**Speakers:**

Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung (Freedom of Information)

“Mr. Timothy” (Persecution of Christians, discrimination, malnutrition, torture)

“Mr. A” (Persecution of Christians)

NHRCK

***Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung***

**Michael Kirby:**

I think that you have both agreed that the Commission might use your names and you have been advised on the issue of protection concerns but you are satisfied that we can refer to you by your name, is that correct?

**Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung:**

Yes that’s true. Yes, we have agreed.

**Michael Kirby:**

Are you both happy to declare that the testimony [1:00] that you will give before the Commission of Inquiry will be the truth?

**Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung:**

Yes, yes we can.

**Michael Kirby:**

Thank you very much. Now, may I just, for the purpose of the record, indicate that the two persons who are now before the Commission of Inquiry are Ms. Jeong Jin Hwa and Mr. Jang Hae Sung and they are going to assist us on issues relating to the freedom of expression and issues such as broadcasts, media freedom, and the questions of discrimination and famine. They are the matters that you [2:00] wish to speak to the Commission of Inquiry about. Is that correct?

**Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung:**

Yes, that is quite true.

**Michael Kirby:**

Ms. Jeong, is it convenient to start with your evidence first?

**Ms. JEONG Jin Hwa:**

Yes.

**Michael Kirby:**

And just tell us really something about your background and experience and life in the DPRK, before you came to South Korea.

**Ms. JEONG Jin Hwa:**

My name is Jin Hwa Jeong. I was born in Hamhung City of Hamgyong Province in 1964. I graduated from college, a 3-year college, and I worked as an announcer at a TV station for about 10 years. I left [3:00] North Korea in 99. I came to Korea in 2002. Right now I live in Seoul, Korea.

**Mr. JANG Hye Song:**

My name is Hye Song Jang.

**Michael Kirby:**

[Unclear] … and then we’ll comeback if that’s convenient, Mr. Jang. Good now, just tell us something about your ... [Unclear]

And how did that come about? How did you secure the position of privilege in the governmental system in North Korea?

**Ms. JEONG Jin Hwa**:

[4:00] As you know, well I think I was in a way, I was very lucky, because my grandfather was a fighter against the Japanese colonial rule so that is why I was so lucky to have the job that I had. My mom and my dad, they were in public offices and I was able to graduate from a college that is a three-year college and I was able to become an announcer and work as a MC on television, which is very few in North Korea. In North Korea, only the children of those who have pledged allegiance to Kim Il Sung [5:00] and his family are able to enjoy the benefits and so in a way that I was really lucky that my grandfather did what he did.

**Michael Kirby:**

He had fought against the Japanese, and so was regarded as an old revolutionary in DPRK? What was your grandfather like? Tell us something about your grandfather because I think there are lots of stereotypes about what an old revolutionary would be like. But I’m sure from your point of view, he was a loving grandfather.

**Ms. JEONG Jin Hwa:**

Well, actually, he passed away. He was not living when I was born but... Although I’ve never met him but I was able to enjoy many benefits [6:00] because I was the grandchild of my grandfather. And also when Kim Il Sung was doing the revolutionary activities in the 1930s and I heard that my grandfather’s brothers and sisters were also involved in anti-Japanese activities. So many of his siblings were involved in anti-Japanese activities. Also in the 1950s when there was the Korean War, I understand that he was a part of the North Korean Army and so that is why the whole family was highly regarded in North Korea as the family members of those revolutionaries.

**Michael Kirby:**

Growing up in this family, what attitude did you have towards the members of the Kim family?

**Ms. JEONG Jin Hwa:**

[7:00] Well, if somebody’s born in other families, families not like mine… but even for them, as long as they live in Korea, they had no other choice but to have favorable emotions or the feelings about North Korea. My father was working in an office that was directly related to the Kim family. Because I was working for the TV station, and I had this great trust about the Kim family, so compared to others in North Korea because of my job, because of the occupation, I may have had more allegiance or I might have felt more loyalty to the Kim family.

**Michael Kirby:**

Did you met Kim Il-sung yourself? And Kim Jong-il?

**Ms. JEONG Jin Hwa:**

No, I’ve never met them myself. [8:00] I was working in a city called Hamhung, which is quite large, and whenever Kim Il-Sung came to Hamhung, I would have the opportunity to see him from afar, but I was never able to meet Kim Il-sung or Kim Jong-il in close distance, that has never happened.

**Michael Kirby:**

And tell us about the type of work you did. Was there at the time you were working, freedom of expression and freedom of the media in North Korea?

**Ms. JEONG Jin Hwa:**

Well, there’s no freedom of media in North Korea. If you look at the Constitution of North Korea, it says that the press, the marriage, and religion are guaranteed freedom, but that’s not true. Especially when it comes to media there’s no freedom. I call my [9:00] occupation announcer, so announcers do not to talk about their own opinions and the announcers just read what’s been written for them. And they cannot make mistakes; when they are reading what’s been written, their goal or their mission is to read exactly what’s written and convey that to the residents of North Korea.

**Michael Kirby:**

How would you describe the material that you were given?

**Ms. JEONG Jin Hwa:**

Well basically, what we read are actually Ro-dong papers, so we would read articles on those papers, the Labor Party papers, and they would tell us what article to read at what time and we would simply read those articles. And sometimes, there are some papers or some documents that had been written by the superiors after they have been [10:00] censored, then we would simply read out what has been given to us.

**Michael Kirby:**

Was there any diversity in the viewpoints that were expressed as between, say, the state organs or the military, or the Workers’ Party, or was it all the same point of view?

