

**NKHR Briefing Report No. 1**

**THE LAST OUTPOSTS OF SLAVERY OF  
THE PAST XX CENTURY**

Briefing Report on the Situation of Human Rights in Political Prison Camps in the DPRK

### **Citizens' Alliance for North Korean Human Rights**

Citizens' Alliance for North Korean Human Rights (NKHR), since its establishment in 1996 as 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 by:**

- \* Proposing international organizations condemn human rights violations in North Korea, particularly with respect to the forced labor of political prisoners and extrajudicial killings
- \* Collecting and publicizing facts and other information on the current North Korean human rights situation, particularly regarding political prison camps
- \* Protecting the lives and human rights of North Korean refugees
- \* Assisting North Korean defectors living in South Korea with a focus on youth education
- \* Coordinating efforts with other human rights organizations to fulfill the aforementioned programs

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SENIOR RESEARCHER  
Man-ho HEO



Citizens' Alliance for North Korean Human Rights  
Life & Human Rights Books

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# I Introduction

Due to the flow of North Korean refugees in recent years, the international society has gained increasingly detailed knowledge on the human rights violations occurring in North Korea. As such, it has become necessary and urgent to draw the attention of the world to this matter and take concrete measures to improve the situation. To this end, investigations and analyses are absolutely essential. In terms of human rights abuses, it is difficult to find a similar case in non-wartime to that currently occurring in North Korea. There are various aspects to the issue of North Korean human rights violations.

First, as a vestige of antagonistic inter-Korean relations, many South Koreans are still detained in North Korea. During the Korean War (1950-1953), the North Korean authorities abducted more than eighty thousand South Korean civilians, including many intellectuals, scientists, and technicians, and detained more than fifty thousand South Korean prisoners of war (POWs).<sup>1)</sup> Most are assumed to have died, while the remaining survivors live under miserable conditions.

An unknown number (at least twenty) of South Korean soldiers were captured and sent to North Korea by the Viet-Cong militia or Viet-Minh military during the Vietnam War era (1965-1973).<sup>2)</sup> After the Korean War, 3,816 South Korean civilians and soldiers were kidnapped by North Korea, 3,316 of whom were eventually repatriated after being held between 6 months to a year. Seven people have recently returned to the South, while the remaining 493 persons were apparently detained in North Korea.<sup>3)</sup> However, the North Korean authorities continue to deny the existence

of any POWs or abducted civilians, while successive South Korean governments have failed to pursue the issue with any real resolve.

Second, the deterioration of the North Korean economic situation during the 1990s forced more than 300,000 to flee North Korea to escape the famine and live a precarious life in China, Mongolia, Russia, or South-East Asian countries. With the recent improvement in the food supply, the North Korean authorities strengthened their border regions to reduce the number of defectors. However, North Koreans are still defecting to China in search of a better life and/or seeking refuge in South Korea. 60 to 70 percent of the defectors are women, 70 to 80 percent of whom are victims of human trafficking. However, the attitude of the Chinese authorities is to arrest and repatriate all North Korean defectors/refugees.

Among the diverse human rights abuses in North Korea, this report focuses on the systematic violations of basic human rights according to a discriminative social class policy and political prison camps. These two issues are closely related to the question of North Korean defectors and refugees as push effects and the aftermath of these situations. This caste allocation system enforced by inhuman punishment is the major element sustaining the otherwise inefficient North Korean regime. As such, since human rights abuses are an everyday fact of life in North Korea, it is very unlikely that any improvement will occur from within North Korea itself.

North Korean political prison camps (more exactly, political penal-labor colonies), for which, although frequently referred to the international community, relatively little material evidence exists. Moreover, the limitations of witness accounts do not always supply sufficient information on the most recent situation. Thus, the current study also integrates North Korean socio-political changes to create a larger picture.

Consequently, the political prison camps can be a criterion for estimating probable changes in the political regime in North Korea. However, since no improvement in the human rights situation can be expected from within North Korea, and the South Korean government is restricted from raising such a sensitive issue due to the precarious official inter-Korean relations, the international community needs to be informed to search for an effective intervention strategy.

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**1 Except for** several personal names, the system of Romanizing the Korean alphabet is consistent with the July 7, 2000 Notice of the Ministry of Culture and Tourism of the Republic of Korea. There after, Korean names are all written in the order of family name first, and then given name. According to the second investigation conducted by the South Korean government in 1953, 84,532 South Korean civilians were abducted to the North during the Korean War. More recently, a list of 82,959 civilian abductees was published by an association of the remaining family members of such abductees. Council of Family Members of Korean War Abductees, Yuk-yi-o napbukja pal-man yi-cheon gu-baek o-sip gu myeong (82,959 abductees from the Korean War), Vol. I & II, Seoul: Wolganjoseonsa, 2003.

**2 Man-ho Heo**, “North Korea’s Continued Detention of South Korean POWs since the Korean and Vietnam Wars”, The Korean Journal of Defense Analysis, KIDA, Vol.XIV, No.2, Fall 2002.

**3 Lim Soon-Hee et al.**, White Paper on Human Rights in North Korea 2009, Seoul: Korea Institute for National Unification, 2009. For a list of the abductees and detainees still held in North Korea cf. SUH Jae-Jean et al., White Paper on Human Rights in North Korea 2003, Seoul: Korea Institute for National Unification, 2003.

# II

## Discriminative Social Class Policy

Since 1958, the North Korean authorities have been pursuing “the monolithic domination of socialist production relations” and “socialist proletarianization of the whole population” by the “collectivization of agriculture” and “collaboration in commerce and industry”. To make all people a “red class”, the population has been classified and anti-revolutionary elements suppressed under the “collective leadership” of the Workers’ Party of Korea (WPK). As such, resident re-registration was established between April 1966 to March 1967.

Between April 1967 to June 1970, the population was classified into 3 strata with 51 categories: 870,000 families (3,915,000 persons) as the “Haeksim Gyaechung (Core Stratum)”, 700,000 families (3,510,000 persons) as the “Dongyo Gyaechung (Oscillating or Wavering Stratum)”, 1,730,000 families (7,935,000 persons) as the “Jeokdae Gyaechung (Hostile Stratum)”. The policies based on that classification have focused on taking precautions against the Oscillating Stratum and Hostile Stratum and providing them with ideological education.<sup>4)</sup>

The North Korean authorities deny the existence of any such classification. However, North Korean refugees have repeatedly confirmed both the existence of this system and its continued use.<sup>5)</sup> In fact, the North Korean government and Party frequently investigate the family backgrounds of its citizens (see Table 1).

According to a relatively recent source, the North Korean population is currently classified with Haeksim Gunjung (Core Mass) of 5,980,000 persons (28%), Gibon Gunjung (Basic Mass) of

**| Table 1 | Family Background Investigation Projects**

Projects	Period	Description
Intensive Guidance by the KWP	Dec. 1958–Dec. 1960	Exposing, punishing and forcing relocation of impure elements to remote mountain village.
Re-registration of the People	Apr. 1966–Mar. 1967	Classification based on family background to arm a million-man Red Army (investigate 3 direct generations and all relatives of the wife and mother that are removed up to the 6th degree).
Division into 3 Strata with 51 Categories	Apr. 1967–Jun. 1970	Based on the re-registration project all people are divided into Core Strata, Wavering Strata and Hostile Strata, and then further divided into 51 social categories.
Project of Investigating the People	Feb. 1972–1974	Investigate and determine the inclinations of people based on discussions concerning North-South relations and then classify people based on those whom everyone can believe, those whose beliefs are somewhat dubious, and those believed to be renegades.
Civic Pass Inspection Project	Jan. 1980–Dec. 1980	To expose impure element and increase control, inspect and renew citizen’s certificates according to Kim Jong-il’s orders.
Project concerning Naturalized Foreigners and Defectors from South Korea	Apr. 1980–Oct. 1980	Divide the people who entered North Korea such as those who defected from South Korea, into 13 categories and update monitoring data.
Project concerning those compatriots who were repatriated to North Korea	Jan. 1981–Apr. 1981	Segment the data on former Korean residents in Japan who were repatriated to North Korea and refine and improve the method of control of those people.
Citizenship Identification Card Renewal Project	Nov. 1983–Mar. 1984	Renewal of citizen’s certificates and revision of documents for all residents.
Inhabitants Re-registration Project	Mar. 1984–Oct. 1989	Review and re-indexing inhabitants registry, Develop background data on separated families.
Examination of Family Registers	Early Years of the 1990s	After that census, many people were arrested. That wave of detentions might be related to attempts to strengthen internal control during the 1990s in response to the fall of communist regimes in Eastern Europe. <sup>6)</sup>
Renewing Citizenship Cards	Feb. 1998–Oct. 1998	Change passport style to credit card style.

