | 7 | 4 | 3 | 1 | | | 7 | 1 |
| PSA | | | 2 | | | 1 | | |
| DC | | | | | 2 | | | |
| LRF | | | 2 | | | | | |

1) National Security Agency (NSA)

(1) North Hamgyeong Province (Onseong, Hoeryeong, Musan, Gyeongseong)

A. ONSEONG COUNTY SECURITY AGENCY



General Situation of the Onseong County Security Agency (1998 ~ 2003)

Bordering on China, *Onseong* county has been not only a major escaping route for the defectors for the narrow and shallow *Tumen* River in it, especially in the winter when the river gets frozen, but also the infamous repatriation gate – the *Tumen* bridge that connects Chinese border area to *Namyang* district in DPRK – for the defectors arrested in China. Those who have been repatriated from China are interrogated in the *Namyang* District Security Agency, the *Jongseong* District Security Agency, etc. in *Onseong* county, which has more security agencies than any other regions for it receives more repatriated defectors than any other regions. In this report, all the security agencies in *Onseong* county will be categorized into the *Onseong* County Security Agency.

KIM Hyuk (ID 5), who had been investigated in the *Onseong* County Security Agency for three months in 1998, testified that he had been tortured by the so-called ‘pigeon torture’, heated hooks, shovels, etc., cause they tried to accuse him heavily of committing the crime of espionage – illegal guidance for the Chinese, though he was a simple escaper. KIM’s testimony shows that the North Korean authority committed illegal detention of him then aged sixteen by arbitrarily prolonging the period of detention up to eight months (thus 11 months in total) until he became seventeen through the transferring of him from the NSA to the PSA on the pretext of further investigation, ultimately sending him to a LPLC (*Gyohwaso*).

One thing extraordinary was that when KIM had been sent from the *Onseong* County Safety Agency to the No.12 LPLC at *Jeongeo-ri*, *Hoeryeong* city, for three year’s imprisonment, there was an amnesty releasing about one-third of the prisoners amounting to 2,500. When asked if the amnesty was due to the positive influence of the summit meeting between South and North Korea in June 2000, he asserted that it was a temporary policy taken to commemorate the 55th anniversary of the establishment of the Korean Worker’s Party (KWP, *Joseon Rodongdang*).

It is uncertain whether and when such a cruel torture as “pigeon torture” was abolished in the *Onseong* County Security Agency, there has been no evidence of it in the testimonies of six interviewees who had been imprisoned there since 2000.

The cases of SHIN Hyeok-Cheol (ID 10) and KANG Seong-Hwa (ID 17) who were interrogated for ten days and a month each in *Onseong* County Security Agency, and the other testimonies in different regions show that they were interrogated of some typified items such as the cause of escaping, living and moving routes in China, aid from South Koreans or religious organizations, attempt to go to South Korea, etc. Yet interrogations at night without allowing sleep and forced confession through prevalent violence seems as usual. To extract money or other valuables, women were forced to be naked and do the so-called “pumping”, repeated standing up and sitting down more than hundred times, and their wombs were searched by inserting hands, which shows such inhumane treatment became the rule.

Regardless of the investigation of the cause of escaping, some agents even asked them how much money they made in China and if they could bring back the remainder to snatch their money.

In 2003, due to the prevalent Severe Acute Respiratory Syndrome (SARS) in China, repatriated defectors were investigated for relatively shorter terms. According to KIM Jeong-Sook (ID 13), then repatriated defectors amounted up to 850 at one time and they were investigated for less than ten days. However, it is unknown whether such short term of investigation was a temporary phenomenon due to the SARS in China or a revised enforcement of regulations.

However, they testified that though the security agents and guards did not commit violence in the presence of the prisoners, they made prisoners fight with each other or beat other prisoners on behalf of them. PARK Yeong-Hee (ID 19), though she had not been beaten, witnessed a pregnant woman kicked on her belly for having a baby from a Chinese man, causing miscarriage. PARK Yeong-Hee and WON Cheol (ID 15) testified that they had witnessed security agents forcing prisoners to fight with each other or forcing some prisoners to beat others. KIM Jeong-Sook testified that she had seen many prisoners beaten with timbers or steel rods or kicked and heard screaming of other prisoners suffering from horrible torture, but she herself had not been so treated owing to her personal relationship with the head of investigators.

According to WON Cheol, who was thirteen in 2003, he also was forced to sit on the floor with his legs folded and hands on his laps and was beaten when he moved even to the slightest. He had even been fainted after being beaten three times on his face, for he did not answer the guard due to his bad mental condition caused by malnutrition. His mother, who had been arrested with him, was beaten even more relentlessly. It seems that in the *Onseong* County Security Agency, violations of the Convention on the Rights of the Child (CRC) to which DPRK also is a party are still prevalent.

■ KIM Hyuk (September ~ December 1998 | 3 Months)¹⁸

Since early 1998, I would go to *Yenji*, China with an older friend and work in farms and orchards to get some food and money. But, we had to return within a month for the Chinese public security agents often dropped by for inspection. One day in September 1998, someone reported me to the NSA. Several security agents and the head of the *Jongseong* District Security Agency came to arrest me. In no time, I was arrested and taken to the *Jongseong* District Security Agency in *Onseong* county. I was put in a small compartment about 2 by 1.5 meters and the food supplied was a bowl of noodle or two red bean cakes a day. There I was interrogated from late September to December. Mr. LEE, a security agent, and the head of the *Jongseong* District Security Agency interrogated me. During the pretrial of the security agency, no meeting was allowed. While people with remarkable social background were allowed of meeting, commoners were not until the end of investigation when the final penalty was decided.

The most horrible torture to extract confession was the so-called “pigeon torture”. Two arms were crossed at the back, handcuffed and tied to the steam water pipe, making it very hard to stand up or sit down. After being tied up, they kicked or beat with an around 5 by 5 centimeter thick wooden club. I had a nasty scrape on my head after being beaten by the club. They relentlessly beat any part of the body. Putting two hands upon the lattice, they beat them with a long iron rod that is used to clean the muzzle of pistol. Even they tied the two thumbs and stand on the arms. Anything like shovel, firewood, etc. could be used for beating. Once I had an injury of about three centimeter scrape in my left arm and some scratches on my thumbs – now disappeared, when I was attempting to escape from a shovel that had been thrown toward me.

As the backs of the hands were bruised after being beaten, wrists after the “pigeon torture” and the whole body after being beaten with a shovel, it was aching even to try to move my body and lay my body on the floor to get

¹⁸ KIM Hyuk, “Prisoners Are Still Human Beings”, *The 5th International Conference on North Korean Human Rights and Refugees (Warsaw, Poland)* (Seoul: NKHR, 2004), pp.18-21; NKHR Interview (January 31, 2005 / June 25, 2006).

some sleep at night. Every part of the body touching the floor was aching, so I had to sit up on the floor all through the night. Such a routine lasted for about three months. Though I had crossed the border for hunger, I was charged of the crime of illegally informing Chinese of the route.

As I had been beaten for a long time, I could not stand up without help, but I did not have any medical care. I was left out to die or not, but luckily I could survive. Even if I got my body examined in a hospital after I came out of the prison, the doctor could not diagnose the damage as the aftermath of torture, thus making it almost impossible to sue against the state. Above all, for almost everyone experienced torturing in the security agencies, even though they did not divulge their own cases for fear of being arrested again, they could understand the truth. Those security agents imposed harsh torturing upon the innocent citizens to extract false confession, so it was quite understandable that innocent citizens also might be put to unfair penalty.

Even if someone was killed from torture, there was no investigation of the cause of death and the agency or its sub-organization reported that he/she committed suicide out of sense of guilt. After all, if one died, one was liable for all the false charges that they imposed to evade their responsibility. They would let the dead person's family take over the body, but they could not demand any autopsy, which was possible only by the security agency when needed. One's death was considered to be the proper cost of crime and, thus, the remaining family also should suffer from the infamy of being the family of a criminal.

There's no place to appeal to, even if they suffered from false charges. Suppose that someone gets hurt by a lower-level party committee and appeals to a higher-level one, they tended to be retaliated to a more dreadful extent. For fear of such retaliation, people just consider it a great luck to get out of the prison alive. When the security agency or its branch sets someone free, they would say that they would watch him/her, implying that he/she was set free not because he/she was innocent, but because of lack of evidence, which was thought to be kind of threat that they would arrest him/her again, if he/she did not act or speak to their favor. Even if someone

had much money and powerful social background, once he/she appealed to the higher-level party committee, he/she would be put even to death, because high-ranking officers in the security agency depended upon the bribes coming from below and low-ranking officers relied upon the protection from above.

After three months' interrogation at the *Jongseong* District Security Agency till December 1998, I was sent to a branch police station in *Jongseong* District, where I was detained for three months, and to a Detention Center managed by the *Onseong* County Safety Agency on March 24, 1999, where I was imprisoned for eight months. During the interrogation at the security agency, I became so weak that I could not walk and had to lean on the wall to stand up after passing evacuation. Meal was made of 390 grams of corn chaff and soup was mere water with a few slices of radish pickle. In the prison, everyone became weak in three months and had to face with the life and death struggle to survive. Ninety percent of the prisoners were under serious malnutrition. Though I recovered from a near-death malnutrition, things became worse. I became seventeen, the age of legal adulthood, so I had to be imprisoned there. They had detained me there until I became an adult.

In November 1999, I was sentenced to a three years' imprisonment and sent to the No.12 LPLC (*Gyohwaso*) in *Jeongeori*, *Hoeryeong* City, North *Hamgyeong* Province. For serious malnutrition, I was put into a patient's ward and they left me alone, because they thought that I would die soon. Narrowly I could survive. Being in the prison for the coming three years seemed hopeless, but luckily there was an unexpected amnesty on July 2, 2000, and I was released from the prison on July 6, 2000. At that time, those who were given amnesty amounted to about 2,500, approximately one-third of the whole prisoners. After the amnesty, without recovering health, I crossed the *Tumen* River and went to China on August 11, 2000, because I did not have any place to go. Through many hardships and helps, I could come to Korea in September 2001.

■ KIM Ran (Alias | June 30 ~ July 11, 2000 | 11 Days)¹⁹

I heard that I could make some money if I go to China. So, I and three other women whom I met in the market place paid 200 Yuan to the broker to help us cross over the *Tumen* River to go to China from *Musan* County on December 30, 1998. After many twists and turns, I could start working, with some help of others, in an eating-house in *Yenji* in January 1999. However, the owner of the eating-house did not pay my salary for a year, so I asked him to pay, but instead of paying, he reported me to the Chinese police. On June 11, 2000, I was caught by several security agents who burst into the eating-house and taken to the *Tumen* Detention Center near the border after an investigation for a week. There I was taken a few pictures and interrogated again. On the day of sending back to North Korea, before getting on the bus, men were manacled or tied up in their hands and feet and women were tied up by two binding up their thumbs. When leaving the Chinese detention center, I felt totally hopeless. On June 30, we arrived at the *Onseong* County Security Agency.

Upon arriving at the security agency, baggage was inspected and we were forced to be naked and stand up and sit down over and over again, the so-called “pumping”. Such a repeated action was designed to push out rings or money hidden in the wombs or anuses. If nothing came out, the women officers inspected wombs and anuses inserting their hands in rubber gloves. Clothes and brassieres were inspected to every stitch of them.

In *Onseong* County Security Agency, we had to sit on knees from dawn to late night. We were interrogated when and why we had escaped from North Korea, when we had been born, if we had met anyone from South Korea, if we had visited any church in China, etc. During the interrogation, they beat us with rods without reservation. I was hit on the head and since then I have had a headache and a ringing in my ears and my right hand is still trembling. I guess I have some problem with my brain.

¹⁹ KIM Ran, “Through Two Times of Escaping to the Roost of Freedom”, *Life and Human Rights in North Korea*, Vol.42 (Seoul: NKHR, Winter 2006), pp.12-16.

Even when we needed to go to the toilet stool, we had to raise hands for permission. While sitting on the toilet stool, we should keep hands raised. When finished, we had to say in a louder voice that we had finished. We should wipe in a standing posture and sometimes we had to tear our clothes for wiping in case there was no paper. Those guards even inspected the feces to see if there was anything hidden. Women did not have any feminine pads or clothes, so they had to wet or stain their pants. It certainly was terrible. It was impossible to count how many lice and fleas were in there. As the daily food portion was too small, malnutrition caused women to skip their menstruations. I had no menstruation for three months in the security agency.

One day in July 2000, all the detainees were forced to see a public execution. On the pebbles of water's edge, two women and four men were executed by shooting under the charge of copper-trafficking and human trafficking. They were in thirties and forties except a man who was in sixties. When they were pulled out to the execution spot, they could not walk well and they seemed almost half-dead. They were bound up to the poles by binding up their heads, bosoms and bellies with the poles. Their mouths were barred. Guards shot each person three times on their head, bosom and belly. I had seen the open execution since I was at the age of seven at *Suseong* streamlet in *Chungjin* City. At that time, I was too young to know the reason for the execution, so that I just thought criminals were put to deaths. However, the sight of public execution that day was really horrible and disgusting. I threw out very severely that day. I still feel so dreadful when I think out that execution. After the execution, officers in the camp said we could be put to deaths if we ever try again to cross the river.

On July 11, 2000, I was sent from *Onseong* County Security Agency to a LRF (*Rodongdanryeondae*) in North *Hamgyeong* province. Though I had lived in *Musan* County, I said I had lived in *Hoeryeong* City, for I feared if my family would be hurt by me. On September 30, I was sent to DC (*Jipgyeolso*). I could get out of there in three days with the help of my cousin sister. After a week under her custody, I asked her for 500 yuan to go to hospital, but I went to *Musan* County instead and through the broker I entered China again. I moved from place to place (*Hwaryong*, *Yenji*, *Changchun*, etc.) in China.

When I was watching TV one day, I watched a program called “*Achimmadang* (Morning Garden)” on KBS, which broadcasted the North Korean defectors running into the South Korean Consulate in China. I made a phone call to KBS and said I was a North Korean defector in need of help. They gave me the phone number of the Ministry of Unification and when I called the latter, they gave me the phone numbers of the office of the NKHR and its president. In June 2004, I called NKHR to ask for help. By the aid from NKHR, I could come to South Korea through Beijing in September, 2004.

■ SHIN Hyeok-Cheol (Alias | June 11 ~ 21, 2002 | 10 Days)²⁰

I escaped to China with my family in 1998. In China, I worked as a helper doing rough works at construction spot, but often had to experience being unpaid due to the illegal status as a defector. On June 3, 2002, I was arrested alone in *Yenji* and detained in *Wangqing* Detention Center for nine days. The Chinese public security agents inquired me of my residence in China, what I did in China, cause of escaping from North Korea, relations in China, etc., but they did not beat me. After investigation, they handed me to the *Tumen* Detention Center.

On June 11, the next day I was sent to the *Tumen* Detention Center, I was promptly sent to the *Onseong* County Security Agency. There I also was investigated of the cause and route of escaping, what I had done in China, whom I had met, where I had lived in China, etc. They interrogated me for ten days sometimes not allowing me any sleep and beating with 5 by 5 centimeter thick wooden club. The room I was detained in was around 16 to 23 square meter space, where as many as 64 detainees were crammed in. There were about 400 to 500 detainees. Soups made of corn flour, less than five spoonfuls one time, were given two times a day. I was transferred to the *Onseong* County Safety Agency and to the *Onseong* County LRF (*Rodongdanryeondae*) in three days.

²⁰ NKHR Interview (June 6, 2006).

■ KANG Seong-Hwa (Alias | November 8 ~ December 8, 2002 | 1 Month)²¹

While I was staying in *Yenji* after my first escape in 1998, I went to a branch office of the Chinese Police to settle a dispute with an ethnic Korean in China (*Joseonjok*) there on October 20, 2002. There I was known to be a defector and arrested immediately. I was detained until November 5, sent to *Tumen* Detention Center and transferred to the *Onseong* County Security Agency after three days. In the Security Agency, I was interrogated for a month. When I first entered there, I was made to be naked and to do the so-called "pumping" fifty times, the repeated standing up and sitting down. It was aimed to extract any hidden money in the body and any money coming out was snatched. After that, a woman agent inspected the whole body again and made me turn back and do pumping fifty times more. In case no money came out, they inserted hand into the uterus and inspected. I put 600 Chinese yuan in my anus, but it did not come out.

In an around 16 to 23 square meter wide room, about 50 prisoners were confined, but some had to sit in line at the corridor to sleep, when the room was full. Though meals were given three times a day, meals were soups made of some corn noodles; each of them was not enough for a sip.