**Ms. JEONG Jin Hwa:**

No, never. They never had differences of opinions and sometimes I read the Labor Party paper. It seems that I read them because I work for the NGO right now. And it seems that the Workers’ Party papers that I read now are the same as the papers I read 20 years ago. On the first [11:00] page and on the second page they deal with political issues about what’s happening with the Kim family, that’s dealt with in section 1 and section 2. Section 3 and section 4 of the paper talk about the development, about the economies and about some of the issues related to residents of North Korea and section 5 and section 6 deal with other countries, such as South Korea and the United States. And so what’s dealt with in the paper, that is the newspaper, is the same right now as it was 20 years ago.

**Michael Kirby:**

What would happen if you made a mistake or if you failed to indicate the views of the station about, say, the United States or South Korea? Did you see ever see any retaliation against [12:00] an announcer who made a mistake in the received way in which they should be referred to?

**Ms. JEONG Jin Hwa:**

Well, the mistakes in the press, mistakes by the people in the press are dealt with as political mistakes because this is an ideology that we’re trying to convey and that ideology, our personal ideology, it’s the ideology of the North Korean government. And people like me, we always have known that what we say, the mistakes we make in terms of what we say, could lead to death for us. There’s no live broadcast in North Korea. We only read prepared scripts even if… and those prepared scripts are read after a lot of [13:00] preparation.

So in an all broadcast… and sometimes I see announcers make mistakes here in South Korea; it doesn’t happen in North Korea because all the broadcasts are recorded. Therefore, there are absolutely no political mistakes or reading mistakes. That’s not acceptable. And… but there was one live broadcast, I understand. There was one announcer in our company. She made a mistake in terms of radio frequency, and so she was listening to a children’s channel of KBS of Korea, and she was taken to the police and she had gone through forced labor for 3 months; that’s what I know.

**Michael Kirby:**

Were you [14:00] instructed to refer to South Korea or the United States conveying a particular emotion or was it just completely neutral in the way you would refer to them?

**Ms. JEONG Jin Hwa:**

The announcers in North Korea are quite emotional, and so whenever we talk of Kim Il-sung and Kim Jong-il, you see they become really emotional. They sometimes cry, you can see the tears. Even if they repeat the same words, they put a lot of feelings into those words. That is a rule that you have to abide in broadcast stations in North Korea. When we say out the names of Kim Il-sung or Kim Jong-il and when we convey what these people have said, we have to have one tone higher and one rhythm slower. And also [15:00] the US and Korea or other hostile countries, when we talk about those countries, we have to put in the most hatred, the most hostility that we can put in in our voices.

**Michael Kirby:**

Give us an example of how you would refer to the United States in the Korean language in such a way as to express hostility. It’s hard for me to entirely understand how this can be done, but I have no doubt it can be. Would you give us an example? When I was thinking of the Australian Broadcasting Corporation and the way they read the news, they don’t show hostility of love for either side, but tell us how you would refer to the Republic of Korea and the United States so that a foreigner can understand. [16:00] Can you do that?

**Ms. JEONG Jin Hwa:**

So I can tell you very simple sentences. When I was in North Korea, we were referring to the United States as a country that has been waiting to take us over for about 100 years. So we have this rhythm, this special rhythm, so there would be different intonation for each word. So we would say as if we were to trying to chew each word. So we would say, ‘These Monsters of the Anti-Revolutionary Korea and the United States’. So we would be emphasizing, putting special emphasis and trying to put in different feelings. So there would be like a tone higher in a way, especially when we [17:00] called out the names of United States, we would enunciate so that our feelings toward these countries could be more clearly conveyed. So when we enunciated the names of the countries, we would enunciate even more clearly.

**Michael Kirby:**

How was South Korea, the Republic of Korea, described in the broadcasts in North Korea?

**Ms. JEONG Jin Hwa:**

It seems as though the US and South Korea, we were looking at them as enemies that we cannot live together. Some people talk about… I think it was the US president who said that North Korea was an “Axis of evil”, but North Korea has this hostility towards the United States and I think since 1966, [18:00] we have always thought about the United States that has always been looking to attack, to begin war on the Korean Peninsula. So, South Korea and the United States are countries that cannot coexist on the face of the earth. We have always defined South Korea as the United States, which just cannot coexist with us.

**Michael Kirby:**

South Korea is called the Anti-Revolutionary Korea or some expression of that kind. Would you ever just refer to the Republic of Korea as South Korea, a geographical concept or would it always have an adjectival description?

**Ms. JEONG Jin Hwa:**

[19:00] I think some people say the Republic of Korea as South Korea, but in North Korea we believe that we had to add an expression, a modifier, to convey that South Korea is a hostile country. We have always used these hostile modifiers and we have always considered South Koreans as our target to re-revolutionize and so that we always use modifiers to indicate South Korea as more than a country which is south of North Korea.

**Michael Kirby:**

Were there broadcasts, in your time, from other [20:00] fraternal countries, such as East Germany, or Romania, or Bulgaria that gave a bit of variety or was there not much of that shown on North Korean television?

**Ms. JEONG Jin Hwa:**

In the 1970s and in the 1980s, we had a strong sense of coalition with Eastern Europe. At the time, North Korea was strong but beginning with the 1980s, when the socialism collapsed in Eastern Europe, North Korea blamed the United States and the Western world for the fall of the socialist countries, Russia, Romania, Czech, Yugoslavia, Albania, and Poland. [21:00] We used to call them Bosugadde [ph] (21:03). All of the collapse of these Eastern countries we considered was conspired by the United States and that made us feel very special; we were the only remaining surviving Socialist state and we also propagandized to the residents that these countries, Eastern European countries, turned their back to Socialism. The leader of the Romanians was executed and this was covered in the North Korean newspaper that was read by high government officials. And there were subtitles that introduced this leader as one who had failed to gain the trust of its people.

