



OCTOBER 20, 2015

# PERSISTENT NORTH KOREA DENUCLEARIZATION AND HUMAN RIGHTS CHALLENGE

UNITED STATES SENATE, FOREIGN RELATIONS COMMITTEE

ONE HUNDRED FOURTEENTH CONGRESS, FIRST SESSION

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- Sung Kim, Special Representative for North Korea Policy and Deputy Assistant Secretary for Korea and Japan, U.S. Department of State [\[view pdf\]](#)
- Robert R. King, Special Envoy for North Korean Human Rights Issues, U.S. Department of State [\[view pdf\]](#)

### AVAILABLE WEBCAST(S)\*:

- Click [here](#) to view the full hearing webcast

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**Special Representative for North Korea Policy and  
Deputy Assistant Secretary of State Sung Kim**

**Testimony before the Senate Foreign Relations Committee  
Assessing the North Korea Threat and U.S. Policy  
October 20, 2015**

**Introduction**

Chairman Corker, Ranking Member Cardin, and Members of the Committee, thank you for inviting me today, along with my colleague Ambassador Bob King, to testify about North Korea. We appreciate the interest and attention you have given to this critical challenge.

**DPRK Behavior**

This year, as we mark 70 years since the end of World War II and celebrate the tremendous progress the Asia-Pacific region has seen over the past seven decades, we are reminded how sadly different the last 70 years have been for the people of North Korea. North Koreans continue to suffer under a government that makes choices contrary to their interests – choices that pose a threat to North Korea’s neighbors and the international community.

The DPRK continues to violate its commitments and international obligations, and continues to pursue nuclear weapons and their means of delivery as a strategic national priority – all at the cost of the well-being of its own people and while perpetrating horrific human rights abuses against them.

**U.S. Policy**

Holding North Korea responsible for its own choices does not mean just waiting and hoping the regime will one day come to its senses. We are committed to using the full range of tools – deterrence, diplomacy, and pressure – to make clear that North Korea will not achieve security or prosperity while it pursues nuclear weapons, abuses its own people, and flouts its longstanding obligations and commitments.

North Korea’s bad behavior has earned no benefits from the United States. Instead, we have tightened sanctions and consistently underscored to the DPRK that the path to a brighter future for North Korea begins with authentic and credible negotiations that produce concrete denuclearization steps.

## **Deterrence**

Part of our effort to change North Korea's strategic calculus means leaving no doubt that the United States stands ready to defend our interests and our allies from the North Korean threat and have made it a priority to strengthen and modernize our alliances for the 21<sup>st</sup> century. In this, we could have no better partners than our allies and friends in Seoul and Tokyo.

## **Pressure**

As we maintain the strongest possible deterrence capabilities, we have also increased the costs to the DPRK of its destructive policy choices by applying sustained pressure on the regime, both multilaterally and unilaterally.

In January the President issued a new Executive Order giving us important, powerful, broad new sanctions tools. From the day it was introduced, we began using this Executive Order to sanction wrongdoers in the DPRK regime. And we will continue to use this new tool, along with our other sanctions authorities. In July the Treasury Department announced new sanctions and updated our listings for previous North Korean sanctions targets to make it harder for them to hide behind aliases and front companies.

Our financial sanctions are always more effective when supported by our partners, and so we've also focused on strengthening multilateral sanctions against North Korea. Last year, we led efforts at the UN to sanction North Korea's major global shipping firm, and we have stepped up coordination with partners to ensure the sanction was enforced. Since then, this designated firm's ships have been denied port entry, scrapped, impounded, or confined to their home ports in North Korea, and the shipping firm has lost its contracts with many foreign-owned ships. This means the DPRK pays a real cost for its maritime proliferation.

We will continue to press for robust implementation of UN sanctions and enhanced vigilance against the DPRK's proliferation activities worldwide.

## **Diplomacy**

Equally important is North Korea's political isolation, driven by the overwhelming international consensus that North Korea cannot fully participate in the international community until it abides by its obligations and commitments. We have built and maintained that consensus through our active, principled diplomacy.