After three days I entered the Security Agency and they started to interrogate me. They asked me when I had crossed the border, how I had lived in China, whether I had met any South Korean, whether I had been to any churches, how much money I had made in China, etc. I was made to put my hands on the lattice and beaten on my hands with an iron rod, but others were kicked and beaten with wooden club so relentlessly that it looked as if the agents were practicing martial art. Six prisoners who had attempted to enter South Korea via Southeastern countries were classified into the category of "South Korean matter" and sent to the PPC (*Gwalliso*). I stayed there till December 8, 2002 and was transferred to the *Gyeongseong* County Security Agency, where I was confined till February 22, 2003.

²¹ NKHR Interview (June 14, 2006).

■ PARK Yeong-Hee (Alias | April 30 ~ May 20, 2003 | 3 Weeks)²²

I crossed the river to get some stuff in China, but I was arrested by the Chinese public security agents and sent to *Tumen* Detention Center on March 23, 2003. There was a multitude of repatriation of the North Korean defectors due to then prevalent SARS. I was interrogated of the cause of escaping, the route, etc., and was kicked in the process of investigation. Meals were given, but I was allowed only to put on underwear.

Then, I was sent to the *Onseong* County Security Agency on April 30. Investigation was focused on the date and cause of escaping, living in China, etc. I was not beaten severely, but I saw many prisoners beaten and a pregnant woman beaten to miscarriage for the reason that she got a Chinese man's baby. Security agents forced the prisoners to fight with each other or beat with each other.

The *Onseong* County Security Agency, next to the *Onseong* County PSA, was divided into three sections of the First, Second and Third ones. The room was too small for the prisoners to sleep, so some had to sleep sitting on the floor and sitting on the floor also was not an easy matter. Soups made of corn and other unhealthy scrapes were given three times, but each meal was less than 100cc. Such food caused many women to decay their breasts, face and hips and lose weight to near skeleton.

As there was someone of my acquaintance in the *Musan* County Security Agency, I planned to buy him off to get me out of the prison. He came late and I was transferred to the *Cheongjin* DC (*Jipgyeolso*) on May 20. After one of my relatives in *Cheongjin* City bribed the head of the DC, I could get out of there with some patients and was sent to the *Musan* County Safety Agency on June 12, 2003.

■ KIM Jeong-Sook (Alias | May 3 ~ 13, 2003 | 10 Days)²³

²² NKHR Interview (June 5, 2006).

I was arrested in *Yenji*, China in April 2003 and sent to the *Onseong* District Security Agency on May 3, 2003, via *Yenji* prison and *Tumen* Detention Center. There was a multitude of repatriation of the North Korean defectors due to then prevalent SARS, even up to 850 at one time. Investigation ended in ten days, for there were too many people to investigate intensively. There were four rooms, one for women and three for men, and each about 23 square meter wide room was filled with more than thirty prisoners. Meals were given three times, but each meal was less than 100 grams of corn soup with a little noodle, which was far less than a meal.

Investigation in the security agency was mostly on the cause and route of escaping, living in China, how and where I made money, etc. I was not tortured, differently from other prisoners. Once I had been a high-ranking military officer and the manager of investigation in the *Onseong* County Security Agency once had been my man, who handled things to my advantage. I saw many prisoners kicked and beaten relentlessly with five by five centimeter thick wooden clubs and thin iron rods. Some were tortured more severely, but I could not hear or see them.

I was transferred to the *Onseong* LRF (Rodongdanryeondae) on May 13, to the *Cheongjin* DC (*Jipgyeolso*) on June 8, and to the Detention Ward at the Prosecutor's Office of the Safety Agency in *Eorang* County on July 15, where I escaped when moving to another place on August 20, 2003.

■ WON Cheol (Alias | November 20 ~ 29, 2003 | 10 Days)²⁴

I lived in *Wangqing* with my mother who escaped in 1998 and moved to *Yanggwangchon*, *Chunryangjin* in 2000. With the aid from an ethnic Korean in China (*Joseonjok*), I was in the fifth grade of a Chinese elementary school, but arrested at school by security agents and put into jail

²³ NKHR Interview (June 23, 2006).

²⁴ NKHR Interview in Bangkok, Thailand (March 27, 2005); WON Cheol, "What a Young North Korean Has To Go Through", *Life and Human Rights in North Korea*, Vol.39 (Seoul: NKHR, Spring 2006), pp.16-19.

in *Wangqing* with my mother on November 14, 2003. In three days we were sent to the *Tumen* Detention Center and interrogated whom we had escaped with, who had helped us, when we had entered China, where we had lived in China, etc. I said a man had helped us cross the river but did not remember who he was. As I was still thirteen, they did not investigate me further. A half fistful of rice and salty soup was given for meal, but the soup was too salty to eat. I already was very weak there.

In another three days, we were transferred to the *Onseong* County Security Agency on around November 20, 2003. As man and woman were interrogated separately, so were my mother and I. According to what my mother said to me later, a woman security agent interrogated her. Women were forced to get naked, put their hands on their heads, and do the so-called "pumping" repeatedly. Men were forced to take off all the clothes except underwear. Clothes were searched stitch by stitch. Even the body with underwear was searched by hand in rubber glove to look for money.

In the confinement, I was made to sit on the floor with my legs crossed and hands put on the laps and not to move at all from five in the morning to ten at night. They called out the prisoners one by one to interrogate and I was called out the next day I entered the prison. When I was called, I did not answer the guard, because I was too weak and in bad mental condition. The guard hit my face with his fist three times and I got fainted. He murmured if I were dead or not and ordered me to lie on my face. After a while, I recovered bit by bit. My mother was beaten more severely than I was. We were ordered to return to our room, my mother was interrogated again in a few days. Sometimes prisoners were forced to beat with each other.

Even if young, there was no special treatment. I was forced to sit on the floor with my legs crossed and without moving at all like most adults were. If someone stretched his/her legs or lied on the floor and was found by the guard, he/she was made to put hands on the lattice and beaten with iron rods or long lanterns, leaving nails bruised black. Soup made of noodle was given for meal, but it was so little for a sip that we could see the bottom.

When I wanted to pass evacuation on a toilet stool inside the cell, I

should ask the guard, "May No.3 (prisoner's number) in the third cell urinate?" When he permitted, I could do, but if he did not reply, I couldn't. The room that I was in was very small for ten prisoners to sit on the floor. We could urinate in our room, but we could move the bowl in the women's room. After moving the bowl, we also had to report to the guard. When sleeping, we could hardly stretch our legs and, thus, had to lie on the sides. The floor was wooden and there was no blanket or mattress. We had to sleep sitting on the floor without changing clothes. The feet were frozen and full of weeping sores. No bath was allowed and we had to suffer from mice.

I was transferred to the Safety Agency in *Dongpo* District with my mother on November 29, 2003. Differently from the Security Agency, they made me take off coat and searched my body with hands. As I was a minor, I spent only one night in the Safety Agency and was sent to my aunt's, while my mother was sent to the LRF (*Rodong-danryundae*) for imprisonment. As I became too weak, they released her in March 2004. After recovering our health, we escaped again in May 2004 and came to Korea safe by the aid from NKHR.

B. HOERYEONG CITY SECURITY AGENCY



General Situation of the Hoeryeong City Security Agency (1999 ~ 2004)

Among the North Koreans, *Hoeryeong* City Security Agency was considered to be the most harsh and horrible place. They run the detention centers and other underground prisons to torture political criminals or other espionage criminals, which were known to be horrible beyond description.

According to KIM Gwang-Soo (ID 12), who had been interrogated at the underground cell for nine months from 1999 to 2000, prisons on the

ground were for those ordinary escapers and the underground ones were for political criminals or other espionage criminals, which were without guards. They do not care whether the prisoners die or not. After a few hours of beating, the back of his head and all the teeth were broken and his weight decreased from 75 kg to 38kg. Apart from the routine torture, there was an infamous torturing called the "pigeon torture". Hung in the air, bones seemed to break through the bosom and all the muscles seemed paralyzed. In the underground prison, any screaming or torturing pain could be heard or known to those on the ground. Endless torturing and fear for death made him confess falsely and approve of the charge of espionage imposed by the security agency. As the crime of espionage is a serious matter, KIM appealed to the head of the Prosecutor's Office of the City Security Agency that he had to make a false confession for hard torture, but later he was beaten more severely by the investigator. When prosecutors came to the security agency to inspect the reliability of the charges, investigators of the security agency would bribe them to conceal their false charges, so any appeals were initially blocked in reality.

According to LEE Gwang-II (ID 9) who had been investigated for more than five months in 2002, the *Hoeryeong* City Security Agency was recruited with guards from places other than *Hoeryeong* to prevent the guards from having compassion out of personal relationship, so they could treat the prisoners unreservedly. The Chinese Public Security Agency handed over related documents and the investigators committed severe torturing to draw confession on any attempt to go to Korea, forced other prisoners to beat, imposed collective penalty of 500 to 700 times of "pumping" to extract tail-telling. When prisoners die in the course of interrogation, they were reported to have died of heart attack or other disease, thus making torturing unknown.

A few things to be pointed out from LEE's testimony was that, on May 29, 2002, KIM Jung-II directed the so-called "May 29 Policy" and many prisoners were fired to death. And in November 2002, other policy was executed to distinguish between simple escapers and those who tried to go to Korea; the latter was put into the category called "South Korean Matter".

Simple escapers were treated relatively loosely and that was why LEE could be released on sick bail and escape again.

LEE Yeong (ID 18) and LEE Min-Ok (ID 16), who had experienced torture in the *Hoeryeong* City Security Agency in 2004, testified the hardships women had experienced for water shortage and poor sanitation. In particular, LEE Yeong testified that some were interrogated for more than seven months, which showed the period of detention was randomly prolonged by the security agency. LEE Min-Ok was sent to the PSA after the interrogation in the Security Agency, where she was asked if she had seen such movies as "*Shiri*" or "*Janggunuiadeul* (the Son of General)", implying that not a few South Korean movies were circulating in North Korea.

■ KIM Gwang-Soo (Alias | July 1999 ~ April 2000 | 9 Months)²⁵

I was first arrested in *Hoeryeong* in July 1999. When the security agents burst into my house and took me out with them, I was sleeping for a while after drinking a little liquor. I should have run away, but I followed them to the *Hoeryeong* City Security Agency, for I believed I had not done any serious wrong. I was put into an underground cell for a week. In a week, two security agents investigated me. The investigator was the chief of the security department of *Oksan* Factory in *Hoeryeong* named Yong-Soo JI, who tortured me severely for nine months. Later, the security agency of North *Hamgyeong* Province, higher than that of *Hoeryeong* City, investigated me. I remember two directors of the security agency, whose name were Chang-Joo YOON and Sang-Soo CHOI. They were doing more than what they were ordered to do by KIM Jung-Il. CHOI was the very one that returned a Korean prisoner of war who had escaped to China.

The place I was taken to was the underground prison in the security agency. On entering the prison, they beat me with five by five centimeter thick wooden club relentlessly. I denied all the charges for two hours, so I was beaten severely and got the back of my head broken. Still I have three

²⁵ NKHR Interview (June 15, 2006).

scars on my head. When I was bleeding here and there after beating with timbers, they made me sit on knees with my arms crossed at the back and kicked my thigh.

All my teeth were broken in the course of investigation in the security agency, so I had to live without any tooth for four years. As no dental care was given to me in North Korea, I had to seek for it in China in five years. There was a repeated beating and interrogation in the security agency.

Among the tortures that did not allow any sleep, most infamous was the so-called "pigeon torture". As handcuffed and arms were tied at the back to the lattice, I could not either stand up or sit down, muscles on the shoulders paralyzed in a day, bones seemed to break through the bosom, and the whole body got paralyzed.

Prisons on the ground were for those ordinary escapers and the underground ones were for political criminals or other espionage criminals, which were without guards. They do not care whether the prisoners die or not. They even told that it was better for the prisoners to die. When tied long, I got gradually dumb and all the body paralyzed, but I could urinate and move the bowel. But, they did not even allow me to go to toilet, so I had to make my pants dirty. Even if I screamed in the underground cell, people on the ground did not hear. There were two more prisoners in the underground prison, but they all died.

One day, I was too hungry and I said to them I would confess if they gave me some food. They gave me a lot of food and I ate them. But, after eating the food, I denied all the charges, so I was beaten even more severely. When I was first arrested, I weighed 75kg, but in the course of investigation, my weight decreased to 38kg.

Though I never did spying, I had to make a false confession due to the prolonged investigation and endless beating. They said, "You won't get out of here alive. If you do not approve of the charges, you will go out dead." Above all, I feared if I would die for the cruel torturing. Later, I became too weak and they did not beat me any more. Just to survive, I made a false

confession.

At the last stage of the investigation, the head of the prosecutor's office of the city security agency came to inspect whether or not the charges were true. I said to him that I had to make a false confession for fear of the relentless torture. Then, the security agent who investigated me came over to me shouting "Can't you tell the truth?" and beat me again. The prosecutor's role was to inspect whether or not all the charges were true or not, but those investigators of the security agency bribed him to support their position, so there was almost no room for changing the situation.

Meals were almost made of trash, mostly the leftover from the meals of the security agents. Even more, there was no guard in the underground prison and meals were given once in every two days. When I was suffering from serious fever, nobody paid any attention to me. No blanket or mattress was provided. No clothes were given, so I had to wear the same in winter as I was arrested in July. As I look back on those days, I still feel so terrible. After I approved of the charges they imposed on me at the *Hoeryeong* City Security Agency, there was no other procedure that followed. When I got out of the underground prison and went up to the prison on the ground, only a parcel of blanket was waiting for me. I guess it was the blanket I took from my house. To my luck, I could survive with the aid from my friend who was working at the security agency of the North *Hamgyeong* province. In April 2000, I was sent to the infamous *Yodeok* PPC (*Gwalliso*) to spend three more years of formidable imprisonment.²⁶

■ LEE Gwang-II (Alias | June 21 ~ November 4, 2002 | 4 Months and 2 Weeks)²⁷

When I was being investigated at the *Yongjung* Detention Center in China, the Chinese investigator hit me with the electrical club three times. They beat when the suspects did not confess what they had expected, but they did not do as relentlessly as the North Korean security agents did. They would kick or hit belly or head with the electrical club. From the moment I

²⁶ As for KIM's experience of imprisonment from April 2000 to April 2003 at the No.15 *Yodeok* Political Penal-labor Colony (*Gwalliso*), this report does not describe in detail.

²⁷ NKHR Interview (March 10 / June 18, 2006).

got arrested in China, I kept thinking that I might be beaten to death or sent to the political criminal's prison or fired to death. Hence I committed a fast of seven days to kill myself before I was sent to North Korea. As the result, I was fainted and sent to a hospital, but I did not die due to the medical care there such as the injection of the Ringer's solution. I was so pale, for I had not been exposed to sunrays. On June 21, 2002, I was sent to North Korea.

On crossing the bridge, two security agents were waiting, who came by bicycles. Simple escapers and the "South Korean Matter" were mixed up and sent to North Korea nearly three times a week, seven to ten defectors each time. I was sent to the *Hoeryeong* City Security Agency and classified into the "South Korean Matter" based on the document handed over by the Chinese Public Security Agency. I was put into the No.1 and No.4 cell and had to go through hard time for about five months until November 4, 2002.

On arriving at the *Hoeryeong* City Security Agency, I was compelled to kneel down on the floor. When the security agents looked at me kneeling down on the floor, they recognized that I had been long investigated in China and, thus, was classified into the "South Korean Matter". Women were sometimes allowed to go out for the sunrays, but men were forced not to move out of the room.

An investigator of the city security agency said to the guards, "Take a good watch on him, for he was arrested in *Namyong*, China and seems to have serious problem" and went into his office with the documents. There were seven guards at the age of around 23, but the chief guard was 25. They were not from *Hoeryeong*, mostly from North *Hwanghae* Province or South *Hwanghae* Province, so they were relentless to me. They were so young and accustomed to bad behavior, beating and treating people as animals.

In prison, I had to hang down and sit down with my arms crossed at my back. I had to call the guards "sir". When I kneeled down, one of the guards kicked my face two times and I bled. I bended myself for pain, but the guard trampled on my mouth tearing out my lips. I touched my face and found out the left eye swallowed up like a cake. The first day was so ended and I was put into the No.1 cell.