**Michael Kirby:**

Yes. How did they get through the [22:00] day with all this serious material? Surely, were there local soap operas and musical programs or other light entertainment? You can’t have propaganda 24 hours a day, nor can you?

**Ms. JEONG Jin Hwa:**

Of course we had other programs but music, dramas, all these other types of programs were related to politics, like the songs, North Korean songs that are sung in South Korea, they are not considered as loyal to the regime, and the [23:00] songs that you sing, the North Korean songs that you sing in South Korea, are produced and their contents are very political. It’s about the romance between a young man and a woman who have pledged their allegiance to government. So you have these songs and other arts and music, all of these programs, the underlying message is about the power of the regime, and the underlying idea is the ideology of the party and all of the messages, the purpose of the message is to get the message across to the people.

**Michael Kirby:**

I think during the Great Famine phase in the 1990s, you went through the famine, and can you [24:00] describe how, although you were a privileged person, how that affected you and your family at that time?

**Ms. JEONG Jin Hwa:**

In the mid 1990s… I was born in the early 1960s, the Great Famine was something we had never thought of, it was the most terrible thing that happened to us. The first people who starved to death were the ones who decided not to save their faces; they did not go out to the markets to get something to eat. They chose to end their lives; they did not go out to the market, they did not want to deal with the [25:00] reality. Those who were in certain positions, in higher level positions, they were afraid of revealing their hardship to the general public and even if they had properties to sell in the market, a lot of people just chose to starve to die. Hamhung, where I lived, is akin to the industrial complex in South Korea, but a lot of workers died of starvation. It was very distant from the border, and we did not have enough public transportation like the train that we have right now. So there was no way that we were getting things into the area or out to the area. So I think Hamhung was one of the places that was seriously stricken by the famine. Only some of the members of the Kim Il-sung family and a very limited number of the high government [26:00] officials, they were the only ones who could survive and they did not take accountability for what was happening because of the Great Famine.

**Michael Kirby:**

Did you find that your privileged position exempted you from the privations that arose as a result of the Great Famine? Did you and your family have enough to eat everyday or not?

**Ms. JEONG Jin Hwa:**

I get that question a lot because I was an announcer. They think I was a special person in North Korea and as I have said, the fact that I was an announcer, because of my grandfather, they think that I got special treatment as a special class. But the reality [27:00] of my life and the reality of the Great Famine, and the achievement of my grandfather are all separate stories. We are grateful that I lived a comfortable life because of my grandfather, but he had already passed away and my grandfather is a part of the history of North Korea and, because of him, I was able to belong to the privileged class, but there was no direct benefit that I got from the government. And I was not that better off than the children of other privileged families.

**Michael Kirby:**

So are you saying that even the privileged families suffered during the Great Famine [28:00] in the North?

**Ms. JEONG Jin Hwa:**

There were some people who suffered. In Pyongyang, if you look at the region, there are people frequently visited by foreigners. So, usually, the women are prohibited to wear pants in these areas but I saw how people in Pyongyang carried backpacks and so women would wear pants under their skirts. So there is a double life lived by these people and so the privileged class had different lives than these people, but I don’t think it means that the people in the privileged class were far better off. [29:00] The people, excluding the Kim Il-sung family, were hit in one or another way. I think everybody at some point was hit by the Great Family.

**Michael Kirby:**

Yes, and when did you decide to leave this privileged life that you enjoyed in the North and why?

**Ms. JEONG Jin Hwa:**

From 1995 to 1997, it was the hardest of all times. Some people collapsed when they were walking in the street and we heard news of some people’s death overnight. July and August is the hottest season in Korea. In the 1970s and 1980s, because we had enough medicine to go around and medical services, [30:00] we were able to prevent diseases from spreading out. But when the situation got very difficult; it was very difficult to prevent the spread of diseases. In the 1990s all of the diseases that were once gone reappeared, killing masses of people. People starved from death, people died from diseases, people died from freezing in the cold, people had to live without electricity, without light, without food. The suffering of these people, is just incomparable. And I don’t think there is not enough expressed in the testimonies of the North Korea defectors, but we remember that.

In order to stay alive, people stole property which was considered as belonging to the state and those who were caught offending [31:00], caught stealing other people’s property, were publically executed and because of this, we didn’t feel like we had control of our own life. We did not even have the right to end our own life. That is how far we went. And we did not have the freedom to express our minds, but I wanted to go to China to meet my aunt. My friend’s mother told me, proposed, that if I could go to China and get help from my aunt that could be an opportunity for me to live. I didn’t have her phone number or her address, but at Hoeryong, at North Hamgyong Province, there were people who came from China to sell things and [32:00] if you meet them, I heard that I was able to maybe meet my aunt. That’s why I went to North Hamgyong, I waited for about 40 days, I was helped by a broker, and I succeeded in leaving North Korea.

**Michael Kirby:**

And can you tell us what sort of fee you had to pay to the broker for the purpose of escape? Is there a set fee or does it varies in accordance with the high profile or low profile of the escapee?

**Ms. JEONG Jin Hwa:**

Well, my background had nothing to do whether I could leave North Korea or not. I was arrested once trying to escape but there was a document that could prove my background, but that was taken away [33:00] by the border guard. If I had been arrested again, and if I was going to be returned to North Korea, my family background would have nothing to do to help me get lenient punishment, because they had trusted me to be loyal to the regime and because I was an announcer, they never expected me to break any laws. So my background would not have helped me.