Source: Ministry of Unification, Bukhan-gaeyo '95 (Epitome of the North Korea '95), (Seoul: Ministry of Unification Press, 1995), p.275 ; Lim Soon-Hee et al, White Paper on Human Rights in North Korea 2009, op. cit., p.183.

9,620,000 persons (45%), and Bokjap Gunjung (Complicate Mass) of 5,770,000 persons (27%).<sup>7)</sup> According to that information, the number of persons belonging to the lower class (Hostile Stratum or Complicate Mass) is still very significant.

**4 Jung-ang-jeongbobu(Central Intelligence Agency)**, Bukhaneui in-gwontanapsiltae (The Realities of human rights infringements in North Korea), place and year of publication unknown (assumed Seoul, between 1980 and 1982), pp.48-50 ; KIM Yong-gi, “Gyegeupui bulpyeongdeungujowa gyegeupjeongchaek” (Unequal Structure of Class and Class Policy), Bukhansahoeui gujowa byeonhwa (Structure and Change of the North Korean Society), Seoul: The Institute for Far Eastern Studies, 1987, pp.203-206.

**5 For example**, on 19 November 2003, when the second DPRK periodic report was being examined by the UN Committee on Economic, Social and Cultural Rights, the North Korean Delegation vehemently denied the existence of a discriminative social class policy. RI Tcheul, the Ambassador for North Korea in Geneva and Head of the North Korean Delegation, stated that such an assertion was “a pure lie” and implied a “very evil political motive”. According to his claims, the only classes, as recognised in the Constitution, are the peasants, the intellectuals, and the workers.

**| Table 2 | 3 Strata with 51 Categories in North Korean Society**

<b>Stratum</b>	<b>Categories</b>	<b>Treatment</b>
Haeksim Gyaechung (Core Stratum) or Haeksim Gunjung (Core Mass)	12 Categories: Worker, farmhand, peasant, office worker, partisan of KWP, descendent of revolutionary or patriot, intellectual educated after liberation from Japanese occupation, descendent of person killed by US-ROK soldiers, honorable soldier etc.	Recruited as Staff of KWP, Government, and Army Privileged for university entry, choice of occupation, residence and food, and medical services.
Dongyo Gyaechung (Oscillating Stratum) or Gibon Gunjung(Basic Mass)	18 Categories: Small and middle tradesman or manufacturer, national bourgeois, remaining family of defector to South Korea, individual repatriated from China or Japan, intellectual educated under Japanese occupation, Confucian scholar etc.	Recruited as low-level managers and technicians Very few members of this stratum have been promoted to the Core Stratum.
Jeokdae Gyaechung (Hostile Stratum) or Bokjap Gunjung (Complicate Mass)	21 Categories: Christian, landlord, collaborator with Japan and/or USA, anti-revolutionary factionalist (political enemy of KIM Il-sung and KIM Jong-il), remaining family of executed criminal, political criminal, partisan of Democratic Party or Chondogyo Chongwu-dang (Party of Young Believers of Chondogyo) etc.	Employed in dangerous work and hard labor. No entry to university or KWP. Controlled and isolated from rest of society. Very few descendants of this class have been re-classified as Gibon Gunjung(Basic Mass).

Source: Ministry of Unification, Bukhan-gaeyo '95 (Epitome of the North Korea '95), op.cit., p.268 ; Lim Soon-Hee et al., White Paper on Human Rights in North Korea 2009, op. cit., pp.186-187.

The social classification with 3 strata and 51 categories might be considered meaningless today because it was based on the resident registration performed in the 1960s, and its main criteria were political activities under Japanese domination and during the Korean War. The people of this strata are now dead or beyond the age of social activity. However, it is important to note that the policy of class distinction resulted in the institutionalization of inequalities, which presently persist in North Korea and have an impact on the enjoyment of economic and social rights.

That policy is a blatant violation of international human rights instruments, notably Art. 7 of the Universal Declaration on Human Rights and Art. 26 of the International Covenant on Civil and Political Rights, which both prohibit discrimination.

Because of this discriminative social class policy, people belonging to the “Oscillating Stratum” and the “Hostile Stratum” face particularly unfavorable working conditions. Housing and access to healthcare are also allocated according to that classification of the population. Access to higher education is also based on that classification.

This is a blatant violation of Art. 2 para. 2 of the ICESCR, which states that: “The State parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

**6 Cf. KIM Yong-sam**, “‘Bukhanui ausyubichi’ sipsaho gwallisoui naemak (Inside Stories of the North Korean Auschwitz, Management Center No.14)”, Wolgan Chosun, May 2000.

**7 Ministry of Unification**, Bukhan-gaeyo '91 (Epitome of the North Korea '91), Seoul: Ministry of Unification, 1990, p.238.

# III

## Formation and Changes of Political Prison Camps in North Korea

There are various kinds of detention camps in North Korea, including facilities for detaining the increased number of homeless and vagrants resulting from the famine during the late 1990s, 5 or 6 large camps for political detainees, and 30 forced labor centers, called “Labor Correction Centers (Nodong goyongyangso)” or “Edification Centers (Gyohwaso)”.<sup>8)</sup>

Among these detention camps, the most serious human rights abuses occur in the political prison camps. Their official name is “Management Center Number OO (OO Ho Gwalliso)”.<sup>9)</sup> The North Koreans call them “Districts under Special Dictatorship (Teukbyeol dokje daesang guyeok)”, “Concentration Camps for Political Detainees (Jeongchibeom jipdan suyongso)”, “The Land of Exile (Yubaeso)”, “Caves for Factionalists (Jongpagul)”, “Districts for Removed Residents (Ijuguyeok)”, etc.

It is assumed that the North Korean political prison camps have undergone several phases

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**8 For different kinds of** detention facilities, cf. David Hawk, *The Hidden GULAG, Exposing North Korea’s Prison Camps*, US Committee for Human Rights in North Korea, 2003.

**9 Generally,** local government offices in North Korea are called Gwallisos (management centers) and include a reference to their location and/or function. Yet, in political prison camps, such offices only have numbers, e.g. Gwalliso No. 14, seemingly to hide their location and real function.

since the 1940s.

## 1. From “Special Detention Camps of Workers (Teukbyeol nomuja suyongso)” to “Districts under Special Dictatorship (Teukbyeol dokje daesang guyeok)”

The first development phase of the North Korean detention camps was just after the Second World War. According to a North Korean official record acquired by the US Department of State during the Korean War, there were 17 “Special Detention Camps of Workers (Teukbyeol nomuja suyongso)” in North Korea in October 1947.<sup>10)</sup> The detainees were allowed to meet their families and go to the movies with the permission of the camp director. These camps were totally different from the political detention camps of today.

Despite a variety of explanations for the change from “Special Detention Camps of Workers (Teukbyeol nomuja suyongso)” to the present day political prison camps, the key issue was related to the consolidation of power by KIM Il-sung and KIM Jong-il and their social class policy.

According to Mr. KIM Yong, a North Korean refugee and former detainee at Gwallisos Nos. 14 and 18, the Gwallisos for political detainees, managed by the National Security and Integrity Agency<sup>11)</sup> (Gukga anjeon bowi bu, North Korean intelligence agency, here after Bowibu), were built in 1972 based on a proposal by KIM Byeong-ha, the Agency Director, following the instructions of KIM Il-sung: “Factionalists or enemies of class, whoever they are, their seed must be eliminated through three generations.” Regarding the origin of the political prison camps, Mr. KIM Yong explained: “In 1968, the North Korean authorities displaced the remaining family members of defectors to the South who had resided in border regions of the Military Demarcation Line, such as Gaeseong, Geumcheon, Yongyeon, Jangyeon, Anak, Eunyul, Chuiha, Jangpung, Gaepung, Panmun etc., any individuals and their family who had collaborated with the South Korean Army or the US

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**10 HAGIWARA Ryo(ed.),** Kitachosenno himitsubunsho (North Korean Confidential Documents), Vol.1, Tokyo: Natsunosyobo, 1996.