There was a toilet stool in the cell, which stank a lot, but I tried to get accustomed to it, for the situation of other prisons in North Korea was almost the same. The prison in China was quite better, compared with those in North Korea. I was forced to kneel down and not to move from five in the morning to ten at night. Prisoners were called out one by one and investigated. At the moment when a prisoner was called out, if other prisoners raised their heads or moved, the guard came in and beat as cruelly as he could or forced them to do 1000 times of "pumping" or wash the toilet stool with bare hands. At any rate, we could not but obey to the guard. Suppose the guards were married, they would have been merciful a little, but they were young and bachelors who were merciless, so accustomed to bad behavior and unable to speak without using insulting words.

The next morning I found the blood stains on my clothes. In the afternoon the investigator who was in charge of me called me and I went to him. Looking over my document, he asked me politely at first. I lied to him that I had heard of *Namyong* to be plentiful of jobs, so I went there to look for a job without any intention to go to South Korea. Then, he said to me, "You are lying. You may know about the NSA. If you do not confess, you will be tortured more and more. I am a busy man with many prisoners to investigate. Just confess and sign on the interrogatory, and then everything will be over."

When I was staying China, I became a Christian. Since there was nothing to rely on in the prison, I was more reliant on my religious faith. I became more and more eager to survive. It was worthless to be killed for my confession by the garbage-like security agents without being known of my death to anyone, so I made up my mind to deny all the charges as best as I could. I denied resolutely that I had ever attempted to go to South Korea. As the investigator had many experiences of dealing with the prisoners, he did not think that I was lying. There was no computer in the city security agency, so they filed all the documents by handwriting. In case the investigator thought that the prisoner was lying, he tore out the paper and began rewriting. At that time, the investigator would throw the ashtray to the prisoner out of anger, but he did not do so that day.

The investigator called the chief guard called Hak-Cheol, who was the oldest among the guards and about 180 centimeter tall. The investigator told him, "This son of bitch does not confess, so give him some lesson and make him confess until tomorrow." Hak-Cheol pulled me out, interrogated me for a while and took me to the No.1 cell that had about twenty prisoners. Each cell had a head of prisoners and he/she had some privilege to raise head or move a little, yet he/she was nothing but a puppy acting to the order of the chief guard. The chief guard told him, "Give a good lesson to this son of bitch and make him confess tomorrow without fail."

The head prisoner stood up and asked why I had come there kicking my face and shouting, "How dare this son of bitch do not confess and make him angry!" Sooner he made me do 500 times of pumping, but I could do only 300 times. That night they did not give me supper. Even if they did, it was nothing but two or three spoonfuls of soup made of rotten corn flour. A glass of water was given for two. I rather wanted to drink some water than the spoiled soup, but they did not give me any water. I stood at the corner of the room near the toilet stool and did not sleep even a wink.

When I went to the investigator next day, he gave me three sheets of paper and ordered me to fill in the interrogatory. I wrote the same as I did the previous day. He shouted, "What do you think I am?" and kicked my knees. And he called the chief guard Hak-Cheol and yelled at him. Hak-Cheol took me to a room used by guards and beat me severely. He beat my face and kicked my belly unreservedly. One kicking by the combat boots would be painful enough to make one suffocated, but I was kicked for about ten minutes. Then, he pulled my hair and plunged me into the cell. He yelled at the head prisoner, appointed another one as the head prisoner and ordered him to give me a real lesson.

All the prisoners in my cell were punished because of me. He made us do 700 times of pumping and I shed more tears than sweat. Having beaten too much, all the body was bruised and full of wounds. After the punishment for all, he beat me again. Other prisoners took me to be their enemy. He did not give me supper and water, but threatened me instead saying, "If you do

not confess tomorrow, I will peel you off." As I was beaten too much and had not slept a wink the previous day, he allowed me to sleep at the corner of the cell near the toilet stool. I went to the investigator in two days and said to him, "Sir, my answer is always the same. I do not mind if I die or not, but I never tried to go to South Korea."

Guards were shifted in every two hours. They adopted various penalties as they pleased. A penalty called "*sinmunbogi* (newspaper reading)" required maintaining a horse riding posture of reading the newspaper without chair, but no one ever lasted more than ten minutes. When someone failed to maintain the posture, they forced him/her to put his/her hands through the lattice and they pulled his/her head against the lattice.

They did not call me the next day. They did not give me any meal for four days. Having beaten too much, there was no place to be beaten more on my body. The two eyes were so bruised and swallowed up that I could not see a thing and the lips were torn out. After four days without interrogation, they hurriedly told me to wrap up all the pending matters as soon as possible, because they were going to be inspected by their higher office, the North *Hamgyeong* Provincial Security Agency.

I denied consistently, because I thought it would be rather better to be beaten to death than to be tied up to the pole and fired to death or to be killed like an animal in the political prisoner camp after the confession. Afterwards, they called me in a few days. Each time they interrogated me, I just repeated what I had said before.

In North Korea, even forced confession can make one guilty. Different from Korea, even if there is no evidence of murder, if one reports him/her to the security agency and he/she confesses, he/she is considered to be guilty. Inversely, if one denies his/her charges to the end, he/she is not charged to be guilty. Some lasted one or two years and died, but some lasted to the end and survived in the long run. To extract confession, the security agency relentlessly executes various tortures, but, if one denies to the end, one can get out of the charges. Yet few can survive the harsh tortures.

When someone dies from torturing, they file up that he/she died of a heart attack or other disease and bury away. If bones are broken, they

consider it quite natural and do not provide any medical treatment. When an epidemic disease prevails, mostly caused by unsanitary environment, they take the prisoners to the hospital and bring them back, if he/she is alive.

Getting through such torturing, beating and malnutrition for a month, I became a long-term prisoner. I was transferred from the No.1 cell to the No.4. The No.4 cell, which was a special one for some particular criminals, also was full of prisoners. I am not sure if they were sent to the No.4 from the start or in the course of investigation for more intensive investigation.

Meals were a little bit better in the No.4 cell, for the soup contained some soybean. Meals in the No.1, No.2 and No.3 cells were almost spoiled corn soup, but those in the No.4 were better, probably because they had to keep the prisoners alive for long-term and intensive investigation. Yet, even in the No.4 cell, beating and torturing continued. After a month, the investigator began to give up with me. However, he still threatened me saying, "You shall die here. I will kill you drying up all your skin, so you had better confess before you die." Though they had some documents that they could charge me with, they did not force me to fill in the interrogatory and put on my fingerprint. At that time, KIM Jung-Il promulgated a policy to distinguish between simple escapers and the so-called "South Korean Matter", those who had ever attempted to go to Korea.

There was a special and exemplary execution called "May 29 Policy", which might be called so, for the policy was initiated on May 29, 2002. If I had confessed, as they had required, I could probably be executed. Prisoners had to evade the exemplary execution at any cost, because some prisoners who had sold out many North Korean women to the Chinese were just put to the detention center, while some prisoners who had sold just a woman to the Chinese were executed.

As such I shed much blood, did not eat the least, had no place to be beaten on my body, lost all my hair and weighed less than 40kg. In a month, they began to interrogate me once in a week, but after two or three months, less than once in a week. Poor meals were given three times a day. I rather wanted to die of hunger than from beating, because they would send my

body to my parent, if I die of hunger, while they would bury me away, if I die from torture. Those who experienced the detention center or prison may understand how I felt at that time. Once I sharpened a spoon and cut my artery on the left wrist to commit a suicide, but the guards found me and wrapped my wrist with clothes and stopped bleeding. Needless to say, they did not take me to the hospital. For that fuss, I was beaten severely, leaving my whole body bruised. Though I try to forget all about that, scars and wounds on my body remind me of that terrible experience.

At that time, I was so weak for malnutrition that I could fell down and get out of consciousness merely by one kicking. There was no sick-bail in the prison, but I was released on sick-bail due to the policy promulgated by KIM Jung-Il in November 2002. During the period of detention and imprisonment, from the first day when I was sent to the *Hoeryeong* City Security Agency till the last day I was released, I had put on the same clothes. I heard that they had left prisoners dying and more than ten prisoners had died everyday from 1996 to 1997, but the enormous number of escapers probably had loosened the investigation procedure and lowered the intensity of torturing in 2002.

Due to the worst health, I was sent to my home on sick-bail. The security agency called my father to take me home and he took me by a handcart. After three days of rest, I recovered my consciousness, but still I could not walk well. At night, I came out of home and ran away to one of my senior's house. As the security agency would take me to the prison again after my recovery, I asked my senior to hide me for a while. In about twenty days, I recovered so much as I could walk without difficulty. Soon I called someone in China to help me escape. He sent me 1500 yuan and I could offer a security agent a bribe of 300 yuan to allow me to cross over the *Tumen* River. A Christian missionary came to meet me and we moved in a car. After ten days of rest in China, I left China and entered into Korea via a third country on February 28, 2003.

■ LEE Yeong (Alias | April 9 ~ May 10, 2004 | 1 Month)²⁸

I left *Yenji* by train for Inner Mongolia on March 17, 2004, but was arrested when I had almost approached Chinese-Mongolian border on March 20, 2004. As I believed that I would be killed if arrested, I took in a bottle of sleeping pills that I had been carrying with me. When I was awake in two days, I found out that I was in a hospital. We were transferred from the Inner Mongolia to the *Dandong* detention center on April 3. They forced me to put on my fingerprint on the interrogatory and took pictures of me. After three days, we were sent to the *Shinuiju* City Security Agency on April 6. Other companies were detained there, whom were not informed of afterwards, and my family was sent to the *Hoeryeong* City Security Agency after three days.

In the *Hoeryeong* City Security Agency, a very small cell was filled with about twenty-five inmates, there was no water to wash, and meals were almost spoiled soup. Cells were divided into No.1 (men), No.2 (women), No.3 (men) and No.4 cell. I was put into the No.4 and my son to the No.3. As we were interrogated separately, it was quite necessary for us to match our statements. The one who was staying for the longest in our cell had been put to imprisonment for seven months.

The *Hoeryeong* City Security Agency allegedly was the most infamous one, for they did not allow the prisoners to move and would beat them relentlessly when they ever moved a bit. The custody conditions were worse than the *Shinuiju* City Security Agency and we were beaten more severely. We had to sit down on the floor with our legs crossed and hands put on the knees without moving from five in the morning till ten at night. The only break time was for meals and excretion. People scraped everything from the bowl and ate.

One bucket of water was provided for each cell, and 25 people had to share it to drink, wash, and flush the toilet. There were so many lice. Since I was in the cell for women, we would have our periods. Since we had to use a piece of cloth and wash it and use it again, we had the worst water shortages

²⁸ NKHR Interview (March 10 / June 18, 2006).

in those times. We had to use a piece of cloth and reuse it after washing it. This one woman who stayed in the cell for the longest, seven months, told me that she could never brush her teeth. So the person who had been there for the longest and was toughest got to wash first, and the people who came later would wash afterwards. If someone had her period, she would wash her underwear with the cloth and the next women washed the cloth. In the end, one could not tell if the remaining water was black or red. And we had to wash the floor with the towel dipped into that water. Not surprisingly, the stench of blood and sweat in the cell. That is why there were so many lice at the security agency cells. After one month at the *Hoeryeong* City Security Agency, my son was released because he was under age, and I was sent to the *Hoeryeong* Safety Agency. After an additional investigation for one week, I was sent to the *Hoeryeong* LRF (*Rodong-danryundae*), and spent five months there.

■ LEE Min-Ok (Alias | April 9 ~ May 10, 2004 | 1 Month)²⁹

The *Shinuiju* City Security Agency interrogated me for three days. We were all stripped naked and searched for any goods or money that we might have brought back from China. We were forced to do "pumping" or repeatedly standing up and sitting down. They said it was possible to discover money hidden on people's bodies by doing this. While under interrogation, we had to sit on the floor from six o'clock in the morning to ten o'clock in the evening. If we moved even the slightest bit, we were beaten, although some interrogators were more lenient.

Three days later, I was transferred from *Shinuiju* to the *Hoeryeong* City Security Agency. There were 30 people in each cell and we were told to use a palm-sized towel. While the *Shinuiju* City Security Agency was at least clean, the *Hoeryeong* was very dirty. We could not even wash our faces let alone wash our hair or take a bath. We got so much lice that it makes me sick thinking about it even now.

²⁹ NKHR Interview in Bangkok, Thailand (December 20, 2004).

During the interrogation at the *Hoeryeong* City Security Agency, we were asked if we have seen any South Korean films like "*Shiri*" or "*Jangguniadeul* (the Son of General)". After the interrogation for one week, I was made to do the construction works at the LRF (*Rodongdanryeonda*) of the *Hoeryeong* City Safety Agency for two months. These days it is called the *Changdu* "Labor Cultivation Facility (*Rodong-kyoyangso*)". I returned home on August 15, 2004.

Anyone who has been to China finds it hard to live in North Korea again because in China there was food and we could speak freely. Thus, I paid a guide 500 yuan and crossed the river into China on September 23. However, immediately after crossing the river I was handed over to a Chinese man who threatened to turn me into the police if I did not marry a man he knew. I was afraid of returning to North Korea, so I said I would do as he said. On October 11, I was sold to a 24-year-old man in *Hebei* Province and lived with him for six weeks. There were 11 North Korean women living there after being sold like me. Six were in their teens, one was in her 20s, and four were in 30s. There I met a senior and I escaped with her and came to South Korea with the help of the NKHR on November 20, 2004.

C. MUSAN COUNTY SECURITY AGENCY

**General Situation of the Musan County Security Agency
(1999 ~ 2000)**

The case of SHIN Jung-Ae (ID 8), who had gone to ask some help of her relatives in China, was arrested on her way back from China in 1999 and had to get through five months of pretrial at the *Musan* County Security Agency, shows that even the simple escaper could be given a long-term investigation. She was a simple escaper seeking for some means of

subsistence, but was sent to the No.15 *Yodeok* PPC (*Gwalliso*) and put to one year's imprisonment due to her familial background as the descendent of the Korean Japanese who had returned to DPRK.

KIM Eun-Cheol (ID 20), who had been imprisoned in the No.15 *Yodeok* PPC for three years after the pretrial at the *Musan* County Security Agency in 2000, was one of the seven defectors who had been arrested in Bladivostok, Russia in December 1999 and given the status of refugees through the interviewing with UNCHR, but sent back to DPRK via China. On the way to DPRK from China, he dramatically escaped and concealed himself, but he had to return to his home in *Musan*, as he had no more place to hide himself, and was arrested by the security agents in ambush in the long run. After being hit with a pistol, he got fainted and was dragged to the *Musan* County Security Agency. During two months of investigation, he was beaten kneeling on the floor with a log put between his calves or hanging in the air. He could not but give up all the human rights filling up the interrogatory as he was told to. He was detained in the security agency for four months and sent to the No.15 *Yodeok* PPC. He even heard that the rumor around his hometown was that he had been fired to death.

KIM Chun-Ae (ID 4) who had been investigated in the *Musan* County Security Agency in 1999 and 2000 testified important changes with respect to the investigation practice at that time. According to her testimony, at the time of June 1999, there was no detention facility in the *Musan* County Security Agency, so defectors were investigated for a day and sent to the *Musan* County Safety Agency, but in 2000 there were two detention facilities in the *Musan* County Security Agency, one for men and another for women, so defectors were investigated for more than a week.

Taken the testimony of SHIN Jung-Ae and KIM Chun-Ae together into account, it was sometime between June and November 1999 that the *Musan* County Security Agency provided detention facilities for long-term investigation, which implies that the North Korean authority began to systematically deal with the ever increasing defectors. Their testimonies also show that the *Musan* County Security Agency also forced the prisoners to

get naked and do "pumping" to snatch money from them.

Seen from the testimonies, it was in the *Musan* and *Shinuiju* County Security Agency in 2000 that the inhumane practice of torturing to snatch money from women appeared for the first time.

■ SHIN Jung-Ae (November 1999 ~ April 2000 | 5 Months)³⁰

At the end of August 1999, I made a phone call in *Cheongjin* City to my elder sister in Japan and asked her to come to China. I met her in China and she persuaded me against going back to North Korea. But, I could not do as she told me, for I was anxious about my family in North Korea. I changed some money that she gave me and went back to North Korea.

I crossed over the border safe, but got caught afterwards. In the *Musan* County Security Agency, I got through five months' pretrial. No one but those who were there could understand how hard it was to be there. For five months, I had to sit upright from five in the morning to ten at night. Food portion for a day was 240 grams of corn. I got through five months' pretrial, but some did one year or one and half year. After the pretrial, people got so weak and seemed half-dead.