But to the broker, I told him, by all means, that I wanted to get help to leave North Korea and go to China. When we were leaving Hamhung, we had some money, but thirteen days on the train, and 40 days in the border area, I had spent all of the money, which was 500 won. I did not give any money to the broker, but I told the broker but he could do anything with me [34:00] to get myself across the border.

**Michael Kirby:**

And when you did get across the border, did you have difficulty getting to the protection of the Republic of Korea?

**Ms. JEONG Jin Hwa:**

When I met my relatives in China, I called the consulate in China, when I arrived in China. After two months, my relatives told me that I would not be able to live a long time in China and that in order to get protection, I had to go to South Korea. In China, no one would be able to protect me. So, after a few days with my relatives, my relatives told me that they would not be able to put me up with them for a very long time. They told me that South Korea was [35:00] the final destination for me. But I had no idea how to come to South Korea. So I went to every church that I could find. I saw through the satellite, Korean broadcasting, Korean TV, and in 2002, there were a lot of Korean defectors and I saw on television how the North Korean people were talking about wanting to go to South Korea and that motivated me. But I had no idea how to. But I heard that the Christians, the missionaries, were helping North Korean defectors and so I visited every church in China. But at the time, I had no idea what God was and I had no idea which church to go to. I just went to each and every one of them.

But, I did not get any help from one of these churches and I got a phone number of the consulate I called them [36:00] but because I was a North Korean defector, they just hung up. I had no idea that they had hung up on me; I waited on the phone to hear a voice from the other side for 30 minutes but I did not get any help from South Korea at the time.

**Michael Kirby:**

And how did you ultimately get help and leave China and go to the Republic of Korea?

**Ms. JEONG Jin Hwa:**

My parents left China in the 1960s. During the Korean War in 1950, a lot of young men were killed and a lot of North Korea was destroyed. Kim Il-sung at the time asked Mao Zedong to reconstruct North Korea and so [37:00] he requested a lot of ethnic Koreans living in China to go to North Korea to help reconstruction. So my parents were born in China but they went to North Korea and that’s how I was born in 1964 in North Korea. And I was the only one, my family was the only one who went to North Korea. The rest of my relatives stayed in China and those relatives helped me. They collected money to get me a passport. It was an illegal passport but they helped me so that I could leave North Korea and come to the South.

**Michael Kirby:**

Yes, and I think we will now turn to the evidence of Mr. Jang Hae Sung. Mr. Jang, you were working as a writer [38:00] and reporter of Chosun Central Broadcast and I think all was going well until you expressed criticism of a policy of the North Korean regime. Could you just explain your background and how you came to express criticism in a society that did not seem to welcome it?

**Mr. JANG Hae Sung:**

Yes I will answer to that question. To be brief, I studied from 1972 to 1976 at Kim Il Sung University. I studied philosophy. And from 1976 to 1996, I was a reporter and writer for the Chosun Central Broadcasting Agency. When I [39:00] started this job in the beginning, in the early days, I was not aware of the wrongdoings of the North Korean regime. But during my life as a reporter, I did a lot of research; I was in charge of collecting information on what Kim Il-sung did well. But the more study, research I did, I came to the realization that there was a lot of problems with the Kim Il-sung regime and because I was a member of the media, I was able to have a lot of access to what was going on in South Korea. So I was able to compare, draw comparisons with other countries and as a result, I developed contempt for North Korea. But all of the thoughts I had, I could [40:00] not write them down. I wrote about the greatness of Kim Il-sung and his regime but my thought was completely opposite of what I was writing. But the more I thought about it, I think the feeling was very strong that something was very wrong with the regime.

**Michael Kirby:**

And what did you do in pursuance of that conclusion?

**Mr. Jang Hae Sung:**

Well, I didn’t take any action. I was just participating in publishing how great Kim Il-sung and Kim Jong-Il were. So there are grades 6, 5, 4, so I was promoted to a higher reporter, writer, I had the opportunity to research more important issues. [41:00] As I was researching more important events, I began to learn many things that many people did not know. For instance, like the hometown of where Kim Il-sung and Kim Jong-Il were born, I found out the new places where they were born were not the way they told us. And so we were taught that South Korea invaded North Korea but actually, we have learned actually that North Korea invaded South Korea in 1950. So I learned these new things but I was not able to talk about them. And so, to my close friends, when I talk with close friends, these things just came out of my mouth. And that was somehow leaked to the Bowibu and that is why I had no choice but to escape from North Korea.

**Michael Kirby:**

And how did you go about trying to escape, seeing as you had a senior [42:00] position?

**Mr. JANG Hae Sung:**

Well, as Ms. Jeong said, when you escape, it doesn’t matter if you are in a high position or a low position. But I had one advantage: I was a reporter. So I was able to get a travel permit quite easily. In a democratic country like South Korea, you don’t need a travel permit, but in North Korea you have to have a travel permit; without them you can’t go anywhere. Because I was a writer, because I was a reporter, I was able to move freely to the border. So I went to the border and I crossed the Tumen River and came to China.

**Michael Kirby:**

And did you find it difficult to get from China into [43:00] the Republic of Korea or did it all go smoothly?

**Mr. Jang Hae Sung:**

Well I think compared to others, I think I got to Korea relatively easily. I went to the Korean embassy in Beijing. I don’t know if I should say this, but anyway, the embassy was really nice to us. And at that time, Hong Kong was not part of China… actually they gave us Korean money and told us how to get to South Korea. So, I was able to go to Hong Kong quite easily, and once I got to Hong Kong, there were people from the Republic of Korea to welcome us, so I was able to come to Korea relatively easily.

**Michael Kirby:**

Have you returned to journalism in South Korea and if so, how would you compare the state of freedom [44:00] of expression in South Korea to that which you experienced in North Korea?