**11 The North Korean** Secret Police changed its name several times, along with its administrative hierarchical status. Originating from the Bureau of Intelligence at the Ministry of Internal Affairs (Naemu-seong), in 1962, it became the Bureau of Political Integrity (Jeongchi-bowi-guk) at the Ministry of Social Safety (Sahoe-anjeon-seong, renamed from the Ministry of Internal Affairs, and predecessor of the present Ministry of Public Security). In May 1973, the Bureau became an independent organ named the National and Political Integrity Agency (Gukga-jeongchi-bowi-bu), then became the National Integrity Agency (Gukga-bowi-bu) in 1982, and finally received its current name, the National Security and Integrity Agency (Gukga-anjeon-bowi-bu), in 1993. However, after the death of Director YI Jin-su in 1987, a new official director was never nominated. As such, the practical director has been KIM Jong-il. The Agency also has a Prosecutorial Bureau.

As the Secret Police has gone through complicated changes in its name and status, the North Korean people’s current designation for it is Bowi-bu (Department or Agency for Integrity).

YUN Dae-il (former agent of North Korea’s National Security and Integrity Agency), Akui chuk jiphaengbu gukgaanjeonbowibuui naemak (Inside Story of National Security and Integrity Agency, Governing Body of the “Axis of Evil”), Seoul: Wolganjoseonsa, 2002, pp.31-40.



Army during the Korean War, and the family of landlords and collaborators with Japan during the Japanese occupation (1910-1945). Under the pretext that these people would exchange their residence with people from the northern regions, the North Korean authorities transported them by baggage trains to 12 special districts in mountainous regions. These people were then completely isolated from regular society to the extent that they were forbidden any kind of contact with residents in other regions, including correspondence.” Accordingly, since this policy was an aftermath of “the Operation of Resident Registration” in April 1966, which investigated residents’ thought, and the ‘Unique Ideology System’ adopted as the official line of the WPK in May 1967, it was also clearly a result of class policy (see table 2).

However, the detention camps were not yet completed, and the detainees and facilities were controlled and managed by the Department of Safety at the Ministry of Social Safety. In contrast, individuals classified as felons were sent to the Edification Center (prison) in Gaecheon and Suseong Edification Center in Cheongjin.

Yet there are other testimonies and opinions that refer to earlier origins. Mr. KANG Cheol-hwan, a North Korean refugee who was a detainee at the Yodeok Prison Camp (Gwalliso No.15), stated that a prison camp had already been partially built at Yodeok-gun, South Hamgyeong, before 1959. From 1959 to 1964, the inhabitants of the Yodeok-gun region were forcibly removed to separate them from individuals that had been expelled there from other provinces. This policy was assumed to be related to the “Intensive Guidance of the Party (Junkangdang jipjung jidosaeop)”, which operated for two years from the end of 1958. In other words, the North Korean authorities classified their population based on “3 strata with 51 categories” after investigating their thought and social background (Seongbun); a significant portion of the “enemy stratum” was sent to prison camps. As such, the Yodeok Prison Camp was seemingly built for this purpose.

In 1968, KIM Il-sung gave instructions that “if enemies of the class create riots in the Gwallisos, they must be stopped forever by deploying the army”, thus the present style of prison camp was likely formed around 1968 based on the deployment of the army as prison guards.

Shortly after KIM Jong-il took power in 1980, a decision was made at the 6th Session of the WPK to send more than 15,000 dissidents to “Districts under Special Dictatorship (Teukbyeol dokje daesang guyeok)”. Furthermore, internal control was tightened during the 1990s, including the reorganization and expansion of the “Districts under Special Dictatorship”, to offset the fall of the communist regimes in East Europe. It is known that 150,000 to 200,000 individuals were under detention in 1997 at Gaecheon in South Pyeongan, Yodeok in South Hamgyeong, and Hoeryeong and Cheongjin in North Hamgyeong etc.

## **2. Types of Political Prison Camp and Recent Trends**

The North Korean political prison camps are located at Yodeok, Dancheon, and Deokseong-gun in South Hamgyeong, plus two camps at Onseong, Hoeryeong, and Hwaseong Buryeong-gun in North Hamgyeong, Gaecheon, Bukchang-gun in South Pyeongan, Cheonma-gun in North

Pyeongan, and Dongsin-gun in Jakang Province (see annexed map of “Selected North Korean Prison Camp Locations”). These camps include “Districts under Special Dictatorship”, in other words “Absolutely Controlled Districts (Wanjeon tongje guyeok)”, and “Districts under Edification for Revolution (Hyeokmyeonghwa daesang guyeok)”.<sup>12)</sup> The detainees in the former type of camp are deprived of their citizenship and can never be released, even after their death, whereas the detainees in the latter can be released, and their citizenship is sustained.

Among these camps, some limited information is known about the following camps.<sup>13)</sup>

**Gwalliso No.14** : belongs to the Bowibu (Gukga anjeon bowi bu, National Security and Integrity Agency), located at Bobong-ri, Gacheon-gun, in the province of South Pyeongan, and holds about 15,000 prisoners. The first generation of detainees were high-ranking Party and Government bureaucrats and military officers who opposed to KIM Il-sung’s regime from the end of the 1950s to the end of the 1960s, plus their families and friends.

Relatively recent information is available on this camp based on the testimony of Mr. KIM Yong who escaped from there in December 1999 and took refuge in South Korea via China. Mr. KIM Yong’s father was executed in 1957 for “the crime of espionage in favor of the American imperialists”. To protect her son’s future, KIM Yong’s mother forged their family register so KIM Yong would become an orphan of the Korean War. Later in life, KIM Yong became a policeman and high-ranking administrator in a Japanese-North Korean joint venture business. However, when the forgery of his family register was revealed, he was sent to Gwalliso No.14 in May 1993. According to his testimony, there were also many other new prisoners in the Camp that had been detained for similar reasons. It is assumed that this wave of detentions was related to attempts to strengthen internal control during the 1990s in response to the fall of communist regimes in Eastern Europe.<sup>14)</sup>

**Gwalliso No.15** : belongs to the Bowibu, located at Yodeok-gun, in the province of South Hamgyeong, and holds about 20,000 detainees: families of defectors to South Korea, landlords, capitalists, and Korean Japanese who returned to North Korea and fell out of favor with the Party and Government. Mr. KANG Cheol-hwan, a North Korean defector and prisoner at this Camp from 1977 to 1987, and Mr. AN Hyeok, a North Korean defector and prisoner at the Camp from 1987 to 1989, both provided information on the human rights situation there.

Further information on this camp was also made available from refugees recently released

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**12 National** Unification Board of ROK, Bukhaneui in-gweon siltae (North Korean Human Rights Situation), Seoul: Intelligence Analyses Bureau of the National Unification Board of ROK, Aug. 1994, pp. 65-66.

**13 KANG Myeong-do** (son-in-law of KANG Seong-san, former North Korean Prime Minister), “Bukhaneui in-gwon (Human Rights in North Korean)”, Proceedings of the Unification and Security Forum (North Korean Human Rights Issues), Peace Research Institute at Kyungpook National University, Nov. 21, 1997.

**14 Cf. KIM Yong-sam**, op. cit.

from the “District under Edification for Revolution”.<sup>15)</sup>

**Gwalliso No.16** : belongs to the Bowibu, located at Gochang-ri, Hwaseong-gun, in the province of South Hamgyeong, and holds about 10,000 detainees: classified as “anti-revolutionary and anti-Party elements” based on the charge of opposing the power succession to KIM Jong-il in the 1970s and early 1980s. KIM Dong-gyu, former Vice-Chairman of State, is one such example.

**Gwalliso No.21** : belongs to the Bowibu, located at Changpyeong-ri, Gyeongseong-gun, in the province of South Hamgyeong. The approximately 15,000 detainees are said to be mostly high-ranking bureaucrats and their supporters, including BAK Geum-cheol, KIM Do-man, CHOE Chang-ik, and KIM Gwang-hyeop, who were opposed to KIM Il-sung’s regime from the end of the 1950’s to the early 1970s. Rumor has it that these detainees are no longer at the camp, yet no recent information is available.

**Suseong Edification Center in Cheongjin City** : belongs to the Bowibu, located in Sunam District in Cheongjin City, and holds about 3,000 detainees: religious leaders and their families, dissident Korean Japanese and their families, and individuals expelled from Pyongyang and their families etc. One known example is Mr. KANG Hoe-taek, a Korean Japanese who returned to North Korea, plus his family, and pastors and presbyters from the province of South Hwanghae.