In North Korea, the No.15 *Yodeok* PPC (*Gwalliso*) is known to be a place that people can never get out of. When I heard that I would be sent to the *Yodeok* after the pretrial, I thought that I would die there. While I was there for a year, 20 out of, 200 prisoners at my camp area died. I also was under such serious malnutrition that I had to ride on a couch when I was released from there on April 29, 2001.

When I came back home after one year, my daughter and son-in-law already had escaped to China and my own husband had died. As there

³⁰ NKHR Interview at the 2nd Monthly Meeting (June 25, 2004); SHIN Jung-Ae, "From Japan to North Korea and then to South Korea", *Life and Human Rights in North Korea*, Vol.33 (Seoul: NKHR, Autumn 2004), pp.22-28.

seemed almost no way to make living, I escaped to China in June 2001. At night I arrived in China and my son-in-law came to meet me, but we all were arrested by the Chinese public security agents and sent back to North Korea. We were sent back to *Cheongjin* City Security Agency, but could come back home owing to some help from my relatives. In October 2001, I tried the third escape, but was arrested again by the Chinese public security agents in *Yenji* and sent to the *Onseong* County Security Agency. As the previous records of escape were not found out, I gave them all the money I had and they released me after tearing the document to pieces. In November 2002, I succeeded in the fourth trial of escape. I met my daughter in China and could enter into Korea via Southeast Asia in September 2002.

■ KIM Eun-Cheol (January 16 ~ June 30, 2000 | 5 Months and 2 Weeks)³¹

After three days of their failing to capture me, I found out that about thirty *Milsan* district security agents started a search even at *Yenji*. *Yenji* was no more a place to stay and seemed too risky but I was at a loss with no ideas where to go from there. The only place that rang my mind was back at home, to North Korea. I persuaded myself that if I stayed quiet, and out of sight, it would be less of a problem. I crossed the thin icy *Tumen* River from *Deokhwa-jin* of *Hwaryong* City (Chinese border) and after a night at a house of someone I knew before, I went into *Musan* County, North Korea. I didn't go directly to my parent's home but to a neighbor's. They hid me in return for some rice I bought with some 500 yuan I had received from the *Yenji* Church. I asked them to contact my father. I bought my father some rice with the extra money I had on me and stayed at the neighbor's for a couple of more days.

On January 16, 2000, a full moon shone brightly in the dark sky. Having made up my mind again to go into China, I really longed to go home for one last time. It did not cross my mind that my news had reached all the

³¹ NKHR Interview (August 8, 2006); KIM Eun-Cheol, "After Repatriation: Three Years in Yodok", *Life and Human Rights in North Korea*, Vol.41 (Seoul: NKHR, Autumn 2006), pp.12-19.

way from China to *Musan* in just a few days. But as soon as I stepped into my home, security agents who I could not spot beforehand, all rushed in and seized me. I had been an officially wanted person and secretive agents had waited in ambush. I was hit hard on the head with a revolver and while I fell I was beaten up so hard for more than half an hour that I felt like I could not even gasp for some air to breathe. With shoestrings tied tightly around my ankle, I was dragged on the ground.

I was taken to the *Musan* County Safety Agency. I was not so mistreated at the safety agency because it was just a transit before being transferred to the NSA. What awaited me at the *Musan* County Security Agency after the transfer was something totally different. For six months, I was subjected to the kneeling torture – with a thick log fixed in between my knees and calves in a kneeling position – I was posited to kneel on a heated iron plate. In that position, I cannot say exactly how much they had beaten me. So frequently all throughout the day I was beaten up but I withdrew from admitting that I had ever gone to China. I was able to hang on with this denial for about ten days. However this too had to end when the official documents of my interrogation as well as a photo arrived from the Chinese officials. I could not say anything different with such obvious evidence laid out before me. "Did you ever go to a Christian church in China?" "What was discussed?" "You should tell everything from scratch!" Right to the end, I did not admit that I had been to a church, but I admitted that I was present at the press conference in Russia. However, gradually the fear of my end, my death, loomed over me and I felt all was useless and with such despair, I began to give up. With my arms and legs tied up from the ceiling, dangling over in the middle of the room, and fiercely beaten, I could not but give up on myself, on my existence as a human being.

I was given a bunch of paper, about hundred pages, and was told to fill them up with whatever accounts I had to tell – as I had to scribble on the papers and fill the entire bunch, at the same time as I was being beaten up, I wrote down whatever that rolled inside my head according to whatever question they threw at me. I wrote down whatever they made up, whether they were true or not did not really matter to me. After two months of interrogation and continuous beatings, I had to wait about another four

months at the detention facility waiting for another transfer to a place unknown. The detention center was no much better. The aggressive disciplinary guards at the detention center were no less vicious. They would not leave me alone and continued to beat me up.

One day, my father came to visit me with some rice cakes. People around asked for some, which I really wanted to share, but the guards would never allow it however you asked for the permission. Nevertheless I tried to sneak some into someone's hands while they seemed to be occupied with something else. But unluckily, I was caught right in the middle and had invited myself big trouble. As a punishment, they forced me to bang my head hard on the wall. They shouted at me and compelled me to bang even harder to which I responded with harder hits against the wall until I thought I heard my head echo. Blood poured down on my forehead. Maybe because this took place where everyone could watch, they took me to the toilet. And there, they told me to continue this against a toilet stool. With strong revulsion and grief at the same time, I decided to do as they wished and just end my life there. Madly, I kept the banging. Soon I was covered with blood spurting everywhere. After this incident, the agent in charge of me came to me and asked me why I had done that. I was afraid I would get into more trouble if I told him the truth – about the anger inside me towards them that drove me insane to bang even harder – so I told him it was really nothing. He insisted on knowing why, to which I answered in the end. To my surprise, he spread some medicine (Chinese ointment) on my scars.

From June, when the weather was warmer, the punishments that we received were much severe. Inside the detention center packed with prisoners, in the early summer heat, we were compelled to cover a thick blanket over our bodies and were forced to repeat a sit-down-stand-up punishment. In the heat, repeating this over five hundred times, you cannot even regard yourself as a human being. With all the sweat covered in the dusty blanket, if you don't dry yourself well, you grow lice all over your body and you will not be able to find any aspects of a proper human being.

On June 30, 2000, I was sent to the No.15 *Yodeok* PPC (*Gwalliso*). I was nineteen at the time. I had no idea where *Yodeok* was, and all I could tell

myself was that I was going somewhere where there would be no exit out. My family would not know about my whereabouts, and in my home village I had heard later on that there was a rumor that I was shot to death accused of espionage and thrown away.

■ KIM Chun-Ae (Alias | July 15 ~ 21, 2000 | 1 Week)³²

I was arrested in *Hwaryong* City in China again on July 15, 2000 and sent to the *Musan* County Security Agency that day after a short stay at the *Tumen* Detention Center. The *Musan* County Security Agency was located near the Institute of Revolutionary History, which I had not known in 1999, but got to know on the whole in 2000. When I was taken to the *Musan* County Security Agency in July 1999, there had been no detention center, so I had been sent to the *Musan* County Safety Agency just after one day's investigation, but there already was a detention facility in the *Musan* County Security Agency in 2000. There were two cells, one for men and another for women, designed for long-term investigation. Probably those who had stayed with me in 1999 might have been the last group who had been sent to the LFR (*Rodongdanryeondae*) or political prisoner camp just after one day's investigation.

Those who had been arrested said that I should eat the money lest it should be snatched, so we had to swallow up all the money we had. My daughter tended to vomit, but she tried again and swallowed up 300 yuan. Upon entering the interrogation room, we were all made to get naked and do "pumping" for a long time, but no money ever came out. My daughter did not eat any meal not to excrete the money she had swallowed. Then, the security agents began to beat us up saying, "How well were you bitches fed in China that you do not eat anything given here?" They knew that the suspects were eating money, so they made us move the bawls outside the toilet stool and inspected the excrements. Because my daughter had not moved the bawls for a long time, they made her take in constipation pills enough for three servings at one time. She felt so painful as to tumbling

³² NKHR Interview (February 8, 2005 / June 10, 2006).

around on the floor, but she could put up with it. I was a line chief there and, thus, sat at the end of the line. By chance I had an opportunity to talk with a guard. He talked about his mother and I realized that she was the head of military security agency in the army that I had served. Since then, he became a little bit generous to me. Avoiding his notice, my daughter moved the bowls at the makeshift toilet in the cell and picked up 100 yuan. Later she had diarrhea and picked up another 100 yuan, but flushed out the rest, for the guard was approaching. As such, we saved 200 yuan and flushed away 100 yuan.

However, a woman in our cell reported us to the guard. She had been charged of getting 3,000 yuan in China from a relative from South Korea in December 1999, but she was in the detention center, for she was too weak to be sent to the political prisoner camp. She reported to the guard that we had swallowed up the money. I was taken to the disciplinary guard and beaten relentlessly breaking three of my fore teeth. We offered him a bribe of 100 yuan and hid another 100 yuan. We were continuously questioned if we had had any relationship with South Korea or Christian church. I denied all the way. We were further investigated if we had anything to do with my brother's case, who had been to China to look for me and get some aid from someone from South Korea, but had been arrested and sent to the political prisoner camp in 1999.

After two days of additional interrogation, we were sent to the *Musan* County Safety Agency, while others to security agencies in their hometown. At the safety agency, we were investigated for seven days, put into prison for a day and sent to the LRF (*Rodongdanryeondae*) in *Musan* County on July 22.

D. GYEONGSEONG COUNTY SECURITY AGENCY

**General Situation of the Gyeongseong County Security Agency
(2002 ~ 2003)**

KANG Seong-Hwa (ID 17) who had been investigated at the *Onseong* County Security Agency and further investigated for two more months at the *Gyeongseong* County from 2002 to 2003, testified that the general situation of the *Gyeongseong* County Security Agency was not different from the *Onseong* County, as shown by a man who had been tortured and starved to

death. Among the twenty interviewees, she was the only one who had been investigated at the *Gyeongseong* County Security Agency. Hence, NKHR will further look for the defectors who had been in the *Gyeongseong* County Security Agency and make up this report.

Something to be pointed out with respect to her testimony was that there had been a rumor around the *Gyeongseong* County Security Agency that KIM Jung-II had ordered not to snatch money from the escapers, for they would escape to China again, if their money was taken away. Yet, she added a provision to her testimony that such a rumor might not have been true, but there were some public officers who had spread such rumors.

With respect to her testimony, there also had been some news reports in Korea around 2002 that KIM Jung-II had begun to execute somewhat moderate policy toward defectors. But, according to the recent testimonies, such inhumane practices in detention centers and prisons as sexual abuses or snatching money by force had never been changed for the better around and even after 2002. It seems probable that the rumor was groundless, as KANG added. Of course, it also is possible that lower level governmental organizations did not put into practice the order of KIM Jung-II.

■ KANG Seong-Hwa (Alias | December 8, 2002 ~ February 22, 2003
| 2 Months and 2 Weeks)³³

Being transferred to the *Gyeongseong* County Security Agency in my hometown, nothing was better for being in my hometown. It was almost the same with the *Onseong* County Security Agency. Kneeling on the floor, with hands put on the knees, without being allowed to stretch legs, I had to maintain all the same posture from five in the morning till ten at night.

A male prisoner was tortured and starved to death, for he knew that he would be executed to death and did not eat anything. A male prisoner knew

³³ NKHR Interview (June 14, 2006).

that he would be executed to death and did not eat anything, letting himself starved and tortured more to death. I was in the second-degree malnutrition and heard that even the *Oro* LRF (*Rodong-danryundae*) in *Hamheung* City would not receive me. But, I asked the doctor to send me to there, for I did not have family at home and wanted to die in *Hamheung*.

There had been no trial before I was sent to the *Oro* LRF. As I was charged of three times of crossing the river, I did not know what punishment would be given to me. Before I departed for the LRF, a security agent at the *Gyeongseong* County Security Agency abruptly told me to stay there for three years, so I believed what he said. Later people told me that the *Oro* LRF was for one year's imprisonment, so that I knew that I would spend one year there.

I arrived there on February 23, 2002 and was expected to go out in February 2003, but I was given a month's reduction of penalty in the Autumn of 2002, so I was released on January 22, 2003. I did not know the reason, but some high-level agents said about such policy. At that time, two or three agents in black suits, who seemed to come from the central governmental organizations, came to the camp in a car and inspected how many corn grains were in the soup and ordered the security agents to do correctly.

At the end of 2002, I even heard that KIM Jung-Il had said, "Even if they go to other country and wear foreign clothes, as far as they embrace the desire for the reunification of fatherland, it also is a good thing" and "If their money is taken away, they will go to China again, so do not snatch money from them." Yet, she added a provision to her testimony that such a rumor might not have been true, but there were some public officers who had spread such rumors.

(2) North Pyeongan Province (Shinuiju City Security Agency)



**General Situation of the Shinuiju City Security Agency
(1998 ~ 2004)**

Like the *Onseong* County Security Agency and the *Hoeryeong* City Security Agency bordering China along with the *Tumen* River, the *Shinuiju* City Security Agency bordering China along with the *Yalu* River also receives many defectors repatriated from the *Dandong* Detention Center in China, for it is located in the nearest city to China.

According to the testimony of PARK Eun-Cheol (ID 2) who had been investigated at the *Shinuiju* City Security Agency for two months in 1998, the *Shinuiju* City Security Agency was infamous for its brutal treatment of

those repatriated from China. Even though he was only sixteen, he was forced to sit upright all day, beaten relentlessly and sent to the provincial level detention center after the investigation.

KANG Won-Cheol (ID 1), who had been investigated for a week in 1999, was the same aged minor with PARK Eun-Cheol, but differently from Park, he testified that he had been forced to sit upright all day without beating.

Investigation was focused on address, age, date of escaping, reason for escaping, etc. However, KANG was investigated at the *Shinuiju* City Security Agency for a week for the first time, sent to the *Shinuiju* DC (*Jipgyeolso*) and investigated for a day for the second time, sent to the *Nongpo* DC in *Cheongjin* City and investigated more intensively for the third time during his detention for three months, and sent to the *Musan* County Safety Agency and investigated briefly for the fourth time. Though he was a minor, he was investigated and punished nonetheless severely for his age. His case implies that at that time documents on the repatriated were not handed over from China to DPRK unless the North Korean authorities requested and the information network among the governmental organizations in DPRK functioned very loosely until August 1999, to a minimum.

Beginning 2000, it seemed that the Chinese security agencies also strengthened the investigation process. PARK Sun-Ja (ID 7), who had been arrested in *Dalien*, China, sent to the *Shinuiju* City Security Agency and investigated for a week, testified that she had been interrogated very intensively for a month of the reason for escaping and those who had helped her. Afterwards, when she was sent to the *Shinuiju* City Security Agency, she was charged of a political crime after a week's brief investigation without any serious torturing, which implies that it was quite probable that the Chinese security agencies actually began to hand over the documents to DPRK since August 1999. Concerning the legal foundation for such cooperation between the two countries, it seems quite probable that there had been a secret agreement between the security agencies of the two

countries with respect to the providing of document and picture of defectors. She testified that the *Shinuiju* City Security Agency also executed various and routine torturing methods such as inhumane treatment for women, "pumping", beating, kicking, etc., as other security agencies did at that time.

JI Hae-Nam (ID 6), who had been investigated for twenty days in the same year, testified that the security agents beaten relentlessly and committed sexual abuses to pretty women after putting them in isolation cell. Though women were less severely tortured than men, sexual abuses and inhumane treatment of them seemed more serious.

OH Soon (ID 14) who had been in the *Shinuiju* City Security Agency in 2003 and LEE Min-Ok (ID 16), who had been there in 2004, also testified that the security agents forced them to do "pumping" to snatch money from women. OH testified that she had been investigated once a week for two months and beaten when she showed any strange action while using the makeshift toilet in the cell, that could be seen from outside and be used upon permission from the cell guard. One thing to be pointed out is that when she was arrested by the Chinese Public Security Agency, she pleaded them and they changed the document removing the record that she had attempted to go to South Korea. Though rarely did the Chinese Public Security Agency show compassion for the defectors, they seemed to notice that the repatriated would be fatally punished for their attempt to go to South Korea.