**Mr. JANG Hae Sung:**

Well, let me talk about the difference in terms of journalism or press: there are so many differences. Let me just say this first: I think that the constitution is the basic law in all the countries but in North Korea, there is another law that is above the constitution and that is the Ten Principles by Kim Jong-il. So the criminal law or the civil law from the constitution can be violated but if you do violate, if you go against the Ten Principles, that is not going to be forgiven.

If I give you an example, [45:00] these Ten Principles, if you look at principle number 4, and that is, when you talk, when you publish, we are always to quote the instruction and the word of Kim Il-sung and Kim Jong-il and we should not write anything that goes against Kim Il-sung and Kim Jong-il. And this was something that was above the constitution. So if you are going to report, if you are going to lecture, if you are going to publish… so this is the press, this is the media, we are only to quote the instructions, the words of Kim Il-sung and that has to be the basis. There is nothing I could do as a journalist. That is the case in North Korea but when I came to South Korea, I worked with many journalists and media-related companies. It seems that the writers and the journalists here are able to express their [46:00] opinions and I think that is because South Korea is a democratic country and North Korea is a dictator.

**Michael Kirby:**

Now tell us about the discrimination based on the Songbun system. Explain what the Songbun system is and what discrimination you observed during your time as a reporter.

**Mr. JANG Hae Sung:**

I think discrimination is all relative. I am a person of good songbun, good class in North Korea. My grandfather was also involved in anti-Japanese activities. And two of my father’s siblings died during the Korean War so I was one of those really [47:00] privileged, high class, high songbun. But I’m from China but if I was not born in China, if I was born in North Korea, then I could have been able to work in the core institutions, but because I was born in China, I was not able to work in BoAnBu or Bowibu. That is why I had to work in the press. But if you get to work in the press, that itself is really good because that still very privileged but you are still not the core, you are still not the center. But compared to other workers or farmers, I guess I have a big difference between earth and heaven. I don’t know if I answered your question or not.

**Michael Kirby:**

You have answered it. I’ll ask if my colleagues have any questions for either of the witnesses or both.

**Marzuki Darusman:**

[48:00] Thank you Mr. Chairman. Thank you to Ms. Jeong Jin Hwa and Mr. Jang Hae Sung. The testimony this afternoon is close to the essence of what we are seeking in the COI, and that is the state of the truth and how that is conceptualized in North Korea. Now, Ms. Jeong, you were a trained newsreader. Did you sense that, not looking back from [49:00] this point, but then, that what you were reading out was not quite what was the reality? And how did you manage to maintain this disconnects in yourself, in your psyche, between what you were required to read and what you knew were to be untruths? It would be interesting just to know the state of mind.

**Ms. Jeong Jin Hwa:**

Well, everyone that works in the press, in the media, the way they think, the way they act, they just think that, we simply just think that… we have been taught, we just knew that we had to follow everything that Kim Il-sung or Kim Jong-il said. So the only truth in [50:00] North Korea is what is said and what is told by Kim Il-sung and Kim Jong-il. If Kim Il-sung or Kim Jong-Il said something is white, even if it is black, we have to accept it as the truth, as white. So the announcers in North Korea, we were simply a conduit, a conveyer, a messenger of the ideology or the messages of Kim Il-sung and Kim Jong-il… so one of the people with the highest loyalty to Kim Il-sung and Kim Jong-il. So even if what we read was not the truth, we were more than prepared to say it was the truth.

**Marzuki Darusman:**

But you knew that was not the truth, did you?

**Ms. JEONG Jin Hwa:**

I don’t think I knew.

**Marzuki Darusman:**

Alright! Just to quickly go back [51:00] to the fact that you come from a family that way back in terms of generation, worked together with Kim Il-sung. Would you know how many are left from that generation? How many people are still living from that particular generation, from your grandfather’s generation?

**Ms. JEONG Jin Hwa:**

In North Korea, first generation revolutionary, they would have been born in 1910. I think most of them would have passed away. Then we have revolutionary generation 2, 3, 4. They are descendants… and Kim Il-sung, he lived until 80, but those who are in [52:00] revolutionary generation 1, I think almost all of them died. I don’t know if they actually survived or not, but I think most of them would have died.

**Marzuki Darusman:**

[Unclear] (52:19) you would know the descendants of that generation? Did you have contact, did you have interaction with the generation that came from that...

**Ms. JEONG Jin Hwa:**

No, not really. This revolutionary generation 1, if they had passed away, but their descendants would have been brainwashed so many times that they are descendants of revolutionary generation 1 so that they would continue to have loyalty to Kim Il-sung or Kim Jong-il. So they would have always been told: your grandfather and your grandmother were willing to give their lives [53:00] for Kim Il-sung and Kim Jong-il and therefore, you should also be ready to do so. But I don’t think the consequent generations received the same treatment like the revolutionary generation 1, so I think we were not given special benefits during the Great Famine. So this trust, this loyalty, I think it’s only emphasized in words and in front of the public, they would always use, as examples, as good examples of pledging allegiance to the Kim family.

**Marzuki Darusman:**

Thank you. Would you have an idea of who are these people who are now around Kim Jong Un? Where do they come from? Do they come from the party? From the [54:00] generation that came from the freedom fighters? Who are these people and who would be the most influential in influencing politics?

**Ms. JEONG Jin Hwa:**

Well frankly, I left North Korea in 1999. And when I was living in North Korea, I never heard of his name. And right before Kim Jong-il died, when he had, I think, his stroke, they were talking about his successor and they had this song called “Steps” and then they started talking about Kim Jong-un and that is why people began to know about Kim Jong-un. But honestly speaking, I didn’t know who he was and who the people around him are.