That diplomacy begins with our partners in the Six-Party Talks: South Korea, Japan, China, and Russia. Our coordination ensures that wherever Pyongyang turns, it hears a strong, unwavering message that it must live up to its international obligations, and that the path to a brighter future begins with credible negotiations and concrete denuclearization steps.

That principled stance also undergirds the attempts each of the Five Parties has made to engage North Korea directly: When we offer to meet directly with the North Koreans during my travel to the region... when South Korean President Park strives to improve inter-Korean relations... when Japan seeks an accounting of its abducted citizens... and even in China and Russia's dealings with the North – all Five Parties have consistently underscored the imperative of denuclearization. And, together, we continue to call on North Korea to refrain from any actions that would raise tensions in the region or threaten international peace and security.

We also have made clear to North Korea that the path of engagement and credible negotiations remains open.

## **Human Rights**

Ambassador King will brief you on one other piece of our active diplomacy on North Korea: our work to amplify victim's voices, to sustain the international community's attention on the suffering of the North Korean people, and to hold the regime to account for its abuses.

## **Conclusion**

Mr. Chairman, sending a strong, clear message holding North Korea accountable to its commitments and international obligations requires a sustained, international effort. We and our partners are engaged in that effort every day through our active deterrence, pressure, and diplomacy.

I thank the Committee for the opportunity to appear today. I am happy to answer your questions.

**Testimony of Ambassador Robert King  
Special Envoy for North Korean Human Rights Issues  
U.S. Department of State**

**Before the**

**Committee on Foreign Relations  
of the United States Senate  
October 20, 2015**

**U.S. Policy on North Korean Human Rights**

Chairman Corker, Senator Cardin, and Members of the Committee: Thank you for inviting me to testify today on U.S. policy on human rights in the Democratic People's Republic of Korea (DPRK). This is an issue on which there is broad bipartisan agreement, and both Congress and the Administration are united in our effort to press North Korea to improve its deplorable human rights record.

Today, the DPRK remains a totalitarian state, which seeks to dominate all aspects of its citizens' lives. It is a regime that denies freedoms of expression, religion, peaceful assembly, association, and movement, as well as worker rights. Numbers of North Koreans endure deplorable conditions in political prison camps, where government officials commit systematic and widespread human rights violations including extrajudicial killing, enslavement, torture, prolonged arbitrary detention, as well as those involving rape, forced abortions, and other sexual violence.

Mr. Chairman, since the release of the UN Commission of Inquiry report in February 2014, we have made significant progress in our effort to increase international pressure on the DPRK. Our DPRK human rights policy has focused on giving voice to the voiceless by amplifying defector testimony, and increasing pressure on the DPRK to stop these serious violations. And we are committed to seeking ways to advance accountability for those most responsible.

**Calling Attention to the Rights Abuses**

In February 2014, upon completing a year-long investigation, the UN Commission of Inquiry issued a final report, concluding that "systematic, widespread, and gross human rights violations" have been and are being committed by the DPRK, its institutions, and its officials. The report further concluded "a number of long-standing and ongoing patterns of systematic and widespread violations . . . meet the high threshold required for proof of crimes against humanity in international law." The Commission's comprehensive 400-page report is the most detailed and devastating expose of North Korea's human rights violations to date, and it laid bare a brutal reality that is difficult, if not impossible, to imagine.

One of the most powerful elements of the extensive report was the detailed testimony of North Korean refugees. The Commission held a series of public hearings in Seoul, Tokyo, London, and Washington, where it heard from North Korean refugees sharing first-hand accounts of the abuse and violence they suffered, such as denial of access to food, gender-based violence, and

numerous other human rights violations in the prison camps, and their horrific experiences fleeing their homeland. The full proceedings of these hearings have been made available on the UN web site in video and in printed transcript.