■ PARK Eun-Cheol (September ~ December, 1998 | 2 Months)³⁴

The first time I escaped from North Korea was in 1998. I was sixteen at that time. After I entered into China, I got along with the North Koreans. In nine days, I was arrested by the Chinese Public Security Agency in *Tumen*. After fifteen days of detention at a detention center near the border, I was

³⁴ PARK Eun-Cheol, "Chinese Jail, Better than North Korea", *The 6th International Conference on North Korean Human Rights and Refugees (Seoul, Korea)*, (Seoul: NKHR, 2005), pp.126-127.

repatriated to the *Namyang* District Security Agency in *Onseong* County. At the security agency, they asked me of my age and address and I lied to them telling false address for fear of my family at home. Due to the worst communication media, it was all right to fake out address in North Korea. Though I was sent to a DC for students, I was beaten for the reason that I had gone to China. About twenty-five minors were put into a small cell that was around 33 square meter wide. That night, we removed the lattice, ran 25 kilometers on bare foot and crossed the *Tumen* River.

As I had been in China before, I could go here and there by myself. I received some help from Christian church and met some good people and helped them, but neighbors reported me to the security agency and had been caught several times. It was rather happy to be put in prisons in *Dalien* or *Yenji*, China, so I did not feared being caught by the Chinese Public Security Agency. I even thought that to commit a crime and to be put in a prison in China forever would be much better than to make such a miserable living in North Korea. Although it was the same that I could not have freedom, they fed me three times a day in the prison in China.

When I was in prison in *Dalien*, China, I had been heard that I would be imprisoned for at least a month. Later a few North Koreans came in. After a month, I was transferred to a detention center near border in *Dandong*. I was sent again to the *Shinuiju* City Security Agency, which made me terrible. When the Chinese public security agents inspected me, luckily they did not notice my watch. At that moment, I thought out an episode that a defector had escaped from a hospital, when he had been sent to a hospital for examination after swallowing a nail. Thus, I dissembled my steel chain and swallowed them with two other North Koreans. We called a Chinese public security agent and told him that we had swallowed the metal chain. They promptly took us to a hospital. They x-rayed our bodies and found the chain in the body, but said we were all right. We failed to be hospitalized and were resent to the detention center. They did not give us meals, for the reason that we had swallowed chain.

After a few days, we heard that we would be sent back to North Korea. I was doomed to face a hard time. I heard that the *Shinuiju* City Security

Agency dealt with the repatriated relentlessly. Obsessed with fear, I was sent to the *Shinuiju* City Security Agency with my hands cuffed. They made me sit upright all day with my hands put on my knees. Even a slightest move made me beaten severely. After the investigation in the *Shinuiju* City Security Agency, I was transferred to the Provincial Detention Center.

■ KANG Won-Cheol (August 5 ~ 12, 1999 | 1 Week)³⁵

In the summer of 1999, I could not stay in China any more, so I visited the Korean Consulate in Shanghai. But, they rejected accepting me, thus, I went to a Korean Christian church to ask for some help, but someone betrayed me to the Chinese Public Security Agency. That day, I was sent from *Shanghai* to *Dandong* by plane and taken to the *Dandong* detention center. The Chinese Public Security Agency put shackles and handcuffs on the North Koreans and did not remove them even during the mealtime. They seemed to dislike the North Koreans. I was in the same cell with the ethnic Korean in China (*Joseonjok*), but treated differently from them.

In a week later, I was repatriated to North Korea. It seemed that the Chinese border guards informed the North Korean authority of me. Once the date was decided, I was handcuffed and sent to North Korean customs office in a van. The Chinese public security agents released my handcuffs and took them and I was ordered to sit down leaning against the wall. The investigation at the security agency was focused on address, age, date of escaping, place of being arrested in China, etc. Luckily, it seemed that the Chinese Public Security Agency had not handed over the document to North Korea. Once the security agents knew that we had been caught in a Christian church, they would have sent me to the political prisoner camp, but they seemed not to have noticed it, so I faked out my statement. Later, a woman medical officer came in and inspected me. She took some blood from me to examine whether or not I had been infected with AIDS or other epidemic, which seemed merely formal.

³⁵ KANG Won-Cheol, "The Horror of the North Korean Detention Center", *Life and Human Rights in North Korea*, Vol.30 (Seoul: NKHR, Autumn 2003), pp.27-31; NKHR Interview (December 7, 2006).

I was pulled to the *Shinuiju* City Security Agency. When I entered the cell designated for me, there were six inmates that had been sent from China. It seemed so strange to see them sit on the floor facing the same direction, but I understood the reason for their doing so. The security agents made them do so from five in the morning till ten at night. No speaking or even a slightest motion was not allowed. Urinating and moving the bowel were allowed in the cell only, so the smell was quite abominable.

In two days, they called me out and asked of my address and age again. Because I was a minor, they did not treat me so badly. Since then till I was transferred to the DC (*Jipgyeolso*), I did not ever come out of the cell. In a week, those simple escapers that had been detained at the security agency including me were transferred to the *Shinuiju* DC. We were handcuffed by two and arrived at the facility after about thirty minutes' walk.

Upon arriving at the DC, they reviewed my documents asking my address and age again. They took my belt and other stuffs made of steel. They put me in a cell, around 33 square meter wide, where forty to fifty inmates were in. Too many fleas and lice made it very torturing simply to be in the cell. I was so lucky that the safety agents of North *Hamgyeong* Province came to take the defectors from North *Hamgyeong* province the very day I entered the cell. I was sent to the *Nongpo* DC at *Nongpo-dong*, *Ranam* District, *Cheongjin* City, North *Hamgyeong* Province.

At the DC, too, they investigated me of my address, age, school, parents, etc., and assigned me a cell. Since then, I had to wait until the *Musan* County Safety Agency came to take me. The length of detention was flexible. I waited for three months, but detainees from other than North *Hamgyeong* Province had to wait for up to eight months, for there were not so many trains. As the *Nongpo* DC was located in *Cheongjin* City, North *Hamgyeong* Province, the security agencies in North *Hamgyeong* Province came earlier. The latest seemed *Yangkang* Province, because of the mountainous geographical environment and lack of transportation.

At the DC, there were many people, young and old, but more women than men. Most of them were sent from China, but a few were criminal

suspects waiting for their trials. Their charges were butchering, stealing electrical wire, theft, etc. Most of them were convicted guilty and sentenced to imprisonment in the LPLC (*Gyohwaso*). They were sent to the No.11 or the No.22 or the *Oro* LPLC, which are known as political prisoner camps in South Korea.

In the *Nongpo* DC, they made us wake up at five and called the roll out of the cell. After a short gymnastic activity, they made us stand in line and wash our faces by turns at the well located at the center of the detention center. Given only one minute, we could do nothing but wetting our faces with water and had breakfast.

Meal was a handful of corn and no soup was given. I did not even take in salt for about fifteen days, for salt was so scarce in North Korea. Probably because of having no salt for a long time, once I lost sight for about five minutes and I cried out for fear of losing sight forever. After the breakfast, they called the roll again and sent us into the cells, but some vigorous inmates were picked up for some working. Younger students like me had to sit in the cell all day. The guard watched us and we only had to stay seated in the cell without saying anything. At noon, they served lunch, but we soon felt hungry, because it was non-nutritive. Lest I should not be starved to death, I ate them up each time. At six in the afternoon, they checked the roll, served dinner soon and checked the roll again.

We were allowed to sleep at eleven at night, but it was very hard for us to get to sleep. There were too many inmates to sleep together in such a small cell. Because we were younger, we were often driven outside and could not sleep at all from time to time. Sometimes I slept standing and leaning against the wall. If I could sleep sitting down in the cell, it was thought to be luck.

Those who were subject to forced labor felt very tired after working. They could not even sleep well, so they gradually lost their health. They were giving us hard time and indoctrination to prevent us from going to China again, but eleven prisoners were dead while I had been there for three months. Except the one who had been beaten to death, the others died of

malnutrition. One morning, when we were going out for roll calling, one of the inmates did not wake up, though I shook him. An older man came in and found out that he was dead. I did not know when he died, but it was quite unbelievable that I had slept one night beside a dead man. Really unbelievable was the way did they deal with the dead body. They ordered some prisoners to take out the dead body and bury it on the mountain with all the clothes put on. There was no epitaph and no trace of burial, for they made the tomb flat. I felt so sorrowful for the thought of his family who could not even practice worshipping him.

Minors were punished less severely than adults. I spent three months at the *Nongpo* Concentration Center and was sent to the *Musan* County Safety Agency, where I was investigated briefly again. As I was a minor, I was sent to the so-called "relief center", a detention center for minors, that has become a SOCF (*Kotjebi Suyongso*) now. The place was watched by children, so anyone could escape, if he/she wanted to. Sometimes they made us work, but they sent us to school when wanted by school. When we went back to school, we were beaten a little, wrote a letter of repentance and did some cleaning in token of punishment. I was released shortly after my mother offered a bribe of a few packs of Chinese cigarettes to the clerks. I was lucky to survive that crisis.

Women were not treated better for the very reason that they were women. On the contrary, they seemed to be tortured and treated even worse. In general, men were thought to go to China to make money to raise family, but women were assumed to be sold out to Chinese and have lived with them. For such assumption, the security agents tended to insult women during the roll-calling saying, "The Chinese guys are better?" or "Oh, you have brought a son of the Eighth Army (Chinese Communist Army, 1937 ~ 1945)", when a woman was pregnant. And they kicked the woman and caused abortion, seriously damaging her health. In short, women were never treated better.

■ PARK Sun-Ja (April 30 ~ May 7, 2000 | 1 Week)³⁶

Due to the serious food shortage and no food portion, I could not go on being starved any more, so I crossed the *Tumen* River and escaped to China. At first I planned to make money in China for a few years and come back home to live with my parents. But, in two years of hiding, I was arrested by the Chinese Public Security Agency in *Dalien* in March 2000. After being investigated why I had escaped to China, who had helped me and so on for about a month in the prison in China, I was sent to North Korea via *Dandong*, China, along with six other defectors at the end of April 2000.

When we arrived at the *Shinuiju* City Security Agency, there already were about 30 to 40 inmates who had been sent back from China. They made women to get stripped off to check whether they had concealed any money in their vaginas or anuses. And then they made us do "pumping" and jumping with our hand put on our heads. Beating, kicking, hitting with logs, punching, etc. were routine. The cell was wet and full of fleas, lice, flies and other insects, making it very hard to be in the cell. Meals were given very little and poor, which were composed of a little hard corn and a few pieces of boiled vegetable. After a week's investigation, I was charged of a political crime.

I was sent to the *Shinuiju* DC (*Jipgyeolso*) on May 7, 2000, where I waited to be sent to my home as other prisoners did. I was hit and kicked everyday. There were about ten women who were about three to five months pregnant. As I took the charge of helping them go to the hospital, I knew clearly of what was happening to them. A woman gave birth to a baby girl in a hospital outside the detention center. I witnessed a nurse to cover the baby's face with a wet towel through curtains. All the prisoners thought that all the babies born of the prisoners had been killed and buried on the mountainside after being wrapped in some clothes. In early July 2000, after two months of detention, I was released, but I escaped again in a few days.

³⁶ PARK Sun-Ja, "I Witnessed Infanticide in North Korea", *The 6th International Conference on North Korean Human Rights and Refugees (Seoul, Korea)* (Seoul: NKHR, 2005), pp.160-161.

■ JI Hae-Nam (December 3 ~ 23, 2000 | 3 Weeks)³⁷

I escaped North Korea to go to Korea in early September 1998, but I was sold several times to *Liongzheng* and *Dunhwa City, Jilin Province*. After being condemned and insulted to the backbone, I managed to escape in a few months. A few defectors including me collected money, bought oil, life-vests, telescope, compass, bread, etc., and stole a small motored-boat to cross the sea. However, we mistook a Chinese ship for a South Korean one and asked for help, getting arrested by it in the end.

While I was detained at the Chinese detention center for fifteen days, I was robbed of 1,000 yuan and remained shackled. As we were not yet convicted of any crime, we insisted on our being South Korean and made threat to jump down from the third floor, unless they remove the shackles. Then, a guard watched me while I was sleeping and pulled me to the interrogation room with my legs still shackled. Chinese inmates were free to eat and idle away the day, but we two North Korean women were treated worse than animals: We were not given any meal for three days under the excuse of food shortage and were not given any toilet paper at all. We were sent to the *Dandong* detention center, where about thirty out of the fifty detainees were North Koreans. A disgusting Chinese woman security agent made us get stripped off and do thirty times of "pumping" to snatch money from us.

In such a way I had been treated inhumanely and was sent again to the *Shinuiju City Security Agency* in early December 2000. We were handled brutally for twenty days. Given no toilet paper, we had to wipe with hands and wash the hands in a bowl. Pretty women were put into an isolation cell and raped by the security agents. Everyone was beaten relentlessly and the meal was less than fifty grams of corn, which was still not ripe and insects also were found in it. A pregnant women repatriated from China was so starved as to bite her own fingers. A woman with venereal disease had to

³⁷ JI Hae-Nam, "Human Rights Violation by the North Korean Regime", *The 4th International Conference on North Korean Human Rights and Refugees (Prague, Czech Republic)* (Seoul: NKHR, 2004), pp.107-112.

damage her own health seriously. How could that be the world of human being?

Other women were arrested in China, but Chun-Sil and I were arrested while we were escaping to Korea, so we were punished more severely. They put Chun-Sil and me into different cells and investigated. They beat me unreservedly and my piles got worse, making it very painful to sit on the cold floor. However, I could not but lift my hips and moan. After twenty days of investigation at the *Shinuiju* City Security Agency, I was sent to the *Shinuiju* DC (*Jipgyeolso*).

■ PARK Sun-Ja (Alias | July 20 ~ 27, 2001 | 1 Week)³⁸

Though I was released from the *Shinuiju* DC (*Jipgyeolso*) after two months of investigation in July 2000, it was very hard for me to make living in North Korea, so upon recovering my health, I ventured to cross over the *Tumen* River to escape North Korea for the second time on July 15, 2000. However, I was arrested by the Chinese Public Security Agency on April 27, 2001 and repatriated to North Korea in July 2001.

As I had been at the *Shinuiju* City Security Agency in 2000, I was investigated for seven days. I was sent to the *Hoeryeong* City Security Agency, where I had lived, and transferred to a police station after ten days of interrogation. In five days I was released, but watched over since then. I did not know why they had released me, but I had to suffer from nightmares to be taken by them again. For about a month, all I did was to gather some wild mushrooms in the mountains. When they loosened watch on me, I escaped on October 3, 2001, for the third time and met a good person in China, who helped me come to South Korea on March 14, 2002.

³⁸ PARK Sun-Ja, "I Witnessed Infanticide in North Korea", *The 6th International Conference on North Korean Human Rights and Refugees (Seoul, Korea)* (Seoul: NKHR, 2005), pp.160-161.

■ OH Soon (Alias | October 23 ~ December, 2003 | 2 Months and 1 Week)³⁹

My mother came back home to take my brother and me to China, who had escaped to China to make money in August 1997, when the food shortage was the worst. I went to China with my mother and brother and moved to several cities such as *Yenji*, *Wangqing*, and *Guangzhou* etc. Working at the shops run by South Koreans, we saved some money to go to South Korea. We looked for a man who could help us go to Korea. On September 4, 2003, we moved to *Kunming* and found out that there already were thirteen North Korean defectors. We stayed in an inn for a week without going out, waiting for a chance to go to South Korea, but the Chinese Public Security Agency burst into the room and arrested us. Coincidentally, my mother and brother were out of the inn and escaped the moment.

When the eleven defectors including me were investigated, we all implored the Chinese Public Security Agency to remove the record that we had been attempting to go to South Korea. They took a pity on us and accepted our pleading. They documented some were arrested while working and others while traveling.

After about a month of investigation in China from September to October, 2003, we were sent to the *Shinuiju* City Security Agency via *Dandong* detention center. While were being sent back to North Korea, we all wept in the car. Upon arriving at the *Shinuiju* City Security Agency, we were all stripped off, searched over the body, and made to do "pumping" several tens of times with our hands put on our heads. They searched all the clothes even to the stitch to look for money. They investigated in such a way once in a week. Being malnourished and then looked younger, I lied that I was sixteen and I was classified into minors.

For two months, we were made to sit upright without moving from six in the morning till eleven at night. Even a slightest movement could cause severe beating. Though there was a toilet stool in the cell, we were not

³⁹ NKHR Interview in Bangkok, Thailand (April 12, 2004).

allowed to use without permission. When we needed to use the toilet, we had to ask for permission at first raising our hands and saying that No.X needed to use the toilet. And we could use it when permitted. The toilet was open so as to be watched over. When using the toilet, if there was anything strange, the guard came in and beat asking questions. For there was no toilet paper, we had to tear our clothes to wipe or wash with water. On December 30, 2003, I was transferred to the *Shinuiju DC (Jipgyeolso)*. As I was classified into minors, I did not do laboring, but I had to sit upright with my legs crossed without moving all day.