Kim Il-sung was revolutionary generation 1, Kim Jong-il would be revolutionary generation 2, and people around Kim Jong-un would be [55:00] revolutionary generation 3 or 4, like a person like Chaeryong [ph] (55:07), I understand that his father was revolutionary generation 1, so think the people around Kim Jong-un would be generation 3, 4, probably? But I don’t know; I really don’t know who are the really loyal people.

**Mr. JANG Hae Sung:**

Can I add? Well, for about 8 years, I used to stand guard for Kim Il-sung. I have met with Kim Jong-il many times and Kim Pyongil and Kim Yongil; we went to the same school, same university. And Chaeyonghae [ph] (55:49) or the generation 2 and generation 3, I know quite a lot of them. And I think that [56:00] these people were, they are there and they are enjoying all the wealth, and all the power that their fathers used to have, all the benefits that their fathers used to have by saying that they will continue on the loyalty that their fathers had for the Kim family. And these people would never give up the vested rights that they have.

**Marzuki Darusman:**

These generations will always be there, descending from the previous generation. Is that it, Mr. Jang?

**Mr. JANG Hae Sung:**

Yes. Because, if you look at workers, a worker’s child is bound to be a worker, [57:00] and the Great Leader’s son is a Great Leader. And, the high people in the Labor Party, the Worker’s Party, will continue to be high officials in the Worker’s Party. So if you are a high ranking officer in the party, then your children will continue to be high ranking officers in the party. That is the way it is in North Korea.

**Ms. JEONG Jin Hwa:**

In North Korea, when they tell us there are no classes, that in communist society, in socialist society, we are taught that everyone is equal. But when you look into the North Korean society, there are clear classes; you have leaders. Now we have Kim Jong-un, who is the third successor that proves that North Korea is a class [58:00] society. My grandfather, when I was born, he was no longer in this world. But because he did well, I was able to enjoy much benefits and privileges. If I lived in North Korea, my children would have enjoyed the privileges and in 1910, and 1920, before the liberation of Korea, if they had been close to Japan, then their children, their grandchildren, their great-grandchildren, would not be able to go to school, they would not be able to succeed. They would continue to be persecuted and that is because North Korea is a class society.

**Marzuki Darusman:**

So meaning to say that, members of a generation would know of each other, and are there any records of names or photographs or identity?

**Ms. JEONG Jin Hwa:**

Yes, yes [59:00] of course, there are records. That’s what North Korea is good at. Kim Il-sung trusted a certain person and he was loyal in a certain way. They have written books about these individuals. They leave records on how Kim Il-sung trusted certain individuals and how these individuals continued to serve loyally. Various books are written, films are produced, poetries are written to leave a record of how they swore allegiance to Kim Il-sung.

**Marzuki Darusman:**

Would you have any views on this, Mr. Jang?

**Mr. JANG Hae Sung:**

[1:00:00] Yes we have records of the individuals who swore allegiance to Kim Il-sung, very specific information. We have lots of books about the Juche ideology. And in those books, the purpose is to propaganda, is a propaganda, but the content is about leaving a record of how these people were loyal to Kim Il-sung and by leaving this record, we make people to continue their allegiance. If the parent was loyal, then we show this material to their descendants to force allegiance to the regime. So, as Ms. Jeong said, over generations, it’s a class-based society; if I may add, my grandfather, before liberalization, if he was in the [1:01:00] army, then the grandson and great grandson would be affected by what the grandfather did. If the grandfather went to university, the descendants would go to university but if the grandfather did not have that chance, then the children, the descendants would not have that chance.

**Marzuki Darusman:**

[Unclear] (1:01:25) … records are kept secret? Or are they open for access?

**Mr. JANG Hae Sung:**

Most are not disclosed to the public.

**Ms. JEONG Jin Hwa:**

Some are but there are many that are disclosed because these books are used to educate the people so people have access to these materials for the purpose of making them emulate what had been done by loyal individuals. So [1:02:00] there are lots that are kept in secret and lots that are publically disclosed.

**Marzuki Darusman:**

Could I ask you both, did you ever know the existence of prison camps?

**Ms. JEONG Jin Hwa:**

Yes, I did.

**Mr. JANG Hae Sung:**

Yes, I did too. My friends, people who used to be writers, because they said the wrong things, for example, because we are supposed to write things only pertinent to what Kim Il-sung did well. We are never allowed to write our ideas, our thoughts. Hyung Sung-gar [ph] (1:02:47) for example, this writer, he slipped when he was talking to someone else. He was drunk at the time, he slipped and he said that writers are never allowed to write their ideas and just by saying [1:03:00] that, he was sent to Yodok, camp number 15, and Choi Ak-soo [ph] (1:03:14) was also imprisoned with him. Those were one of the talented writers of North Korea and so after they were gone, we didn’t have enough people to write about the achievements of Kim Il-sung. So they were going to be released but because life in the prison was so harsh, they hanged themselves.

**Ms. JEONG Jin Hwa:**

There are lots of people who were taken like that, especially in the media. If you are in the media in North Korea, if you slip, it becomes a political issue and as Mr. Jang said, we saw a lot of people taken away to the Kwan-li-so, the political camps. So some people, the general criminals go to the correctional camps, but these writers, the people in the media, if they slip just once, they can [1:04:00] disappear overnight and their family can be gone overnight, and sometimes, the three generations are wiped. So you see, some people are told that, people think that they deserve it because they turned their backs on the regime. This is what the people think.

**Marzuki Darusman:**

So you would say that everybody knew about those prison camps; no one could be said not to know about them?

**Ms. JEONG Jin Hwa:**

Yes of course, of course!