Over the past year, we have sought to continue the Commission's great work giving voice to the voiceless. Shortly after the UN Commission of Inquiry's report was presented, the United States joined Australia and France in convening the UN Security Council's first-ever informal discussion of the human rights situation in North Korea. Thirteen of the 15 members of the Security Council attended that informal discussion with members of the Commission of Inquiry and with two North Korean refugees.

In September 2014, during the High-Level Session of the UN General Assembly in New York, Secretary of State John Kerry hosted a meeting on North Korea's human rights violations with the UN High Commissioner for Human Rights, and the foreign ministers of South Korea, Japan, Australia and a number of other countries.

Most recently, our Permanent Representative to the United Nations, Ambassador Samantha Power, hosted a UN event in April giving victims of DPRK abuses the opportunity to detail their experiences. Nearly 300 individuals attended the event, including more than 20 North Korean refugees, UN Permanent Representatives and diplomats, representatives of nongovernmental organizations representatives, and members of the press. Three North Korean officials attempted to disrupt the proceedings by reading a statement during the defector testimony, which led to a brief confrontation, before they were escorted from the auditorium. The event was widely covered in the press.

We continue to meet with recent defectors on a regular basis and to seek ways to continue amplifying their voices, as they speak on behalf of the millions of North Koreans who are denied enjoyment of human rights and fundamental freedoms.

### **Monitoring and Documentation**

It's important that we listen to these refugee voices, not only to increase our understanding of the ongoing human rights violations, but also to record the violations committed by the regime, in order to hold those perpetrators accountable for their abuses.

Since the release of the Commission of Inquiry report, we continue to engage with civil society and the international community on future accountability measures. One of the most important steps we have taken to date is supporting the creation of a field office under the Office of the High Commissioner for Human Rights to strengthen monitoring and documentation of the human rights situation in the DPRK and to support the work of the UN Special Rapporteur on DPRK human rights issues. At the request of the High Commissioner's office, South Korea agreed to host this field office. The office was formally opened in June when the High Commissioner for Human Rights Zeid was in Seoul. We welcome the decision to open this office, which will play an important role in maintaining visibility and encouraging action on human rights in the DPRK.

We also continue our support to numerous nongovernmental organizations who continue their tireless efforts to document the ongoing human rights abuses in the DPRK.

### **Increasing Pressure**

In addition to increasing our efforts to amplify refugee voices and to document violations, we have been increasing pressure on the DPRK to stop the serious human rights violations documented in the report. In the immediate aftermath of the release of the Commission of Inquiry's report, we worked with our like-minded partners to adopt a strongly-worded resolution at the March 2014 UN Human Rights Council session, which welcomed the report and recommended that the General Assembly submit the report to the Security Council for its consideration and appropriate action in order that it consider holding to account those responsible for human rights violations, including through consideration of referral of the situation in the DPRK to the appropriate international criminal justice mechanism. The United States has since supported resolutions addressing the human rights situation in the DPRK in both the UN General Assembly and at the March 2015 Human Rights Council session.

In December 2014, the UN Security Council formally discussed the issue of DPRK human rights. In the procedural vote to place that issue on the Security Council's agenda, 11 of the Council's 15 members voted in favor of placing the item on the Seizure List, two voted no, and two abstained. Since this was a procedural and not a substantive vote, permanent members of the Security Council do not have a veto. China and Russia voted against putting the issue on the Seizure List. The Council had a serious, thoughtful three-hour discussion of this issue. We continue to work with other like-minded members of the Security Council with the intention of continuing to raise North Korean violations and seeking opportunities to take action.

Mr. Chairman, as I participated in these activities at various UN bodies over the past year, two things have struck me.

First, it is clear that the DPRK is feeling growing international pressure in response to its human rights violations. The mounting criticism of its human rights record has had an effect on Pyongyang. North Korean rhetoric decrying what it calls "the human rights racket" has become more frequent and strident, and, of course, it blames the United States. After the attention given the Commission of Inquiry report, the North condemned the Commission and issued its own so-called "reports" on human rights in the United States and in the Republic of Korea. The North sent its foreign minister to the high level session of the UN General Assembly in September 2014 for the first time in 15 years, and he was back in New York again this fall. Senior DPRK officials have dramatically increased the number of visits to other UN member states to urge other countries to vote against resolutions critical of the DPRK's human rights practices in the UN General Assembly and Human Rights Council.