After two months at the DC, the *Musan County Security Agency* came to take me over in February 2004. Being a minor, I had to be sent home, but there was no home and family, so I was sent to the “September 27 SOCF (*Kotjebi Suyongso*). It was a place for those who did not have any home, young or otherwise. Guarding was somewhat loose, so I could escape to China in a day. Having had very hard time after being repatriated, I made up my mind not to try to go to South Korea again, but I had no citizenship in China and could not go to school. Being too anxious to spend each day in China, I decided to go to South Korea at last. With the help of NKHR, I could come to Korea via Southeast Asia and Thailand on October 30, 2004.

■ LEE Min-Ok (Alias | April 20 ~ 23, 2004 | 3 Days)⁴⁰

My mother went to China to earn money but was caught and brought back to North Korea in September 2003. After being interrogated, she was sent to the LRF (*Rodongdanryeonda*) and finally released in November. On January 11, 2004, when my mother’s condition had improved, we left North Korea together. In China, I lived in rented accommodation with my mother and sister. My sister had previously fallen victim to human trafficking when she left North Korea in September 1999. As it was a round-up period for North Koreans, we could not go outside so we stayed in our room listening to the radio.

⁴⁰ NKHR Interview in Bangkok, Thailand (December 20, 2004).

We finally left *Yenji* on a train on March 17, 2004, reaching *Ulanhaote*, in Inner Mongolia's border region, after changing trains five times on March 20. At the time, we were in a group of 11 people. After crossing two barbed-wire fences, we were seen by Chinese border guards. Of the 11, two escaped and nine were captured (8 females and one male). When I was caught, I just felt numb and could not even cry, but I began to cry in prison later when I thought about the fate awaiting me in North Korea. My mother swallowed sleeping pills that she had kept with her to swallow in case of capture. We were fined 60,000 yuan, but none of us had that amount of money so we all remained in prison. The prison had more than 40 North Koreans, with seven to eight people were kept in each of the five cells.

Ten days later on April 2, at nine in the morning everyone was shackled to someone else and we were put on a bus. Four Chinese public security agents sitting at the front and in the back forced us to remain silent. With the drivers taking turns, the bus reached *Dandong* at four in the afternoon of next day, April 3.

Three days later on April 6, we were repatriated to North Korea. We all cried as we crossed the bridge to *Shinuiju* City because we had been caught while trying to escape to South Korea. For three days, we were interrogated by the *Shinuiju* City Security Agency. We were all stripped naked and searched for any goods or money that we might have brought back from China. We were forced to do "pumping" or repeatedly standing up and sitting down. They say it is possible to discover money hidden on people's bodies by doing this. While under interrogation, we had to sit on the floor from six o'clock in the morning to ten o'clock in the evening. If we moved even the slightest bit, we were beaten, although some interrogators were more lenient. Three days later, we were transferred from the *Shinuiju* to the *Hoeryeong* City Security Agency.

(3) *Headquarter of Security Agency in Pyeongyang*



**General Situation of
the Headquarter of Security Agency in Pyeongyang
(2000)**

Among the twenty interviewees that NKHR interviewed, LEE Kwang-Cheol (ID 11), the only witness who had been investigated at the Headquarter of Security Agency (HSA, *Bowisaryeongbu*) in *Pyeongyang*, was arrested in charge of stealing antiques in July 2000. Soon after the summit meeting between the South Korean President KIM Dae-Jung and the North Korean Leader KIM Jung-Il, the HSA in *Pyeongyang* had been heard to take over the responsibilities of both the NSA and the PSA.

Shortly after being arrested, he was pulled to the PSA at *Daeseong* District, *Pyeongyang*, where he was investigated for fifteen days, and was sent to the detention center at the Headquarter of NSA, where he was further

investigated and tortured for more than two months. Though he was a minor, he was tortured severely: Being beaten standing on his head, being beaten lying on his face with his fingers cuffed, being beaten with logs with hands cuffed and tied to the water pipe. He was beaten mostly at night by several security agents by turns and also was beaten at daytime lying on his face with a blanket covered on his body, lest any noise should go out. Ten-centimeter long scars are still remaining so vividly on both wrists and even at the present time he cannot keep himself seated for more than three hours due to the wound on his waist and spine caused by beating six years ago.

■ LEE Kwang-Cheol (Alias | July ~ October, 2000 | 3 Months)⁴¹

In August 1997, my eldest sister who had gone to *Musan* County disappeared and my mother and elder sister went to China to look for her leaving me alone at home in *Pyeongyang*. With no food to eat, I got out of home and began wandering with some children whom I had met at the *Daeseong* mountain resort. They beat me many times, but I began to get accustomed to such a life in two or three years.

We had heard that the state-owned antiques would be transferred to some other place and planned for a long time to steal them. We succeeded in doing so and sold them out to a Chinese merchant after hiding them for about three months. However, the Chinese merchant was arrested, so the PSA disseminated our montage and chased us. We ran away to the countryside. Being short on money and place to stay, we went back to *Pyeongyang* in early July and were arrested the next day.

At the moment we were arrested, one of us was out to get some food, so he could run away. The security agents from the *Pyeongyang* HSA arrested us. Due to the South Korean President KIM Dae-Jung's visit, all the responsibilities of the NSA and the PSA were transferred to the HSA in *Pyeongyang*. At first, we were pulled to the PSA at *Daeseong* District, and later to the detention center in the HSA in *Pyeongyang* in August 2000.

⁴¹ NKHR Interview (June 2, 2006).

Upon entering the detention center, we were beaten severely. They put pencils among the fingers and pushed down or made us stand on our heads and beat with five by five centimeter thick wooden clubs. To extract our confession, they beat us eight for about two months until our statements coincided one another. To resist against the club, I covered my head with my left arm and soon my arm got a ten centimeter long cut and shed much blood. I also got fractured on my right arm, but they did not give me any medical treatment. I left the wounds and got festered, but cured in the long run. When being beaten, I escaped to the corner of the room, so they got my fingers cuffed and hands put on my head, made me lie on my face and relentlessly beat me on my back. They even beat me after cuffing my hands and tying them to the water pipe in the room, lest I should run away from beating. Got hurt too much on my waist and back, I still cannot sit upright for more than three hours. I received no medical care there, but I did in Korea upon my arrival. However, despite continuing rehabilitation care, I am still not so well.

The cell was about one point five by four meter wide isolation cell with an iron door that could be moved up and down. Except for the time when meal was given, there was no sunray in the cell, for there were no windows. It seemed that we were the only prisoners that were investigated at that time. Each of us used one isolation cell. Meals were mostly half bowl of corn soup or three pieces of about five centimeter long rice lump wrapped with dried seaweed bought at marketplace. Sometimes they gave us some food left from their lunch and sometimes we were not given any meal; all day. Everything totally was up to their will. As there was no toilet stool in the cell, we knocked the door and asked to let us go to the toilet. But, they let us go to the toilet three or four hours later till we could not endure anymore.

Interrogation was performed mostly at night. After most officers got out of the office, the remaining officers interrogated us by turns till midnight. When they interrogated us at daytime, they made us lie on our faces and covered us with blankets not to let any noise go out. After two months of torturing investigation, we signed on the interrogatory. We were sent to the SOCF (*Kotjebi Suyongso*) in the *Hyeongje* Mountain District in three months.

2) People's Safety Agency (PSA)

(1) North Hamgyeong Province (Musan County Safety Agency)



General Situation of the Musan County Safety Agency (1997 ~ 2003)

In general, the repatriated are investigated at the NSA at first. But, it was found out that the PSA also had carried out the investigation of the repatriated at their detention centers for a certain period of time.

The *Musan* County Security Agency seemed to have taken the charge of investigation and pretrial for the repatriated until November 1999. Comparing the testimonies of KIM Chun-Ae (ID 4) and SHIN Jung-Ae (ID 8), who had been in the *Musan* County Security Agency, it was probable that the *Musan* County Security Agency provided its own detention facility to deal with the explosively increasing number of defectors, sometime between August and November 1999.

When there was no detention facility at the security agency in *Musan* County, SHIN Hyeok-Cheol (ID 10) was imprisoned in the safety agency for three months after being repatriated from China in 1997. According to his testimony, the *Musan* County Safety Agency seemed not to have executed severe torture in the process of investigation until 1997. Once he had been beaten not by the safety agent but by the cell guard, he threatened them to report to the higher organization, say, the Prosecutor's Office and they released him after a brief investigation.

PARK Yeong-Hee (ID 19) had been classified into the category of simple escaper in the process of investigation at the *Onseong* County Security Agency for twenty days in 2003, so she was not investigated further at the safety agency. After the investigation at the security agency, she had been imprisoned temporarily at the *Musan* County Safety Agency via the *Cheongjin* DC (*Jipgyeolso*) before she was sent to the *Musan* LRF (*Rodongdanryeondae*). However, with the help of one of her family members, a high-ranking party cadre, she offered a bribe and was released from the *Musan* County Safety Agency. Her case shows that offering bribes becomes routine in the process of investigation, though limited to the simple escapers.

■ SHIN Hyeok-Cheol (Alias | May ~ August, 1997 | 3 Months)⁴²

Due to the bad economic situation of North Korea, I tried to cross the river to escape to China, but was arrested by the border guards and

⁴² NKHR Interview (June 6, 2006).

imprisoned at the detention facility in *Musan* County Safety Agency in May 1997. I was beaten so badly because of the "fart-happening", which was well known to those who had been in the safety agency. The *Musan* County Safety Agency had ten cells and I was put into the No.10 cell. The cells were arranged in a round shape, so the guard could watch us at a glance.

One day, I was sitting upright without moving, but dozed for a while. At that time, the guards named Kyung-Soo and Dong-Chan shouted that the one who had farted should come out. Nobody showed up and we were all punished together until the dinnertime. It was not the end. After the meal, they called out each prisoner to investigate who had farted.

I was called out for the last time to the corridor, where the prisoner named Gil-Nam who had been sitting in front of me in the cell was sitting on knees. The guard named Dong-Chan got me to sit on knees beside Gil-Nam. Then, suddenly he kicked my bosom in boots. I did not know the reason, so I turned on him shouting why he was kicking an innocent man.

As a fight between a prisoner and a guard broke out, another guard named Kyung-Soo beat my waist with a five by five centimeter thick wooden club and I got fainted. I heard that I had been beaten for about ten minutes even after I got fainted. In fact, Gil-Nam was none other than the man who had farted, but I did not notice it while dozing. When we were punished all together, Gil-Nam told he would go out, but I told him not to do so if he had not farted. After all, he was the guy.

Due to the undeserved punishment I got mad and shouted to call the deputy director of the Prosecutor's Office. The Prosecutor's Office was responsible for controlling the PSA. I bluffed that I would report them to higher organization. Then, the director of the county safety agency apologized to me and asked me to calm down. For fear of being punished by higher organization, they released me the next day after a brief investigation, though it was Sunday when no investigation was carried out.

■ PARK Yeong-Hee (Alias | July 12 ~ 20, 2003 | 1 Weeks)⁴³

After twenty days at the *Onseong* County Security Agency and twenty-two days at *Cheongjin* DC, I was sent to the *Musan* County Safety Agency. As there were many acquaintances in *Musan*, it was relatively easier for me to offer bribe. My brother who was a party cadre at that time used his influence to help me and consequently I was allowed to recuperate myself at home for five months instead of going to the *Musan* LRF (*Rodongdanryeondae*). When I recovered my health on the whole, the agents of LRF came to take me. I was imprisoned on December 20, 2003, but I offered bribe again to get a fake medical certificate and could be released on January 10, 2004.

⁴³ NKHR Interview (June 5, 2006).

(2) *South Hamgyeong Province (Hamju County Safety Agency)*

General Situation of the Hamju County Safety Agency (1993)

The PSA (the former Social Safety Agency until 2000) is primarily responsible for the maintenance of social stability and discipline rather than the investigation and punishment of defectors, as shown by the testimony of JI Hae-Nam (ID 6) who had been in the *Hamju* County Safety Agency in 1993. She was charged of singing a South Korean song titled "Don't Cry Hongdo (*Hongdoya Uljimara*)", a piece of music in the North Korean art

film titled "Nation and Destiny V". She was tortured and sexually harassed repeatedly during the pretrial at the *Hamju, Myeongcheon, and Hwaseong* County Safety Agency.

Though there had been a decision from a higher organization that mere singing indecent song might not be the object of pretrial, the lower organizations took various false charges on her to evade their responsibility of excessive punishment and sentenced her to three years of imprisonment in the No.1 *Gaechon* LPLC (*Gyohwaso*). After two years of forced labor, she was released due to the so-called "benediction from the leader". Branded as a criminal, she could not live in North Korea any more, so she decided to escape in 1998. A simple mistake of singing a South Korean song made her a criminal.

NKHR will perform further research in the changing situation of the *Hamju* County Safety Agencies through more extended interviews with defectors.

■ JI Hae-Nam (May 15 ~ 30, 1993 | 2 Weeks)⁴⁴

After graduating from a college of light industry, I became a propaganda crew and did stimulating workers with songs. In 1989, I was so depressed after divorcing my husband who had been irresponsible for housekeeping. It was very hard for me to get a job, so I sold my blood and made a little capital to do some business. In the evening of December 25, 1992, some friends living in *Hamju* County, South *Hamgyeong* Province prepared a small party to comfort me. A friend read my palm for fortune telling and I sang a South Korean song titled "Don't Cry Hongdo (*Hongdoya Uljimara*)". Though it was a South Korean song, it came out in the North Korean art film titled "Nation and Destiny V", where a woman singer working in cafeteria sang the song. It was a movie with the period of former South Korean President PARK Jung-Hee as its setting.

⁴⁴ JI Hae-Nam, "Human Rights Violation by the North Korean Regime", *The 4th International Conference on North Korean Human Rights and Refugees (Prague, Czech Republic)* (Seoul: NKHR, 2004), pp.107-112.

On May 15, 1993, five months after the party, the director of inspection at *Hamju* County Safety Agency called me. Without knowing the reason, I went in the office, but they put me in the cell managed by the department of pretrial without any notice. Being beaten so brutally, all my body was bruised and I could not move for a month.

The charge taken on me was disseminating indecent songs of revisionism instead of singing faithful songs to KIM Il-Sung and KIM Jung-Il. Though unreasonable was such a charge, a decree had been proclaimed to maintain social stability at that time saying: Fortune-telling, singing foreign songs, exploitation of state property, no working, drinking liquor, fraud, etc. would be strictly punished. Committing such things was relentlessly punished and sometimes put to death.

Four of my friends who had been at the party were put to eight months of forced labor and I was charged of being the leader of disseminating indecent songs and sent to the *Myeongcheon* County Safety Agency on May 30, 1993 after fifteen days of investigation at the *Hamju* County Safety Agency. Even in the *Myeongcheon* County Safety Agency, torture and sexual harassment was routine. Guards were mostly aged from 22 to 24. Being unable to stand such an undeserved punishment, I thought it would be better to die. I broke some bricks and ate up four pieces and ate up the trashes under the floor, but I did not die. Since then, they put a more intensified watch on me.

I was sent to the *Myeongcheon* County Safety Agency and transferred to the *Hwaseong* County Safety Agency. I was investigated three times. I heard that there had been a phone call from the Prosecutor's Office that my matter would not be the object of pretrial. However, the security agents stuck to their own decision making me guilty and putting me to imprisonment. Considering the severity of torture that I had to get through, other prisoners might have been tortured even more brutally. I was sentenced to three years of imprisonment in the No.1 *Gaechon* LPLC (*Gyohwaso*). After two years of forced labor, I was released due to the so-called "benediction from the leader". Branded as a criminal, I could not live in North Korea any more, so I decided to escape from North Korea in 1998.

3) Other Facilities (Provincial Detention Center, Labor Re-education Facility)

(1) *Provincial Detention Center at Songpyeong District, Cheongjin City, North Hamgyeong Province*



General Situation of the Cheongjin Detention Center (2000 ~ 2002)

According to the Criminal Code of DPRK, interrogation at the DC (*Jipgyeolso*), snatching money, torture and violence are considered to be

illegal. However, the interviews verified that illegal interrogation at DC, inhumane treatment of the suspects such as stripping off and snatching money, infanticide and torture had been prevalent.