**Gwalliso No.18** : belongs to the Department (Ministry) of Public Security [“Sahoe anjeon bu (seong)”, recently changed to “Inmin boan seong”], located at Deukjang-ri, Bukchang-gun, in the province of South Pyeongan, and holds about 25,000 detainees, including families of defectors to South Korea, people of faith, and other persons judged as requiring edification for revolution, such as the medical doctor Hwang Sun-il. These detainees are allowed to keep their citizenship and can

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**15 Mr. YI Baek-ryong** (pseudonym of YI Yeong-guk), a North Korean defector and detainee in the Yodeok Camp from 1995 to 1999, presented a list of his fifteen fellow detainees up to 1999 at the 8th Zone of Daesuk-ri, including YI Won-jo (47 years old, former North Korean Ambassador to Indonesia, accused in 1996 of criticizing North Korean closed foreign policy), KIM Dae-seong (62 years old, former Party Secretary for the Department of Foreign Affairs, accused in 1996 of his son’s defection to South Korea while he was a North Korean Counselor of Foreign Trade in Libya), KIM Heui-cheol (61 years old, former Director of Trade Management Center in South Hwanghae, accused in 1997 of criticizing KIM Jong-il for his failed economic policy), BAEK Nam-chil (42 years old, former Supervisor of the Liaison Office with South Korea, accused in 1996 for failing in a joint venture enterprise related to bear gall bladders), KIM Hyeong-seop (29 years old, accused in 1997 of conspiring, along with his seven classmates at the N.C.O. Academy of the Department (Ministry) of Public Security, to attack VIPs including Ministers of the People’s Armed Forces and Public Security for their repression of freedom in North Korean society), YI Cheol (57 years old, former Chairman of the League of Taegwondo in South Hamgyeong, accused in 1997 of criticizing the food shortage: “KIM Jong-il stands on the corpses of people”), KIM Myeong-hwa (Japanese woman, born on August 2, 1960, accused in 1991 of espionage, because she had studied at Ninoki Military Academy, her Japanese name was Mitsubishi Damiko and she was killed after being moved to Yongpyeong in September 1997) etc.  
[http://monthly.chosun.com/html/200101/200101220008\\_5.html](http://monthly.chosun.com/html/200101/200101220008_5.html)

be released.

Although no recent information is available on the other Gwallisos, Mr. KANG Myeong-do estimates that about 300,000 detainees are currently being held at Gwallisos Nos. 17, 19, 22, and 23.<sup>16)</sup> Except for Camp No.18 and the “Districts under Edification for Revolution” at some of the other Camps, all of the remaining detainees are deprived of their citizenship and leading lives more miserable than slaves.

Yet, since the mid 1990s it would seem that the “Districts under Special Dictatorship” are expanding, while the “Districts under Edification for Revolution” are diminishing.

According to the Mr. KANG Cheol-hwan’s explanation, before 1987, half of the Yodeok Detention Camps (Gwalliso No.15), including Gueup-ri, Lipseok-ri, and Daesuk-ri, were “Districts under Edification for Revolution”, while the other half of the Camp, including Ryongpyeong-ri and Pyeongjeon-ri was a “District under Special Dictatorship”. However in 1987, 80% of the Camp became a “District under Special Dictatorship” based on the transformation of Gueup-ri and Lipseok-ri, leaving only Daesuk-ri as a “District under Edification for Revolution”.

According to witness accounts from North Korean refugees who recently entered South Korea, another important change occurred in the mid-1990s when the majority of the families of detainees in the “Districts under Edification for Revolution” were either released or moved to a “District under Special Dictatorship”.

According to Mr. YI Yeong-hui (pseudonym, 39 years old, who was released in 1995 from “Gwalliso No.15”), numerous detainees from the “Districts under Edification for Revolution” were released since 1987; the families of returned Korean-Japanese were released first, followed by other families. For example, Mrs. YI Chun-ok, who was detained along with her children in 1984 when visiting North Korea from Japan to meet her husband, was released with her family.

However, the families of KIM Dae-in and BAK Sun-ok (her mother was Japanese and died in the Camp), referred to as “immobile fortunes of the Camp”, were moved to a “District under Special Dictatorship” even after more than 20 years of detention, along with other families labeled as “reactionaries of the worst type”. They were moved using trucks from the State Safety and Protection Agency and told that they would be released. This method was also used to move Mrs. SIN Suk-ja and her two daughters, Hye-won and Gyu-won, the remaining family members of the South Korean economic scholar OH Gil-nam who took refuge in North Korea after gaining his Ph.D. in West Germany and then returned to South Korea after he was dispatched to Europe as a translator for North Korean delegation. Other examples of this kind of transfer included Mr. KIM Hyeong-rak, a former pilot of KIM Il-sung’s presidential plane who was placed in detention in 1978 as a result of the discord between KIM Jong-il and his half brother KIM Pyong-il, the current North Korean Ambassador to Poland, in the so-called “Incident of Side Branches (Gyeotgaji

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**16 Recently**, a part of Gwalliso No.22, Haengyeong and Jungbong, was revealed by satellite photos. This Camp, located at Jungbong-ri, Gulsan-ri, Haengyeong-ri, Raksaeng-ri, Saeul-ri, and Namseok-ri, holds about 50,000 detainees. John Lakin, “North Korea Exposed - Kim’s Slave Camps”, Far Eastern Economic Review, Dec. 12, 2002, pp.14-16.

sageon)”, along with his son and daughter, and the parents and brothers of Mr. YI Yeong-seon, who defected to South Korea in 1978.

The 800 to 1,000 bachelors remaining in the “District under Edification for Revolution” in Gwalliso No.15 would appear to be mostly former envoys to foreign countries, defectors who were arrested, or attempted defectors.

Eight pilots were detained in the Camp in 1996 after they joked about crashing into the Presidential Palace when training with three other pilots in Russia for the purpose of introducing new Russian aircraft to North Korea. A group of about 200 young people was detained in the Camp in 1998 after an anti-government incident. According to the witness account of Mr. YI Baek-ryong (YI Yeong-guk), a large group of purged military officers, including various generals, was held in the Camp in 1997 after a North Korean submarine was discovered near Kangreung City off the South Korean east coast.

Insofar as food shortages affected the entire North Korean society, the detainees in the Yodeok Camp (Gwalliso No.15) experienced some of the worst conditions. Mr. YI Baek-ryong reported:

“200 among the 800 bachelor detainees died within one year due to malnutrition and forced hard labor. The detainees were only allowed 80 grams of corn a day, plus soup made from dried radish leaves. Yet the number of detainees in the Camp never decreased as there were always new arrivals. One winter, after a rumor was disseminated about a visit from international NGOs to Yodeok Camp, the detainees’ shacks were deliberately destroyed and they were forced to shiver in the cold for 20 days.”<sup>17)</sup>

No current information is available on the following Gwallisos after they were displaced: No.11 (Gyeongseong ‘family’ camp, displaced in October, 1989), No.12 (Onseong-Changpyeong ‘family’ camp, displaced in May, 1987), No.13 (Jong-seong ‘family’ camp, displaced in December, 1990), No.26 (Detention camp for just ‘political criminals’ in Hwajeon-dong, Pyongyang, displaced in January, 1990), No.27 (Cheonma ‘family’ camp, displaced in November, 1990).

Based on the case of Mr. YI Yeong-guk (former bodyguard of KIM Jong-il, and known with his pseudonym YI Baek-ryong), who was a detainee in the Yodeok Camp from April 25, 1995 to January 5, 1999 and entered South Korea in May 2000, it would appear that the guilt-by-association system among family members has been mitigated to some extent. Plus, cases like Mr. AN Hyeok, who was classified as a felon and held in a political prison camp on the charge of traveling around border regions in China without permission, have seemingly reduced in number. However, such developments can hardly be defined as an improvement of human rights in North Korea, as they do not stem from the North Korean authorities’ awareness of human rights, but rather from the reality caused by economic disaster and food shortages preventing the punishment of all defectors and the protection of the social order by way of the past.

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<sup>17</sup> KANG Cheol-hwan, “Yodeok suyongso-eseon jigeum museun ili? (What is happening now in Yodeok Camp?) Talbukjadeul ‘salbeol giryu’ jeungeon (Witness Accounts of North Korean Defectors on Combative Atmosphere)”, NK Chosun, Nov. 9, 2001, <http://db1.dbchosun.com/cgi-bin/gisa/artFullText.cgi?where=%28%29>

# IV Human Rights Violations in the Political Prison Camps

The purpose of imprisonment, detention process, and treatment after detention by the North Korean regime on its civilians in political prison camps, without exception, fall under the provisions of Article 7 of the Rome Statute of the International Criminal Court.