**Mr. JANG Hae Sung:**

People knew about it; everybody knew. That’s why if you offended something, you are not the only one taken to prison camps; your family is taken too. And that’s why people keep their thoughts to themselves because it can affect, have an impact on their families.

**Ms. JEONG Jin Hwa:**

Public execution is part of this whole punishing, [1:05:00] guilt by association. We still carry out public execution in front of people. And if, for example, if I am being executed, those who are very close to me are summoned to watch the execution. In North Korea… by setting an example, by killing, executing this one person, you want to show those who are near to you, that this is what would happen to you if you turned your back against the party. This is the education policy of the government, this is an anti-humane crime and every North Korean who was born in Korea, they know that at some level if they do something wrong one day, they could go to these prison camps.

**Marzuki Darusman:**

Just to clarify, you knew the existence of those camps, did you know what was happening in those camps? [1:06:00] The torture? The treatment? The inhumane conditions there? Did you know about that? Apart from the existence of those camps?

**Mr. JANG Hae Sung:**

Not everything but some. For example, we knew that once you are in, whether you are married or not, whether you are a woman or man, you cannot get married inside the camp. Those who performed well were given the chance to get married, it’s called the PyoChang [ph] (1:06:37) reward marriage. And so, even if you are born a man, some never had the chance to get married; they would die single. The same thing happened to single women. And education in those camps, they provided elementary level education, which is akin to third year education in South Korea. And [1:07:00] there’s no education beyond that. And if you are a serious offender, you are publicly executed. Inmates throw stones at you. When I was serving in the army, there were people who were guards in these camps and he told somebody, a person, this specific person is imprisoned in these camps.

**Ms. JEONG Jin Hwa:**

I had no direct information on what was happening inside these Kwan-li-so, but we know, every North Korean knows, we have a perception that once you are in, there is no way out. It’s a cruel, cruel place, and you would guess, you are sometimes beaten by the police and so from that you can imagine how [1:08:00] harsh the treatment would be inside. But specifically I had no idea of the specific details of what was going on, but somebody who worked in the Hoeryong area, he was in this camp. And he said that should a war break out, all of these prison camps were going to be exploded so that the inmates would be all killed. I heard that myself. So they have explosives planted in those camps that go off in an emergency.

**Marzuki Darusman:**

Okay final question, I think just to be balanced. What would you say, if any, would be any kind of a redeeming factor? What is a positive factor in North Korea?

**Ms. JEONG Jin Hwa:**

[1:09:00] I think from the 1960s and the 1980s was the good time in North Korea. In some ways, socialism is a society that gets rid of the gap between the haves and not-haves. Everybody is treated equally. Everybody… there is no rich, no poor people and so everybody could be equal. That would be an ideal society. But the society in North Korea, they live a life that is so different from ideal socialist structure. North Korea, because it is a socialist society, everything seems to be free; [1:10:00] in North Korea, we don’t have the word “welfare” but because Kim Il-sung and Kim Jong-il are generous, everybody in North Korea is granted the chance to get the job that they like and up until the 1980s, I went to university for free for three years. You know how expensive it is to get a college education in South Korea, but back in North Korea, up until the 1980s, the state… we didn’t have anybody that died of starvation, whether they worked or not.

Here, we did not have to compete so hard to get a job; once you are out of college, whether it was a technician, whether it was a clerical position, everybody worked. The state allocated people to different jobs and we had rations distributed. Now that was in [1:11:00] some ways, could be an impediment for the development of individuals, but I think up until the 1980s, I think a lot of the ideals were upheld and I think, because I was working, my parents were working, in that social society, my parents and I were granted benefits, not because we worked for it, but we were rewarded because of the kindness of Kim Il-sung. Free medicine, free education, I remember that from the 1980s. If I was in Korea trying to go to college, I would have to pay a lot of money for that. So up until the 1980s, the North Korean society based on the socialist ideals was okay, everything was okay up until the 1980s.

**Mr. JANG Hae Sung:**

I would like to add to that. [1:12:00] If I could say something to the North Korean dictators… North Korea, if it continues to pursue socialism, they will end up destroying themselves. They will have to get rid of the nuclear weapons, they will need to open their country, reconstruct the economy and make life better for the people so that they can sustain this state. If they continue down this path, not long after, they will end up destroying themselves… the North Korean, the people in the top position should know this.

**Marzuki Darusman:**

Thank you, just one last question to Ms. Jeong. The passengers in the train, were they required to hear, they cannot sleep in the train?

**Ms. JEONG Jin Hwa:**

[1:13:00] Trains in North Korea are different from the KTX or the Mugunghwa. Once the train… the doors are open all the time; sometimes the windows are open, if there are windows. But there are no doors; it’s open, it’s an open train. The train in North Korea, you can see on television, people are sitting on the steps, people are sitting on top of the train, it’s an open train. While the train is moving, if you are able to listen to a broadcast, people would want to listen to something, but they can’t [1:14:00] listen to anything because it is very noisy and the doors are open, if there are what we can call doors. Trains with 160 passengers with all the people, breathing sound of the people and the sound of the wheels, it’s just impossible to listen to anything.

**Marzuki Darusman:**

Thank you, Ms. Jeong and Mr. Jang.

**Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung:**

Thank you very much.

**Sonja Biserko:**

I would like to thank you for this very enlightening testimony, I would like to ask questions about media because both of you indicated the responsibility of media and education. So if you look for someone who is responsible behind this policy, could we say the main editors of a certain body which was controlling everything that you were saying or doing or providing instructions would be the responsible one [1:15:00] and whether such a body existed for the entire media space.