According to the testimony of KIM Chun-Ae (ID 4), who had been pulled to the *Cheongjin* DC in July 2000, the DC began to function as kind of waiting room based on the KIM Jung-Il's direction in 2000. After finishing the first investigation session at the state security agencies near border, defectors were detained at the concentration facilities until sent to the state security agencies and the people's safety agencies at their residential areas for intensified investigation.

However, no interviewees considered the concentration facilities as simple waiting rooms. To snatch money from her, KIM Chun-Ae was stripped off and made to do "pumping" at the DC. Generally speaking, defectors are sent to the concentration facilities via the state security agencies or the people's safety agencies or the labor re-education facilities (*Rodongdanryeondae*), so hardly can they hide any money until they arrive at the concentration facilities. Nevertheless, they do the same investigation at the concentration facilities to prevent any money provided by families or relatives from sneaking into the concentration facilities for bribe or fund for escaping. KIM testified that she had seen a baby covered with a blanket and suffocated to death. She added that she had worked in the field growing corn and cabbage with fertilizer from foreign countries, at a later date, one of the guards put a bug in her ears that it had come from South Korea as a present for KIM Jung-il.

SHIN Hyeok-Cheol (ID 10) testified that he had been investigated at the *Cheongjin* DC the same as at the NSA and the PSA and a man who had been captured while escaping had been severely beaten to half-death at the DC.

It is not certain from the research this time whether or not other DC also performed illegal investigation and torture as the *Cheongjin* DC did. NKHR will perform further research in this matter.

■ KIM Chun-Ae (Alias | July 28 ~ August 29, 2000 | 1 Month)⁴⁵

I was sent to the *Cheongjin* DC (*Jipgyeolso*) on July 28, 2000 via the security agency, the safety agency and the LRF (*Rodongdanryeonda*) in *Musan* County. In 2000, the *Cheongjin* DC began to function as a station where defectors were detained before being sent to various areas, which had been initiated by KIM Jung-Il's order.

We were finger-cuffed on the way. My daughter had been cuffed together with a 19-year-old boy, but she picked the lock with a pin. However she did not flee because I was there. Another inspection was waiting at the detention facility. It was a very small room. About 10 to 15 people were crammed in, and it was impossible to sleep with so many blood-sucking bedbugs. We labored until 5 o'clock and retired after a meal, and electricity was served only for an hour from 6 to 7. When the lights went out, all the bedbugs in the world emerged to find their way through our navels, fingers, toes, ear tubes, and everywhere. Anyhow there were so many bedbugs that it was impossible to sit down and for 40 days, I had to cling to the lattice every night like a bat. Imagine how a person's nerves would be.

At the *Chungjiin* DC, I saw a 7-month-old baby girl suffocated with a blanket. It was wrapped tightly so the cries could not be heard. Nothing could be so cruel. There were many staffs at the DC, but the agents made us work. Because it was shortly after the DC had been inspected, there was no torture at that time. Yet, the degree of labor intensity was quite high. While I was in the DC, we worked at the workplace in the safety agency from five in the morning till seven in the evening. We grew corn and cabbage with the fertilizers from foreign countries, but did not notice it was from South Korea. At a later date, one of the guards put a bug in my ears that it had come from South Korea as a present for KIM Jung-il.

⁴⁵ NKHR Interview (February 8, 2005 / June 10, 2006 / March 23, 2006).

■ SHIN Hyeok-Cheol (Alias | July 1 ~ 16, 2002 | 2 Weeks)⁴⁶

After ten days of investigation at the *Onseong* County Security Agency, I was sent to the *Onseong* County Safety Agency on June 21, 2002 and transferred to the *Onseong* LRF (*Rodong-danryundae*) in three days. I worked from five in the morning till eight at night, repairing the road broken from a heavy rain and plowing the field. A man from *Wonsan* City was so starved as to steal a pumpkin. He was beaten so severely that his head got broken and his arms and legs got fractured.

After a week's forced labor at the *Onseong* LRF, I was transferred to the *Cheongjin* DC on July 1. I was investigated again as I had been at the security agency and the safety agency. A man who had attempted escaping was beaten to half-death.

The DC had two rooms, one about 13 to 16 square meter wide and another about 33 square meter wide, where about 150 men were imprisoned. I was sent again to a LRF at the *Musan* Mine on July 16 and did the cargo working until October 27, 2002. Probably it was because of the urgent need for labor force for the repairing of road destructed by heavy rain that I had been sent to the *Onseong* LRF before I was sent to the *Musan* Mine.

⁴⁶ NKHR Interview (June 6, 2006).

(2) *Labor Re-education Facility at Musan County, North Hamgyeong Province*



**General Situation of the Musan County Labor Re-education Facility
(1999 ~ 2000)**

Interviews show that there was illegal investigation and torture even at the LRF as at the DC. Formally the LRF was designed for the edification of criminals through laboring, but actually it was a temporary facility to extract unpaid labor for the cultivation of field served for the safety agents or some

urgent construction works. Hence, the location of the LRF varies as the place that needs labor force varies.

KIM Chun-Ae (ID 4), who had been in the *Musan* County LRF in 1999, testified that her daughter had been pulled by an agent and investigated and tortured for an hour. With the help from her family, she could escape, but her remaining daughter was investigated whether or not she also had attempted to escape and beaten more severely, being beaten on the head with a chair, for example.

One year after in 2000, she was once again pulled to the *Musan* County LRF. Lest her own daughter should be tortured, she lied about her daughter's age and her residential address. The agents in charge took her daughter to the dining room and she returned in an hour, blue from being beaten. One man from *Gaeseong* City was beaten more relentlessly, maybe because he came from other city.

There were a few safety agents who had sense of compassion and other safety agents also were not so relentless as before. It was shortly after the inspection from the Central Committee of the KWP, so they were cautious about their behavior. However, they picked up some prisoners as line leaders or room leaders and made them beat other prisoners. Or sometimes they made the prisoners beat each other. Interviewees added that such practice was a routine in prisons even before 1990's.

One thing to be pointed out is that some prisoners were mobilized to cultivate the field at *Dokso-ri*, *Musan* County, where the safety agency grew opium.

■ KIM Chun-Ae (Alias | August 12 ~ 14, 1999 | 3 Days)⁴⁷

I went to China to look for my daughter who had been human-trafficked in China and was arrested and sent to North Korea in August 1999. After spending each day at the *Musan* County Security Agency and the *Musan*

⁴⁷ NKHR Interview (February 8, 2005 / June 10, 2006).

County Safety Agency, I was sent to the *Musan* LRF (*Rodongdanryeonda*).

When we arrived at the LRF, they did not give us any meals and starved us. My daughter disappeared as soon as we arrived there. The agent in charge had taken my daughter, and she returned in an hour, blue from being beaten. They thought that we were from *Pyeongyang*, and took my daughter and questioned her to test whether we were lying or not. I yelled at them and asked them, "What has my daughter done wrong?"

They made us work so hard and relentlessly. It was so lucky for me to get in touch with my brother that I could get out of it in three days owing to his help. An agent who had received bribe from my brother sent me out to buy something at the market place, but I did not notice the meaning and went out alone. Another agent was following me to keep watch on me. On my way to the market place, I asked him to allow me to drop by my brother's. My brother urged me to escape alone and promised to take care of my daughter.

I could not but become such a heartless mother as to run away alone leaving my daughter behind, for I did not have enough time. On arriving at the border, I could hear about my daughter. She was beaten more severely for me. Later she told me that they had been so cruel as to beat her head with a chair. However, she was so smart and diligent that she could be released in two and half months in November 1999. It actually was a trap to arrest me through releasing my daughter and chasing her track.

■ KIM Chun-Ae (Alias | July 22 ~ 28, 2000 | 1 Week)⁴⁸

We were again sent to the LRF on July 22, 2000. Everyone recognized us back there. Lest my own daughter should be tortured, I lied about my daughter's age and my residential address. The agent in charge took my daughter to the dining room and she returned in an hour, blue from being beaten with timbers. A man from *Gaeseong* City was arrested while he was

⁴⁸ NKHR Interview (February 8, 2005 / June 10, 2006).

selling antiques and was beaten more severely, maybe because he came from other city. After being beaten, we could not even move the next day, but we had to go out to work. Being beaten while working was more tormenting than being beaten during investigation.

I was the line leader so I sat at the end of the line, and I had the chance to speak with our guard and the conversation came to his mother. It turned out that she had been my officer when I was in the army. After knowing this he gave me some slack. But, other prisoners were not allowed to move to the slightest and, if they ever moved, they were made to keep sitting posture without chair and beaten on the hands with the five by five centimeter thick wooden club. They even made the prisoners put their hands on the lattice and beat the fingers with the glass ruler, which was made from the glass used for the pilot's room in the plane.

The new person who had come as the county official was decent, and bought medicine for my daughter who was bleeding in her stools. To my relief, the safety agents were not so relentless as before. It was shortly after the inspection from the Central Committee of KWP, so they were cautious about their behavior. However, they picked up some prisoners as line leaders or room leaders and made them beat other prisoners. The line leader was one among ten, the room leader was a man and his assistance a woman. If they were ordered to beat someone by the guard, they promptly beat the designated prisoner.

We worked from five in the morning to seven in the evening and practiced some close-order drill till ten at night. *Musan* County was famous for opium and we worked in the field at *Dokso-ri* growing opium and cabbage. After a week of hard forced labor at the *Musan* LRF, I was sent to the *Cheongjin* DC (*Jipgyeolso*) on July 28, 2000.

IV. Changing Patterns of Torture and Its Cause

1. Changing Patterns of Torture with the Lapse of Time

1) Before 1999: Presumption of Culpability and Total Dependence on Torture

In general, until 1999, it had been a rule to resort to torture in the process of investigation of crimes, either ordinary crime or otherwise including escaping from North Korea. The process of investigation at the NSA or the PSA (the former Social Safety Agency) depended mostly on torture and arbitrary prolonging of the period of detention. In fact, the Criminal Code was totally ignored and the investigators endeavored to extract confession that could support their charges that had been already provided by themselves.

2) 1999~2002: Reorganization of the NSA and Division of Responsibility among Relevant Organizations

It is estimated that it was sometime between 1999 and 2002 that the regulatory system for the defectors was reorganized and strengthened. As defectors increased enormously, a series of policy seemed to have been adopted to investigate and punish them systematically. The fact that a detention facility was set up at the *Musan* County Security Agency sometime between July and November 1999 supports the estimation.

It also was known from when the Chinese Public Security Agency began to hand over the documents on defectors to North Korea when they repatriate the defectors. Comparing the testimonies of defectors who had been repatriated at different time, it seems that the Chinese Public Security Agency actually handed over the documents to North Korea regularly since August 1999. Concerning the legal foundation for such cooperation between the two countries, it seems quite probable that there had been a secret agreement between the security agencies of the two countries with respect to the providing of document and picture of defectors.

Since 2000, the inhumane treatment for women began to be prevalent. It seems that the so-called "pumping" with nothing on became a typical means of investigation at that time. The two isolated State Security Agencies, for example, the *Shinuiju* City Security Agency in North *Pyeongan* Province and the *Musan* County Security Agency in North Hamgyeong Province, all used such means in their investigation practices. Yet, some interviewee said that such means had been used in late 1990's to snatch money from defectors.

As the Concentration center began to be temporarily used for waiting room since 2000, those who had been repatriated were detained after the primary investigation at the NSA until they were sent to the relevant organizations or prisons in their residential areas. It seems that the process of investigation and punishment was set up as the following pattern around 2000: National Security Agency in border areas – (People's Safety Agency in border areas) – Provincial Detention Center (or Political Prisoner Camp) – Labor Re-education Facility (or investigation organization in residential area).

The process of investigation totally dependent on torture seemed to have been replaced by a more systematic one around 2000. Since then, the typical items of investigation, for example, the cause of escaping, living in China, traveling route, aid from South Korean or religious organization, attempt to go to South Korea, etc., generally appeared in the testimonies. Though it might be understood as a natural response to the ever increasing number of defectors, it also was followed the concomitant effect of shortening the average length of investigation due to the typified investigation items.

3) 2002~2003: From Raised Severity to Moderate Punishment for Simple Escapers

Testimonies show different estimation whether the punishment of defectors was lightened or not around 2002. As some testimonies show, many defectors had been executed based on the so-called "May 29 Policy" in 2002 and those from other districts to carry out strict investigation and prevent bribe had replaced the security agents.

However, soon around the end of 2002, there seemed to have been some change with respect to the policy. Some testimonies show the indirect evidences: KIM Jung-Il promulgated a policy to distinguish between simple escapers and the so-called "South Korean Matter", those who had ever attempted to go to Korea; KIM Jung-Il ordered not to snatch money from the escapers, for they would escape to China again, if their money was taken away; KIM Jung-Il said, "Even if they go to other country and wear foreign clothes, as far as they embrace the desire for the reunification of fatherland, it also is a good thing"; "If their money is taken away, they will go to China again, so do not snatch money from them."

Yet, another testimony added, "Such a rumor might not have been true, but there were some public officers who had spread such rumors." To sum up, simple escapers seemed to have been punished less severely than before. However, even though the security agents less resorted to torture, they did more to making the prisoners beat one another.

4) 2004~2006: Revision of the Criminal Code and the Criminal Procedure Code, Yet Reserved Estimation for the Actual Improvement in Investigation Practice

Apart from the policy lightening the punishment of defectors since late 2002, it is still uncertain whether or not there had been substantial improvement in the investigation practice after the revision of the Criminal Code and the Criminal Procedure Code in 2004 and the partial amendment of the both in 2005.

At least, according to the testimony of LEE Min-Ok (ID 16), who was investigated after April 2004, she was investigated at the *Shinuiju* City Security Agency for three days for the first time, at the *Hoeryeong* City Security Agency for fifty three days for the second time after being transferred from *Shinuiju* to her residential place, and at the *Hoeryeong* City Safety Agency for six days for the third time, total length of investigation

amounting to more than two months.⁴⁹

For some temporary reasons such as SARS in Spring 2003, defectors were repatriated in great numbers up to 850 in a day, so the length of investigation was between ten days and a month. However, after that period, the length of investigation began to be prolonged. Forfeiting of interrogatory or signature was not found in the testimonies, implying that the provisions of Article 174 and Article 175 of the Criminal Procedure Code, method of filling up the interrogatory and suspect's confirmation, seemed to be observed. However, it should be noticed that most lower level investigation organizations resorted to torture and beating to extract confession and signature instead of forfeiting the interrogatory or signature.

2. The Effect of Monitoring and Collective Petition for the Improvement of Human Rights by the International Society

Though the North Korean human rights issues had been made known to the international society by the Amnesty International since 1970s and some reports had been publicized intermittently, they had been dealt with by the Sub-committee on Human Rights of the UN until the Autumn of 1999, thus public consensus being not given. It was since the opening of annual international conference at NGO level in December 1999 that mass media and the international society began to pay attention to the North Korean human rights issues. With respect to torture, the subject matter of this report,

⁴⁹ Regarding the specific provisions on the investigation of the accused, Article 151 (1) of the Criminal Procedure Law stipulates that the whole investigation shall be finished within two months, and (2) A investigation of the case which could be sentenced to imprisonment in LRF (*Rodongdanryeonhyeong*) shall be finished within 10 days, and the additional investigation within seven days if a court send back the case to the pretrial board. However, Article 152 of the same law prescribes that in the case of complicated criminal offences whose investigation would exceed the period mentioned in Article 151(1), but under inevitable circumstances are subject to imprisonment in LRF, investigation can be prolonged up to a month with the prosecutor's approval. This prolongation of one month is possible when the investigation period of crime subject to LRF shall take more than the period stipulated accordingly in Article 151(2). Therefore as in the case of Min-ok LEE who was subject to LRF, the maximum period of investigation is limited to a month and seventeen days.

there would not have been any improvement, if there had not been for the collective demand and petition from the international society.

In December 1999, NKHR and the Chosun Ilbo (Daily Press) co-hosted 「The 1st International Conference on North Korean Human Rights and Refugees (Seoul, Korea)」 and attracted remarkable concern from the international society. Then, the North Korean official media criticized the conference as “a deceptive trick to cover up their despicable crimes and mislead public opinion only to be ridiculed by the world people”, “a mockery and insult to human conscience and as shameless an act as a thief crying ‘stop the thief’”, “anti-DPRK smear campaign”, and it retorted that “they should make an apology for their crimes of worsening the inter-Korean relations and barring national reconciliation”.⁵⁰

However, the international conference provided such a good opportunity for the international society as to establish an international network, i.e., NKHR's Friends Network, composed of about 140 professionals from ten countries and hold another international conference in Japan with the specific issue of the situation of political prisoner camps in North Korea. As international concern rose up, DPRK began to respond to it. DPRK had joined the ICCPR in 1981 and, under Article 40 of the Covenant, she submitted her first one in 1983 and the revised one in 1984, but did not submit any periodic report one since then. In December 25, 1999, DPRK submitted the second periodic report to the UN, showing cooperative attitude toward the UN and the international society.⁵¹ KIM Chun-Ae (ID 4), who had been at the *Cheongjin DC (Jipgyeolso)* and the *Musan LRF (Rodongdanryeondae)* at that time, testified that the safety agents were not so relentless as before, cause it was shortly after the inspection from the Central Committee of KWP (*Joongangdang*), so they were cautious about their behavior.