## 1. The Ten Laws and Regulations of Political Prison Camps

The ‘Ten Laws and Regulations’ that Mr. SHIN Dong-hyuk remembers was applied within Gwalliso 14 (Prison Camps at Gaecheon) until January 2005 when he had escaped. Therefore, they can be evidences to which international human rights norms can be applied. According to the ‘Ten Laws and Regulations’ of the prison camp, even trivial violations of any regulations end in execution by firing squad.

‘Prisoner will be immediately executed by firing squad when he or she commits the following crimes; fleeing, and having witnessed but not reporting an attempt of fleeing (Article 1, Clause 1, 2); arbitrary movement to another region without the approval of a Bowibu agent, and trespassing of the Bowibu agents’ area or destruction of property (Article 2, Clause 1, 2); theft or possession of any weaponry, overlooking over colluding the theft or possession of any weaponry, theft or concealment of all food within Gwalliso, and

intentional damage or theft of all facilities within Gwalliso (Article 3, Clause 1, 2, 3, and 4); having discontent against or physically abusing protection guard in charge, and dishonesty or disobedience to the orders of protection guard in charge (Article 4, Clause 1, 2); concealment or protection of an outsider, and possession, concealment, collusion, or non-reporting of goods from outside (Article 5, Clause 1, 2); negligence or nonobservance of tasks given (Article 7, Clause 1); unapproved physical contact between a male and a female (Article 8, Clause 1); not acknowledging, disobeying, or having opinions over one's wrongdoings (Article 9, Clause 1).'

Such provisions are intended to thoroughly isolate the detainees from the outside, oppress their freedom of expression and opinion, and deprive of their minimum physical freedom so as to adapt them to slave labor. The above provisions all fall under 'murder,' 'extermination,' and 'slavery' of Article 7 of the Rome Statute.

## **2. Excessive Labor and Undernourishment**

Although there are a few differences between the detention camps and some variety in the work, all the detainees have a tight daily work schedule. They get up at 5:00 AM (4:00 AM in the Yodeok Camp), take breakfast until 6:00 AM, form into ranks at 6:30 AM, then leave for their workplace at 7:00 AM. After arriving at the workplace, the detainees are searched for any explosives before being allowed to enter the mines. Work in the mines lasts from 8:00 AM to 8:00 PM with 30 minutes for lunch from midday. In the Yodeok Camp, the detainees are allowed to take a rest during the afternoon, except for those in Gwalliso No.14.

According to the Mr. KIM Yong's witness account, the detainees in Gwalliso No.14 were also forced to work on Saturdays and Sundays. Their only day of rest was January first, even though the birthdays of KIM Il-sung and KIM Jong-il were prescribed as holidays in the rules of the Camp. Since the productivity of Gwalliso No.14 was so low, they had no production plan. In contrast, Gwalliso No.18 had a serious production plan, and if the targets were not achieved based on a 12-hour work day, the detainees had to work 15 hours a day.

Mr. KIM Yong gave a testimony that the detainees in Camp No.14 only received 20 to 30 grains of corn and a bowl of soup cooked with just cabbage and salt. As such, the detainees took 15 minutes to move 100 meters and became dizzy with any digging. These detainees were mostly attacked by pellagra, a disease related to protein deficiency disease, and/or various epidemics originating from undernourishment, and even mental disease.

To appease their hunger, the detainees often stole pig fodder, used the wastewater from cleaning fish storage tanks as soup, caught worms, hunted rats, and ate the bark off trees and grass. Yet, if such activities were caught by the Camp guards, a heavy punishment was imposed, sometimes leading to death.

### 3. Punishments

There are two kinds of punishment facility (Guryujang) for political detainees. The first is for preliminary examination, referred to as 'Maram Chodaeso (Maram Guesthouse)', while the second is located within the detention camp. The detainees undergo severe physical and mental torture in both facilities, however, most of the detainees sent to the latter do not survive.

If a detainee is sent to the punishment facility inside the camp, they are tonsured without consideration of their sex, then beaten until near death. The detainees are then forced to sit on their knees with a four-angled rule under their legs preventing the blood circulation. If they move or disobey, they are severely beaten. The daily diet consists of 100 grams of bean-mixed rice and soup containing salt and dried radish leaves. Food is also withdrawn as another form of punishment for disobedience. As such, the detainees are forced to endure relentless pain in their legs, which then start to rot and decay, eventually leading to death within about five months. For this reason, being sent to the punishment facility is equivalent to a death sentence.<sup>18)</sup> In Gwalliso No.18, where Mr. KIM Yong was detained, the punishment facility was called "Teuksu ajit (Special hiding-place)" or "Yeongchang (guardhouse)".<sup>19)</sup>

Mr. KIM Yong witnessed 15 summary executions during his two years of detention at Camp No.14, and about 30 summary executions during his three years of detention at Camp No.18. At Camp No.14, secret executions were preferred over public executions, as the latter were no longer found to be a deterrent to the detainees. Furthermore, in 1990, a public execution incited a riot, which resulted in the execution of 1,500 detainees.<sup>20)</sup>

According to Mr. AN Myeong-cheol, a former truck driver and guard at Gwallisos Nos. 11, 13 and 22, guards often shot innocent detainees, as special citations were given for catching an escapee. For example, in October 1987, a cart-worker on the Agricultural Production Team of the 19th Working Group was shot to death when he climbed a hill to catch a rat. Generally, the detainees are permitted to move around the Camp under surveillance, with the exception of an off-limits 50-meter zone within the barbed wire perimeter. Even though the victim was in a permissible area, he was still judged as an escapee, and the guard that shot him, KANG Yeong-cheol, received a reward and was admitted to Kim Il-sung University in August 1989.<sup>21)</sup>

In a similar case, in 1988, two guards at the Yodeok Camp (Gwalliso No.15) ordered detainees gathering soil to climb over a wall, then deliberately shot them to death.<sup>22)</sup>

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<sup>18</sup> AN Myeong-cheol, *Geudeuli ulgoitda (They are crying)*, Seoul: Cheonji media, 1995, pp.107-108.

<sup>19</sup> KIM Yong-sam, *op. cit.*, p.328.

<sup>20</sup> *Ibid.*, p.339.

<sup>21</sup> AN Myeong-cheol, *op. cit.*, p.62-63.

<sup>22</sup> *Ibid.*, p.64.



#### 4. Infanticides

The infanticides that occur in the political prison camps are the direct result of KIM Il-sung's dictates: "Factionalists or enemies of class, whoever they are, their seed must be eliminated through three generations."

Except for political detainees held as a family, pregnancy and childbirth are considered as crimes and those involved are cruelly punished and executed along with their babies.

Many testimonies have been recorded on infanticides in various contexts. For example, in Camp No.13, Miss Choe, a young female statistician in the 19th Working Group, had a baby after a relationship with KIM Man-sun, the second platoon leader of the guards. The inspectors from the 1st Department of the Bowibu threw her baby to a group of dogs, then killed Miss Choe by piercing sticks into her abdomen and sexual organs.<sup>23)</sup>

#### 5. Sexual Abuse and Killing of Female Detainees

In the political prison camps, attractive female detainees usually experience more suffering. When KIM Byeong-ha, former Director of the Bowibu, visited a Camp, he would sleep with beautiful detainees at his villa, then have them transferred to the Third Bureau (Bureau of Preliminary Examination) of the Agency for use in in vivo experiments.

According to information obtained by Mr. KIM Yong from a fellow detainee at Camp No.14, KIM Yeong-il, there is a special guesthouse in the Camp for officials with a higher rank than vice-ministers. When such officials visit the Camp from Pyongyang, beautiful female detainees (21 to 25 years old) are selected, washed, and presented to them. These female detainees are sexually exploited, then killed discretely to maintain secrecy.<sup>24)</sup>

In the late 1970s, as a result of a series of sex scandals between female prisoners and Bowibu Agents, KIM Byeong-ha ordered the execution of all of beautiful female detainees, which resulted in the deaths of 250 detainees. However, the scandals still continued.

In a similar event, an instructor, dispatched from the Bowibu for the 17th Working Group in the Punggye Area at the Camp in Jongseong, committed suicide in autumn, 1989. Mr. AN Myeong-cheol's explanation of the affair is quite shocking. The instructor considered all the female detainees as his sexual playthings. It was eventually revealed that one of the detainees, a young female statistician, had become pregnant. Therefore, the inspectors of the 1st Department of the Bowibu opened her abdomen, took out the fetus, and trampled on it. Then, they stuck a metal rod into her sexual organs and electrocuted her. As a result, the instructor committed suicide to avoid

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<sup>23</sup> *Ibid.*, pp.40-41.