Second, with a growing number of countries condemning North Korea's human rights violations, the DPRK has very few supporters left. At the UN Human Rights Council sessions in Geneva and the General Assembly and Security Council sessions in New York, only a handful of countries supported the DPRK. Most of those that voted against the relevant resolution on the DPRK did so because of general objections to country-specific resolutions in those fora, not

because they defend North Korea's human rights record. And those countries that voted against the resolutions critical of the DPRK were the "Who's Who" of the world's worst human rights violators.

As I look back over what has taken place in the past year to focus attention on the human rights record of North Korea, I am reminded of Commission of Inquiry Chair Michael Kirby's statement when he presented the Commission's report. With the body of evidence detailing North Korean human rights violations, he said, no one can now say "We did not know." No country can honestly say that they did not know the atrocities taking place in the DPRK.

Mr. Chairman, I would also like to add a few words about another critical issue related to human rights in North Korea — our effort to increase access to information in the DPRK. When the Commission of Inquiry presented its report to the UN Human Rights Council, it also released a 20-minute documentary, highlighting particularly critical testimony of North Korean defectors. Because North Korea is one of the most closed societies on this planet—internet access is reserved for a very tiny elite and it is illegal to listen or watch foreign radio or television broadcasts—ordinary North Koreans had no way to see the documentary, let alone any independent news reports on the abuses taking place inside their own country today.

While this information blockade makes it extremely difficult for North Koreans to read the Commission's report or watch the video, we have recently seen indications that information from the outside is becoming more available in North Korea.

It is still illegal to own a radio that can be tuned, and the only legal radio or television sets are those pre-set to state-controlled information channels. Despite this obstacle, the latest Broadcasting Board of Governors (BBG) study, a survey of North Korean refugees and travelers who were interviewed outside of North Korea, found that:

- As many as 29 percent of North Koreans had listened to foreign radio broadcasts while inside the DPRK.
- Foreign DVDs are now being seen by even larger numbers—approximately 92 percent of those interviewed had seen South Korean dramas (soap operas) while in North Korea.
- According to open source reports, over two million cell phones now permit North Koreans to communicate with each other on a domestic network, though the system does not permit international telephone calls. Those cell phones are closely monitored, but they do allow information to circulate.

Given the closed nature of North Korean society, international media are among the most effective means of sharing information about the outside world with residents of the country. The United States is a strong supporter of broadcasting independent information about North Korea and the outside world into North Korea. Thank you for the continuing Congressional support for Radio Free Asia (RFA), Voice of America (VOA), and other nongovernmental broadcasters. These efforts are important in breaking down the information barriers that the DPRK government has imposed on its own people. Because of government policies, radio remains the most important means to get information into the DPRK.

Mr. Chairman, together with our partners in the international community, we must make clear to the DPRK that its egregious human rights violations prevent economic progress and weaken the country. The United States has long made clear that we are open to improved relations with North Korea if it is willing to take concrete actions to live up to its international obligations and commitments, including those relating to human rights.

The world will not, and cannot, close its eyes to what is happening in North Korea. Ultimately, we will judge the North not by its words, but by its actions. It needs to refrain from actions that threaten the peace and stability of the Korean Peninsula and comply with its international obligations under UN Security Council resolutions to abandon nuclear weapons and existing nuclear programs, among other things.

We have consistently told the DPRK that while the United States remains open to meaningful engagement, North Korea must take concrete steps to address the core concerns of the international community, from the DPRK's nuclear program to its human rights violations.

North Korea will have to address its egregious human rights violations. North Korea's choice is clear. Investment in its people, respect for human rights, and concrete steps toward denuclearization can lead to a path of peace, prosperity, and improved relations with the international community, including the United States. Absent these measures, North Korea will only continue to face increased isolation—as well as pressure for meaningful human rights progress from the international community.