When 「The 2nd International Conference on North Korean Human

⁵⁰ See “KCNA on South Korean Venal Paper’s ‘Human Rights’ Rhetoric”, <Korean Central News Agency (KCNA)> (December 2, 1999); “North Korean Human Rights Issue Tells Its Opening Path”, <Chosun Ilbo NK Report>, No.19 (February 26, 2001).

⁵¹ See CCPR/C/PRK/2000/2 (May 4, 2001).

Rights and Refugees (Seoul, Korea)」 was held intensively dealing with the defectors at the bordering area between DPRK and China and the human rights situation of the North Korean women defectors, DPRK denied the very existence of defectors through the official comment, “There is no ‘issue of refugees’ between the DPRK and China”, saying, “It is true that many compatriots travel across the border between the two countries to visit their home towns and relatives as many Koreans live in the northeastern area of China. These travelers can never be called ‘refugees’”. KCNA, the North Korean official media, strongly insisted; “If there be any issue of border trespassers, it is the matter pertaining to the sovereignty, of the two countries that should be settled by them. This is the publicly recognized international practice.”⁵²

Contrary to the North Korean denial, evidences and testimonies against DPRK were being gathered after the conference and worrisome concern from the international society began to be intensified. Hence, DPRK again adopted some responsive measure to show cooperative attitude joining the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in February 27, 2001.

「The 3rd International Conference on North Korean Human Rights and Refugees (Tokyo, Japan)」 co-hosted by NKHR and the Working Committee in Japan, in February 2002, intensively raised the issue of sexual abuse of the North Korean women defectors. In detail, the conference dealt with the subjects of women's human rights and protection of them, for example, forced abortion, infanticide, etc. Prior to the conference, the Human Right Without Frontiers, a Belgian NGO, made public the above-mentioned issues and, consequently, DPRK vehemently blamed it as a false report to hurl mud at the North Korea. “There can be no ‘concentration camp in the DPRK as it is a man-centered society where man is valued most. There is, therefore, no need to refer to the desperate anti-north diatribe.”⁵³ However, DPRK submitted the first report on the implementation of the

⁵² See “Anti-DPRK Propaganda in South Korea”, <KCNA> (December 23, 2000).

⁵³ See “Sheer Lie Refuted”, <KCNA> (January 18, 2002).

CEDAW on September 11, 2002.⁵⁴ But, the report did not mention anything about the situation of North Korean women defectors.

It seems that it was since the end of 2002 that the pressure from the international society began to have substantial effect to a certain extent. Some testified that KIM Jung-Il had directed to lighten the punishment of simple escapers and an inspection group from the Central Committee of the KWP (*Joongangdang*) had inspected the National Security Agencies and the People's Safety Agencies throughout the country. It probably was to abolish the corruption of security agents, safety agents, and border guards and renew the discipline of judicial organizations, restricting illegal investigation and torture, though temporary. According to the testimony of KANG Seong-Hwa (ID 17), who had been imprisoned for a year's term at the *Oro* LRF (*Rodongdanryeondae*) in *Hamheung* City in early 2003, she was given a month's reduction of penalty in the Autumn of 2002 and two or three agents in black suites, who seemed to come from the central governmental organizations, came to the camp in a car and inspected how many corn grains were in the soup and ordered the agents to do correctly. The North Korean leader and the central governmental organizations seem to have difficulty in inspecting illegal investigation practices and human rights situation in the lower-level investigation organizations and gathering information from the international society and the reports from NGOs.

In spite of the enhanced concern of the international society, the North Korean authority denied the very existence of the human rights problem, did not show any will to correct the wrong practices, and made it hard to comprehend the human rights situation in DPRK, improved or otherwise, so the 59th session of the UN HRCion passed the Resolution on the North Korean Human Rights in April 2003. The North Korean representative to the UN expressed complete rejection of the resolution when presented by EU, blaming it as "a challenge to the socialist system of DPRK based on the *Juche* Ideology".

As the Resolution was passed and the North Korean human rights

⁵⁴ See CEDAW/C/PRK/1 (September 11, 2002).

issues became a pending issue for the international society, DPRK submitted her second periodic report on the implementation of the CRC on May 16, 2003, which had been delayed for four years. (first report was submitted in 1994).⁵⁵ The North Korean authorities unprecedentedly invited three commissioners of the UN Children's Rights Committee before the opening of the 60th session of the UN HRCion in April 2004 and the opening of the session of the review committee of children's rights in June 2004. Though such action was confined to the areas of women's human rights and children's human rights that DPRK felt relatively confident in, thus not comprehending the areas of civil and political rights including torture, it nevertheless was considered to be a positive change for DPRK to actively participate in the execution of the recommendations and duties of the UN.

However, DPRK continually denied accepting the Resolution of 2003, so the 60th UN HRCion adopted another Resolution in April 2004 and established the system of Special Rapporteur to overcome the limit of authority to investigate a certain country. Before the voting, North Korean representative rebuked it as 'an unprecedentedly vicious intervention into the domestic affairs of DPRK both in form and substance, couched in the anti-DPRK policy of the U.S.' and added, 'It would be a nonsense that EU could frighten us with the Resolution'.

On the other hand, though DPRK emphasized a stubborn attitude toward any attempt to intervene her own system, she revised the Criminal Code and the Criminal Procedure Code in April and May 2004, and partially amended the both in July 2005. The revised Criminal Procedure Code included provisions for the protection of human rights such as shortened period of detention, period of detention for prosecution and trial, arrest by warrant, prohibition of collecting evidences by forced or entrapped confession, etc., which were not included in the previous Criminal Procedure Code. In addition, prohibition of repeated investigation (Article 150), prohibition of nighttime interrogation (Article 163), notification of rights to suspect (Article 169), limit of the length of detention for witness (Article 227), prohibition of arrest in trial court (Article 283), reduction of the period

⁵⁵ See CRC/C/65/Add.24 (November 5, 2003).

of the first and second trials (Article 287, Article 366), etc. could be evaluated as positive change in the field of human rights protection.⁵⁶ Such obvious change was possible due to the demands from the UN and the international society.

However, such formal changes in legal codes cannot guarantee the substantial protection of human rights for the North Korean and some criticized that as far as there is no change in the nature and function of the Criminal Procedure Code that serve the maintenance of the socialist system and the proletarian dictatorship.⁵⁷ It still needs continued watch whether the human rights situation of the defectors proves or not by such institutional revision.

As seen above, DPRK has nominally maintained a negative attitude toward the demand of international society, but she in fact has shown some positive changes such as the submitting of report on the human rights situation in DPRK, the joining of new international human rights convention, the revision of related laws, the policy of lightening the punishment of defectors, etc. In short, continued monitoring by NGOs and demand from the international society function effectively to draw positive changes and cooperation from DPRK.

⁵⁶ National Court Administration, *North Korean Criminal Law* (Seoul: 2006), pp.376-377.

⁵⁷ LEE Baek-Gyu, "Estimating the revision of the North Korean Criminal Procedure Code", *Studies on North Korean Laws*, Vol.8 (Seoul: 2005), p.183.

V. Recommendations

The Citizens' Alliance for North Korean Human Rights (NKHR) recommends that DPRK, China, South Korea and the UN consider the following recommendations and exert more efforts to put them into practice, to eliminate torture, a serious threat to human rights that has been prevalent in DPRK.

1. Democratic People's Republic of Korea

1) We recommend that DPRK thoroughly observe the provisions of human rights protection as provided in the Criminal Code and the Criminal Procedure Code.

We recommend that DPRK take proper measures to eliminate torture prevalent at the National Security Agencies and the People's Safety Agencies, the lower-level organizations of the security agency and the security agency, and the illegal investigations performed at the concentration facilities (*Jipgyeolso*) and the labor re-education facilities (*Rodongdanryeonda*). We also recommend that the Central Prosecutor's Office and other related organizations carry out continued inspection to check whether or not those lower-level organizations observe the provisions of human rights protection as provided in the Criminal Code and the Criminal Procedure Code and take proper measures to correct and supplement defects so as to guarantee the substantial revision of the Criminal Code and the Criminal Procedure Code.

2) We recommend that DPRK hear about the reality of torture directly from the victims of torture.

In particular, we recommend that DPRK hear from the suspects whether or not they were tortured or beaten in the course of investigation and whether or not torture or beating is used as the means of snatching money by the agents and take proper measures to secure the rule of law through correcting

wrong practices and punishing the responsible personnel when their illegal acts are found.

3) We recommend that DPRK abolish the underground prison where serious torture is performed.

As found out by the research performed by NKHR, we welcome the policy of DPRK since late 2002 to lighten the punishment of simple escapers. However, we express our worries about the underground prison secretly run by the National Security Agencies and the serious situation of torture performed in them. We recommend that DPRK abolish the illegal underground cells and earnestly take appropriate measures to improve the situation.

4) We recommend that DPRK receive the necessary aid for the improvement of detention facilities from the international society.

We recommend that DPRK actively ask for aid from the international society and the relevant organizations of the UN and cooperate with them to improve the worst environment of the custody facilities including sanitation, nutrition, edible water, etc. Hence, we recommend that DPRK provide an opportunity to invite the Special Rapporteur of the UN Human Rights Council (HRC) and explain her own efforts and needs to improve the human rights situation.

5) We recommend that DPRK join and observe the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

We recommend that DPRK join the CAT, reflect it on her domestic laws, and observe the duty of reporting and executing as provided in the Convention, thus eliminating the worries of the international society about the human rights situation and enabling herself to be a reliable member of the international society and earn support and cooperation from it.

2. People's Republic of China

1) We recommend that China observe the principle of prohibition of forced repatriation as provided in the Convention Relating to the Status of Refugees, and cooperate with the UN and her neighboring countries to protect the North Korean defectors.

As China joined the Convention Relating to the Status of Refugees (1951) and the Protocol Relating to the Status of Refugees (1967) in September 1982, she is responsible for the duties of *non-repoulement* (prohibition of forced repatriation) and expulsion, prohibition of rejecting entry at border, prohibition of punishment for illegal entry, expansion of the standard of basic treatment, respect for the humane and civil rights, decision of the refugee status, etc. Therefore, China should stop repatriating the North Korean defectors, because such practice cannot be rationalized by the "reasonable grounds for regarding as a danger to the security of the country". We recommend that to protect the North Korean defectors, China cooperate with the Office of High Commissioner for Human Rights (OHCHR) and ask for aid from South Korea, the U.S., Japan, EU and so on, which have positively contributed to the protection of human rights of them.

2) We recommend that China stop the inhumane practice of handing over the investigation documents to DPRK when repatriating.

An important finding of this research is that the Chinese Public Security Agency began to hand over to DPRK the investigation documents on the date and situation of arrest, whether or not the North Korean defectors had received any help from South Koreans or Christian churches, etc. since 1999 when repatriating them. It is well known to the international society that there has been a secret convention between DPRK and China with respect to the expulsion of the North Korean defectors. We recommend that China stop the inhumane practice to systematically cooperate with DPRK for the repatriation of the North Korean defectors.

3) We recommend that China stop the systematic expulsion of the North Korean defectors, modern version of race-clearing, and the oppression

of activists working in China for her own national interest under the cloaking of preparing for the 2008 Olympic Games.

Moreover, the Chinese authority has strengthened the systematic detection of the North Korean defectors as shown by those public security agents working in plain clothes and the administration officers such as gas meter man and water meter man detecting the hiding places of the North Korean defectors. We express our deep concern about China's policy to eliminate any single North Korean defectors since 2001, when Beijing was decided as the host city of the 2008 Olympic Games, and actively carry out the expulsion of them. And we seriously worry about China's oppression of human rights activists working in China, as shown by the case of Young-Hoon CHOI who had been injected unknown drugs and beaten by the Chinese prisoners while he was imprisoned in China for four years. We strongly urge the Chinese authority to stop the oppression of human rights activists, for example, clampdown on their activities, imprisonment and torture, and release all the imprisoned activists without delay.

3. Republic of Korea

1) We recommend that the National Human Rights Commission of Korea promptly embark on the investigation of victims of torture through the North Korean defectors, those who want to settle in South Korea or those under the custody of the Korean governmental organizations overseas or those already in Korea.

The National Human Rights Commission of Korea maintains that it does not have any mandate to investigate in DPRK. However, we recommend that it set about an investigation of victims of torture through the North Korean defectors, those who want to settle in South Korea or those under the custody of the Korean governmental organizations overseas or those already in Korea. The Commission's position that it does not have any competence to investigate in DPRK still leaves the possibility of executing investigation in other than DPRK. By simply undertaking the investigation, it can transmit a message to the international society, especially China and

DPRK, that it can provide positive influence for the improvement of the general situation in prison. Considering it also is probable that the victims of torture would unreservedly retaliate on the offenders when the relations between the two Koreas are developed or they are reunited, it is quite necessary to undertake systematic and government-level investigation and documentation of the victims and prevent the production of the secondary victims.

2) We recommend that the Ministry of Foreign Affairs and Trade and other governmental organizations overseas prepare necessary institutional means to collect evidences of torture, visible or invisible, from the defectors under their custody, and provide appropriate medical care for those in need before their entry in South Korea.

The Ministry of Foreign Affairs and Trade should provide appropriate aid and refuge for those who ask for help at the governmental organizations overseas. In particular, we recommend that the Ministry set forth detailed regulations for the governmental organizations overseas to investigate and collect evidences on torture, when the evidences are visible even to the naked eye. Taken into account the long period of waiting up to one year until entry into Korea, the investigation period at the intelligence agency, and the period of resettlement education at *Hanawon*, it is rather probable that the evidences disappear after natural curing or medical treatment. In this context, it is very effective to begin the investigation of torture and the collection of evidences before entry into South Korea to secure more concrete and substantial evidences of torture and grasp the overall situation of human rights. The governmental organizations are the space over which domestic laws have jurisdiction, so that such investigation does not violate the international laws and does contribute to the protection of human rights of the Koreans overseas. It also would be helpful for the Ministry to show its will for a more extended diplomatic practice and enhance its own fame.

3) We recommend that the relevant governmental organizations such as the Ministry of Unification and the Ministry of Health and Welfare provide specified medical service system for the victims of torture so as to they can cure their aftereffects.

We recommend that the relevant governmental organizations such as the Ministry of Unification and the Ministry of Health and Welfare provide specified medical service system for the victims of torture who are already in South Korea, if they suffer from the aftereffects of torture, physical or otherwise. Under the present medical service system, it is very hard for the North Korean defectors to pay the high medical expenditures for the spinal and neurological examination, venereal diseases and women's diseases that could be worsened in worst prison environment, post-traumatic stress disorder (PTSD) that needs relatively long-term treatment, and the psychiatric consultancy fees.

4. The United Nations

1) We recommend that the UN maintain and even strengthen the special procedure of Country Rapporteur under the reorganized system of the HRC.

The Special Rapporteur on the North Korean Human Rights is not only a symbolic representative of the UN for the improvement of human rights in DPRK but also a just and fair mediator evaluating numerous information. Hence, we recommend that the UN maintain the special procedure of Country Rapporteur and strengthen its competence and mandate under the reorganized system of the HRC.

2) We recommend that the UN exert more efforts to persuade those countries like China not to repatriate the North Korean defectors and provide various ways of cooperation, including raising fund, among those countries that are in favor of the protection of them.

The UN should put forth more efforts to persuade China, Myanmar and Laos, that repatriate the North Korean defectors to DPRK, and present a roadmap to provide China with necessary material and institutional aid, lest she should send the defectors back to DPRK. The actual difficulty of the UN High Commissioner for Refugees (UNHCR) lies in its financial situation that it depends on the UN' budget for its administrative expenditures, while it

does on the contribution from countries for its relief activity. Considering the difficulty, it is just the time to take measures to further cooperate with countries in favor of the protection of the North Korean defectors and raise fund for the protection of them.

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