<sup>24</sup> KIM Yong-sam, *op. cit.*, p.339.

being sent to a political detention camp.<sup>25)</sup>

## 6. Preventable Accidents

Insofar as human life is neglected in the political prison camps, it is natural that many detainees die due to accidents.

In Camp No.11 where Mr. AN Myeong-cheol was a guard, a fire broke out on a hill in mid June, 1987. About 2000 detainees were mobilized to extinguish the fire. While concentrating on putting out the fire, the guards drove the detainees into the fire without any consideration for their safety. Consequently, 5 detainees were suffocated to death and 2 burnt to death.<sup>26)</sup>

In October 1993, when Mr. AN Myeong-cheol was a guard at Gwalliso No. 22, a guard post was reconstructed. In an effort to speed up the demolition of the old post, more than 20 detainees were crushed to death when the roof collapsed. The victims were buried together on a hill in the Raksaeng area, and the incident was overlooked.<sup>27)</sup>

Since the North Korean government was unable to supply German Shepard dogs “Gungyeon (military guard dogs)” due to the shortage of foreign exchange, the guards raised hybrid dogs “Min-gyeon (civil guard dogs)” in the Camps. The “civil guard dogs” were trained to discriminate between the Camp officials (guards and State Safety and Protection Agents) and the detainees, and to be aggressive against the latter. In May 1989, at Gwalliso No.13, guard dogs mauled and killed two middle school girls (13 years old) from the 19th Working Group in the Dongpo Area. After the accident, the Vice-Director of the Gwalliso praised the guards responsible for the dogs, commenting that they had raised and trained the dogs well. In 1991, at Gwalliso No.22 in Haeryeong, two young female detainees from the 29th Working Group in the Jungbong Area were killed and eaten by guard dogs while collecting acorns on a hill. The bodies were buried secretly.<sup>28)</sup>

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<sup>25</sup> AN Myeong-cheol, op. cit., p.129.

<sup>26</sup> Ibid., pp.18-21.

<sup>27</sup> Ibid., pp.91-95.

<sup>28</sup> Ibid., pp.118-127.

# V Legal Examination

## 1. Confinement Procedure

In the 2006 interview on 100 North Korean defectors by the Korean Bar Association (KBA), 90% of respondents said “No” when they were asked if the investigation agency follows due legal procedure in North Korea. When asked if due procedure is observed when people are put into a detention facility, 71.1% of the interviewees said the North Korean authorities kept investigating for more than two months without any warrants. However, Article 11 of the Criminal Procedure Code as enacted in 1999, which should have been applied to these people, says that “A person shall not be arrested or kept in custody, if the case is not specified by law or the legal procedure is not followed. When a person is arrested, his family or the organization the arrestee belongs to must be notified of the date and reason of arrest within 48 hours of arrest. If the prosecutor finds a person who is illegally detained, the prosecutor should set the arrestee free.”

We see evidence of non-compliance with due procedure in arrest or detention as designated by the Criminal Procedure Code from the answers to the question “Please, elaborate on procedures taken when you were arrested or put into custody.” Examples of testimonials to non-compliance with due procedure, follow:

[ID001] There is no specific procedure. The responsible officer at the police stand tells the

arrestee to write a statement and refers the arrestee to his secretary.<sup>29)</sup>

[ID009] I am not sure about procedure. I had a visit from the Bowibu and also from the Provincial Bowibu. I also had to visit the City Bowibu at its request.

[ID035] A Bowibu agent arrested my father without any explanation when he was at home.

[ID040] They just came and arrested my mother.

[ID049] I was notified to come to the Bowibu at a designated time and day, and did so.

[ID051] When repatriated to North Korea from China, I was taken to the Bowibu and Hyesan Detention Center right away.

[ID054] I was caught by a Bowibu agent and handed over to the Hoeryeong authorities.

[ID076] There was no procedure. I was strolling around in the early morning when two cars stopped in front of me. A Bowibu agent and a spy came together. The spy was shackled. The agent put me into a car and took me away.

[ID084] I was caught by Chinese soldiers on the borderline when I was attempting to go to Mongolia from Manzhouli of inner Mongolia, China. I was handed over to the Onseong(Onsŏng) Bowibu within ten days and then put under detention at the Agency.

Lacking defectors who experienced arrest after 2004, it is difficult to verify how the detention procedure has changed since the two recent revisions to the Criminal Procedure Code. However, when we interviewed the defectors who were subject to the 1999 Criminal Procedure Code whether “legal procedure was duly observed, for example, were you well informed of your arrest or presented an arrest warrant,” they said they were not well informed about their arrest or presented with any warrant. In a 2006 interview, only four out of 100 respondents said, “the authorities checked their identification, explained verbally their arrest, handcuffed, and arrested them. The other respondents said there was no explanation. Four testified that mostly the authorities checked for identification, and bound people with handcuffs, straw rope, shoestrings, or white rope, saying that they have something to check. In some cases, they would shackle a person and take him away.

But, when asked in a 2008 interview about how long they were detained after arrest before they stood trial, some people testified that they were detained in the Bowibu for two to three days to a maximum of two years and 11 months without any trial (ID076). Since the exact time of their experience cannot be identified, it is hard to gauge how things have progressed. We can see a sign of change to some extent, though from several responses that the period of detention reduced to days from the previous weeks.

Regarding the trial and detention procedures, Mr. YOON Dae-il, who is the former member of the Bowibu and defected from North Korea in September 1998, said that the authorities follow formalities to some extent even though there is no attorney or audience, while two sons and a niece

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<sup>29</sup> For the North Korean defector’s privacy and safety, ID with numbers was given instead of his or her real name.

of Ms. SHIN Jeong-ae stood their trial and were sentenced to ten years and five years of “reeducation” (i.e. imprisonment) respectively. However, Ms. SHIN Jeong-ae, without going through any court procedure, was detained for one year in the “revolutionary district” of Yodeok Prison Camps. In case of three torture victims interviewed by the KBA in 2006, the respondent was detained in Yodeok Prison Camps for three years without any trial. Judging from these cases, the degree of punishment varies depending on the degree of “crime”.

However, things do not seem to have progressed much since the Criminal Procedure Code was revised in 2004 and 2005. It is because, according to Mr. YOON Dae-il, the Bowibu takes care of all cases under the Criminal Procedure Code but concerning “Case No. 8 or No. 9 (in charge of Office No. 10)” related to gossiping about the “Kim (KIM Il Sung and KIM Jong Il) family”, or spreading rumors, the Agency does not observe due procedures as the case is not specified by the Criminal Procedure Code. Therefore, a person is secretly executed without any trial if convicted of undermining the authority of the Kims, father and son. Even though the Criminal Procedure Code was revised afterwards, there are no relevant provisions and it does not help improve such situations.

As such, in North Korea, the procedures of arresting and detaining political criminals are against “the principle of *nulla poena sine lege*,” and they still have a time-old and non-humanitarian prosecuting system, such as a family association system. There are special detention facilities inside the military besides the known facilities in the six political prison camps. In other words, there are closed underground labor facilities to put a person that has committed a mistake in the military for good. There is also a closed place called, “Ttukseom,” where only anti-government military officers are detained. As these facilities are outside the law, arrestees cannot be protected by law in the arrest and detention.

The two-rounds of interviews by the KBA revealed that the arrest and detention procedures of the DPRK are against its domestic laws, such as Criminal Code and the Criminal Procedure Code and also against the “International Covenant on Civil and Political Rights” that North Korea has ratified. Even though the number of victims has recently decreased by means of divorce, however, an association system, property confiscation, withdrawal of a Citizen’s registration card that are applicable to lineal family members are in violation of each relevant provision of the Universal Declaration of Human Rights.

## **2. Guilt-by-Association System**

No civilized society condones the idea of guilt-by-association. Political crimes are only limited to violations of positive law, such as conspiracy to riot, subversion of the government, leaking national secrets etc. However, in North Korea, the range of political crimes is extensive and arbitrary without any legal basis. Moreover, North Korean leaders commit serious crimes not only by punishing “political criminals” according to ambiguous and arbitrary adjudication but also by sending “criminals’ family members to political prison camps. Insofar as their executive measures do not aim at a remedy but rather at punishment, the result is anti-humanitarian savagery.

Even though the range of arrests of the remaining family members of a “political criminal” was limited recently by a system of divorce, it is unclear to what extent the guilt-by-association system has been mitigated, and would appear to be limited to cases of minor crimes and bribing officers.

### **3. Deprivation of Civil Rights**

In every society imprisoned criminals are deprived a part of their civil rights. However, deprivation of all civil rights is untenable in a modern civil society. Even for a condemned criminal, their fundamental human rights must still be respected until execution. Yet, the “Districts under Special Dictatorship” are examples of unrestricted violence in the name of national sovereignty where the detainees are deprived of all of their civil rights and killed by their guards or instructors without constraint.

### **4. Torture**

North Korean “political criminals” are severely tortured during their preliminary examination, making suicide a welcome option.

Whereas torture is considered by most countries to be totally unacceptable, the use of torture on “political criminals” is commonplace in North Korea with a savagery that is beyond description. Based on reading dozens of testimonies, including mutilation, bestiality, rape, and electrocution, the following words are an apt summary: “Search your imagination for the most cruel, abhorrent, and despicable situations that can injure a person physically and mentally. All of these are applied to North Korean “political criminals”.

# VI Conclusion

The detainees at the North Korean political penal-labor colonies and the South Korean POWs and civilian abductees are the last slaves of the 20th century who continue to be deprived of even the minimum of human rights. They are the victims of the ideological struggle of the communists, and strident antagonistic inter-Korean relations. Yet, even though the Cold War has already been resolved in many ways, these victims of history still need to be saved.

Moreover, in near future, it is distinctly possible that the human rights of the North Korean people may be infringed in a more general and violent way. As Emile Durkheim also recognized, social regulation is effective only where there is a degree of social integration. Such social integration is currently believed to be very low in North Korea. If indeed the social control is inadequate, a continuing dynamic equilibrium will develop around the social disorganization where the existing social institution has become inefficient. This situation will obviously put serious pressure on the ruling political regime. As a result, to protect their regime, the North Korean leaders will even violate the human rights of their people.

Successive South Korean governments have remained passive with regard to this question. On the one hand they have been unable to find an effective resolution amidst hostile inter-Korean relations, while on the other they have feared North Korean criticism of the human rights situation in South Korea. Even though this situation has ameliorated with the democratization in South Korea and development of inter-Korean relations, the previous government of ROH Moo-hyun

remained silent on the issue of human rights in North Korea, seemingly to avoid any obstacle to the North Korean authorities agreeing to official talks. Within the general framework of inter-Korean relations, it will take time for the South Korean government to take the initiative. Therefore, non-governmental organizations are better positioned to advance this question more quickly.

However, with regard to the issue of North Korean political penal-labor colonies, NGOs are somewhat restricted insofar as they have extremely limited information, especially on the “Zones under Special Dictatorship”. Moreover the existence of political penal-labor colonies has been consistently denied by the North Korean authorities. Therefore, NGOs need to obtain information from satellite or aerial inspections, along with other hard evidence.

Due to its structure, it is unrealistic to expect that North Korea will improve its human rights situation on its own. Thus, external engagement is necessary, along with encouraging discussion among the relevant states. According to the “spiral model” of human rights change, sustained bilateral and multilateral network pressure mobilizes and strengthens the engagement of human rights norms, while inducing repressive governments to make “tactical concessions” in changing human rights policy to obtain a “prescriptive status” and eventually achieve “rule-consistent behavior.”<sup>30)</sup> Furthermore, multilateral talks on North Korean human rights issues will avoid arousing suspicion as regards political purposes for engagement.

Multilateral talks on the human rights situation in North Korea, however, face considerable obstacles due to the particular profile of East Asian societies. The influence of traditional Confucian values downplays the rights of individuals, plus most regional governments consider human rights issues to have strategic implications and the potential to violate national sovereignty. East Asian societies are also characterized by huge economic inequalities, both on the level of economic development and the standard of living. Thus, the concepts of human rights and their feasibility vary with the actual socio-economic situation of each country, making a common or shared view of human rights impossible. Moreover, the aftermath of Japanese imperialism, suffered by most East Asian societies, has not yet been satisfactorily resolved, including conflicting views of the history between Korea, China, and Japan. Therefore, these historical legacies inevitably limit joint discussions.

Consequently, any attempt at cooperative dialogue to improve the human rights situation in East Asia will fail without an acceptable resolution of the antagonism existing among these countries. In addition, Northeast Asia is clearly the most problematic area, as it is characterized by strong state sovereignties and totalitarian ideologies in China and North Korea that systematically violate civil and political rights. However, the initial phase of the European regional protection systems for human rights can provide some optimism, even for Northeast Asia. When the EC and

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**30 For the detailed** explanation on the Five-Phase “Spiral Model” of human rights change, cf. Thomas Risse, Stephen Ropp and Kathryn Sikkink, (ed.), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999), pp. 17-38.



other inter-governmental organizations were first formed and the legislation and case law in their initial stages, provisions constituting human rights were certainly not the focus. Nonetheless, certain civil and political rights were included in the Treaty of Rome, such as the “right not to be discriminated against on grounds of nationality,” “equality of pay for equal work,” and “right of freedom of movement.”

The North Korean government denies the inherent rights of human beings and is clearly hostile to the international community’s engagement based on universal standards, saying, “Human rights are neither good luck from heaven nor a gift from international organizations or other countries.”<sup>31)</sup> Instead, the North Korean government claims that human rights will be guaranteed when the legal, systematic, and material conditions are met for the people under its jurisdiction. Thus, North Korea continues to deny the need to prepare an institutional framework to overcome the gap between its commitments and reality.

However, there have been some changes in the way North Korea views human rights that show slight promise for the future. In the 1970s, the North Korean government defined human rights as “various political, economic, and social rights that people ought to enjoy,” putting economic, social, and cultural rights in the same category as civil and political rights. Furthermore, class partisanship was laid bare with the assertion, “A complete dictatorial policy for class enemies is a human right.”<sup>32)</sup> In the 1980s, human rights were redefined as “the rights that a human being as a member of society ought to enjoy”, thereby viewing them from the perspective of the collective. Plus, human rights were also defined as the “rights necessary to enjoy an independent and creative life” to combine the socialistic view of human rights and *juche* ideology.

Yet, following the collapse of other communist regimes in the 1990s, North Korea began considering human rights as a political problem, and made a distinction between “Western-style human rights” and “our style of human rights,” defining the latter as the “foundation of our style of socialism with the people at the center” and “in line with the demands and interests of the people.” However, North Korea’s distinction is a desperate recourse to deny any universal concept of human rights. Nonetheless, by demonstrating that the current situation of human rights in North Korea is neither liked by the people nor in line with their demands and interests, it may be possible to raise the need for institutional supplementation and convince the government of the need to establish a system for human rights.

Although the activities of the KHRRA have been insignificant until now, if international pressure grows and external assistance becomes necessary, the KHRRA could take on a more active role in representing North Korea’s position. This could also strengthen the education and research capabilities as regards the development of a counter-logic to the problems raised by the West, as happened in China, and fulfill the pseudo role of a national human rights institution. Yet, such

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31 “[Chamda-un in-gwoneul onghohayeo](#)”(Protecting the true human rights), Rongdong Shinmun(Labor News), June 24, 1995.

32 [Jeongchi yong-eo sajeon](#)(Dictionary of Political Terms) [Pyongyang: Sahoegwahak chulpansa(Publishing Company of Social Sciences), 1970], p. 718.

initiatives toward the international community will inevitably induce a “boomerang effect” in accepting international norms.<sup>33)</sup>

Accordingly, due to the absence of any appropriate systems in East Asia to deal with the tensions resulting from the widespread increase in human contact, especially from illegal immigrant labor and human trafficking, and since UN human rights mechanisms are not available to the victims, East Asian countries should consider instituting a regional system or forum for human rights. If reform and development are then linked to foreign investment, the Kim Jong Il government will no longer be able to afford to neglect or deny international norms of human rights, and may even engage in discussions on less-threatening issues.

The most feasible and idealistic approach is the inauguration of an Asia-Pacific Inter-Governmental Human Rights Forum by governments who wish to establish human rights protection systems for their respective regions. Discussions could include the Human Dimension of the Helsinki Process or certain parts of it, assuming an Asia-Pacific mechanism of the human dimension. Consistent with the European cases, such as the Concluding Document of Vienna (1989), Copenhagen Document (1990), and Moscow Conference on the Human Dimension (1991), accords could be established on diplomatic procedures to prepare a monitoring system for implementing the commitments of the member states.

An Asia-Pacific Inter-Governmental Human Rights Forum would probably be perceived as prejudicial by the North Korean leaders (or nomenklatura) as regards their position on numerous human rights issues raised by the international community, such as the right to food, and protection against torture and other cruel, inhuman, or degrading treatment or punishment, freedom of religion or belief, arbitrary detention, enforced or involuntary disappearance, freedom of opinion and expression, violence against women, political prison camps, human trafficking and infanticide. They are entitled to the protection of the rule of law, pluralism, and participation of the civil society. In particular, the centralization of food aid and consolidation of a monitoring system would make it difficult to continue the existing bilateral support with a minimum formality of monitoring, plus concrete and direct intervention by member states would probably be endorsed. For example, since the Human Dimension mechanism of the Helsinki Process allows a member state to raise a question on the personal affairs and situation of human rights in another member state through diplomatic procedures, an Asia-Pacific Human Dimension mechanism would also be likely allow this, leading to bilateral talks between member states directly involved in a certain issue and talks between all the participating member states.

However, such a Forum would clearly favor the ordinary people or the disadvantaged and/or oppressed classes (basically the Gibon Gunjung or Bokjap Gunjung) in all of the above issues. Plus, for the elites (an important part of Haeksim Gunjung) who support a socialist regime, yet not

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<sup>33</sup> For the “boomerang effect”, cf. Thomas Risse, Stephen Ropp and Kathryn Sikkink (ed.), *The Power of Human Rights: International Norms and Domestic Change*, pp. 17-19.

necessarily Kim Jong-Il's regime, the Forum would also be advantageous to some extent insofar as the pressure from the international community would be appeased due to the improvement of certain human rights, such as the right to food, protection against enforced or involuntary disappearance, political prison camps, human trafficking, infanticide, arbitrary detention, and the rule of law.

If an Asia-Pacific Inter-Governmental Human Rights Forum were to be established to develop protection systems for human rights, it would be required to adopt an Asia-Pacific Convention on Human Rights, augmented by an "Asia-Pacific Commission of Human Rights," "Asia-Pacific Court of Human Rights," "Committee of Ministers," and "Personal Communication System."

The idealistic way to encourage the participation of the North Korean government in multilateral talks on North Korean human rights issues is to let the North Korean government realize the necessity and efficacy of such a step by itself. However, since this awareness will be difficult to predict under present circumstances, the most feasible approach is initiating multilateral talks on human rights issues in the region without North Korea's participation. Then, for certain themes related to North Korean human rights issues, a North Korean delegation could be invited. Thus, by minimizing the disadvantages, while maximizing the advantages, the member states may be able to motivate North Korea's participation.

# VII

## Specific Recommendations Regarding Political Prison Camps in North Korea

As the North Korean government denies the existence of any political prison camp, it has to allow UN agents and international NGOs to visit the places as follow: Gwalliso No. 14 Gaecheon (39.579 N, 126.068 E), Gwalliso No. 15 Yodeok (39.727 N, 126.845 E), Gwalliso No. 16 Hwaseong (41.3 N, 129.2 E), Gwalliso No. 18 Bukchang (39.554 N, 126.065 E), Gwalliso No. 22 Haengyong (42.536 N, 129.935 E), and Gwalliso No. 25 Cheongjin (41.9 N, 129.7 E).

North Korea must abolish political prison camps, existence of which stand in grave violation of all basic human rights standards. Prisoners of war and other citizens that were abducted or repatriated voluntarily and are being kept in detention should be released and permit to leave the country.

North Korea should be strongly asked to abolish the rules in its Criminal Code that apply to punishment of those who escaped the country and were repatriated from China. North Korea should further respect the rights of its citizens to religious belief and do not punish those who had contacts with missionaries. Furthermore, it must stop genocide-like practices of forced abortion and infanticide in detention centers and prison camps.

North Korea must fulfill its obligations under the international standards it has become party to, namely, International Covenant on Civil and Political Rights, International Covenant on

Economic, Social and Cultural Rights, Convention on the Rights of the Child and Convention on Elimination of All Forms of Discrimination Against Women, make certain that those treaties are fully introduced in the domestic law and that they take precedence in case the domestic law stands in conflict. Furthermore, North Korea must submit all outstanding reports to the monitoring bodies of these treaties and provide reliable statistics.

North Korea should be urged to fully respect the UN Standard Minimum Rules for the Treatment of Prisoners, which authorities had said were recognizing when interviewed by the Human Rights Committee in 2001 and be urged to accede to the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment.

North Korea should strongly be encouraged to accept invitations from the relevant Special Rapporteurs and to accept invitations from the Office of the High Commissioner for Human Rights and seek international experts' technical assistance to reform its prison system and train its law enforcement officers, judges, prosecutors, attorneys and prison guards in human rights standards.

On bilateral level, North Korea should be encouraged to accept invitations for field educational trips to other countries where the prison standards are high to learn how such systems operate elsewhere.

# VIII General Recommendations

## **To the Six-Party Talks members**

The Six-Party Talks could be a good forum to discuss North Korean human rights, and the U.S. delegation has already raised such issues. However, except for the questions of North Korean defectors/refugees and human trafficking, the North Korean government has very little motivation to discuss other questions. Nonetheless, the North Korean government could still be induced to participate in such discussions based on guaranteeing the security of Kim Jong-Il's regime and economic cooperation.

## **To the International Community - 1**

International community should make an effort to deal with human rights issues in North Korea through the ASEAN Regional Forum (ARF); to include human rights issues as an additional agenda, and expand the dimensions and region of application, along with the growth of the ARF. In this case, the rights of women and children may attract the most initial consensus.

## **To the International Community - 2**

International community should consider formation of a completely new expanded conference,

including North and South Korea, the United States, Japan, China, and the EU, to provide a regional and international framework for discussing human rights, scientific and educational cooperation, and economic and trade issues, as recommended by the North Korean Human Rights Act of 2004. Insofar as all countries in the region make a common commitment to respect human rights and fundamental freedoms, this would be the most ideal framework in terms of binding force and durability, and could become feasible by reorganizing existing international conferences, such as ASEM, ARF, and the Six-Party Talks.

### **To the International Community - 3**

The feasible option through which international community could address the human rights issues would be the creation of national human rights institutions in each country, where NGOs take charge of providing information and inspecting activities. However, since North Korea's rulers have never acknowledged any serious human rights violations in their country, the establishment of a national human rights commission to address the existing problems is highly unlikely. Nonetheless, a vanguard organization on human rights, called the Korean Human Rights Research Association (KHRRA, Joseon In-gwon Yeon-gu Hyeophoe), already exists as a civilian group to defend the government's position.

### **To the International Community - 4**

Social and cultural exchange should be encouraged to facilitate the formation of a civil society in North Korea, plus a policy is needed that strengthens the voice of pragmatic reformists within the North Korean leadership. Neither unconditional assistance for North Korea nor mechanical quid pro quo proposals will be realistic or effective. Instead, a multi-dimensional and sequential approach with cross-sectional net gains is necessary. In this respect, discussions could start with apolitical themes, such as the rights of children and women.

### **To the International Community - 5**

Assuming that the lack of human rights awareness is the most serious obstacle to improving the North Korean situation, education and the dissemination of human rights should have first priority. Therefore, the North Korean government should be urged to accept regular visits from human rights organizations and allow its people access to the educational programs, guidebooks, or manuals provided by such organizations.

# IX Annex

## Selected North Korean Prison Colony Locations

### GWALLISO

1. No. 14 Kaechon, S Pyong-an
2. No. 15 Yodok, S. Hamgyang
3. No. 16 Hwasong, N. Hamgyong
4. No. 18 Bukchang, S. Pyong-an
5. No. 22 Haengyong or Hoeryong, N. Hamgy
6. No. 25 Chongjin, N. Hamgyong
7. Hoeryong, N. Hamgyong
8. No. 1 Kaechon, S. Pyong-an
9. No. 3 Sinuiju, North Pyong-an
10. No. 4 Kangdong, S. Pyong-an
11. No. 8 Yangdam, Kwangwon Province
12. No. 12 Jeogeri, N. Hamgyong
13. No. 22 Oro, S. Hamgyong
14. No. 77 Danchun, S. Hamgyong



Source: David Hawk, *The Hidden GULAG, Exposing North Korea's Prison Camps*, US Committee for Human Rights in North Korea, 2003.