**Mr. JANG Hae Sung:**

I can answer to that question. The North Korean media initially belongs to the Supreme Leader, Kim Il-sung. Nobody can interfere with that. So, there is a division, a ministry that is in charge of party propaganda and that is the institution that is in control of the media. There are 8 subdivisions, newspaper, drama, film, and news division, and they are in charge of all broadcasting stations. The newspaper division is in charge of governing all of the news agency and newspapers. And so they come up with a [1:16:00] plan and this plan is escalated to Kim Jong-il, approved. If he approves of the contents, then it is distributed to each division to be communicated to the public. So even if you do research, if journalists even do research and writing, everything is controlled and inspected by people on top. If you do anything that is not instructed, you will get yourself in a lot of trouble.

After you do research, then you need to write the article. And you have to get it approved by 3 different people at 3 different levels and what they check is whether the writing is consistent with the instruction of the leader and they also look for impartiality, whether it’s scientific. It’s not [1:17:00] about impartiality, the first thing and the only thing they check for is whether it is consistent with the ideology and after checking, we go through 3 steps, 2 for inspection. Internal inspection, for example, we have internal offices in the Central News Agency and beyond that they have, at the state level, an inspection institution and they also put the stamp on if they feel that it is consistent with the ideology and then it is broadcasted. After it is broadcasted or released, they also do another inspection and 2-3 months after it is broadcasted, they do another inspection. Everything has to be written according to the instruction, word for word and if anything is different, at the [1:18:00] worst case, you are sent to prisons, but if you have misspellings, you have to serve your sentence for a couple of months.

**Sonja Biserko:**

Could you for example, identify a group of people who were responsible for that or provide the graphics of how it functioned?

**Mr. JANG Hae Sung:**

Not everyone, but as for my experience, everything that we write, we have to write based on the words of Kim Jong-il and Kim Il-sung. That’s the first thing that we start from. And we take direct quotes, we take the words of Kim Il-sung [1:19:00] and Kim Jong-il, we underline it with red.

Once I made a mistake, I slipped; I wrote too much and I misspelled the name of Kim Il-sung, I skipped “Sung”. And people on top found out about it when they were inspecting. At the state level, at the state censorship institution, summoned me and he asked me what the name of the Supreme Leader was. There was another person with the name Kim Il, comrade Kim Il, I begged him for forgiveness. I admitted that I had made a mistake but because of that, I was in the training camp for 6 months but because writers, journalists write a lot of things, it happens a lot. So even if I am taken away to do labor training, [1:20:00] it’s not shameful for a North Korean journalist who slipped; it was an innocent mistake but sometimes we are sent to a 3-6 month sentence in labor camps. If that is repeated, if you are a repeat offender, sometimes you are screened, you are expelled from the institution that you are working at.

**Sonja Biserko:**

But once you realized that the Juche ideology was really a big lie, would you be able to leave your jobs without, for example, coming publically that you disagree, just leave the jobs because you disagree, without punishment?

**Mr. JANG Hae Sung:**

What exactly do you mean?

**Sonja Biserko:**

Could you leave your positions without openly saying that you disagree? Would you be punished? Would they ask for the explanations?

**Mr. JANG Hae Sung:**

[1:21:00] Not really, it’s not up to you to quit a job. You have to have a good reason, a good excuse. If I was working as a reporter, if I wanted to quit, then I had to give excuses, I had to give reasons. I can’t just leave my job because I want to. So once you have a job, you can’t just quit because you want to.

**Sonja Biserko:**

[Unclear] (1:21:37) you don’t expect at all any disobedience within the structures?

**Mr. JANG Hae Sung:**

No, no disobedience, no resistance. That’s just unimaginable.

**Sonja Biserko:**

Things have changed since you have left the country, it is undergoing a really tough period. [1:22:00] Maybe more people realize that the country is in a bad shape and that things have to be changed. Do you foresee any kind of...

**Mr. JANG Hae Sung:**

I think things are definitely changing in North Korea. But, they may talk privately, but they would not write it in paper. They would not write any of their personal opinions. So they would only talk about that, you know, they call Kim Jong-un as that “small guy”, or “little guy”. We may say, “What does that little guy know about politics?”. So they could talk about things like this but that was not allowed when I was there, the old times. But nowadays, I know that they can talk about that privately. They can talk about the need for reform, about the opening; I think they can talk about that privately. They can talk but they would not be able to write anything in public, whether it is in [1:23:00] newspaper or broadcast.

**Sonja Biserko:**

Would you say that the first leader had legitimacy in the revolution sort of, in taking the Korea away from Japan, second leader was prepared for leader for 20 years, so he learned how to manipulate. But this third leader, he’s too young, he has no legitimacy, how do you think he can survive and get credibility in society? Because the Juche ideology unfortunately is still alive. We heard today that of a hundred interviewed defectors, out of 100, 75% still think the Juche ideology is perfect. How do you explain that? What is the appeal at that time?

**Mr. JANG Hae Sung:**

[1:24:00] This Juche ideology is actually not from Kim Il-sung. It’s made by Hwang Jangyup [ph] (1:24:10). Kim Il-sung did not even finish school; he’s not a philosopher and academically, he’s not really a learned man. So he’s not the creator of the Juche ideology. This revolutionary generation 1 and generation 2, they were freedom fighters in Manchuria and there are about 129 of them. All of them died, I think, there is only one person, I don’t know [Unclear] (1:24:40) said to be the last person. And Kim Jong-un is generation 3. But if you look at the people around Kim Jong-un, there are a lot of people, Chaeryonghae, they all belong to generation 3. Kim Jong-un and the people around them, Oh Il Jung, [1:25:00] Chaeyonghae [ph], they know what is going to happen to them if their regime collapses. And the people around Kim Jong-un… because they know that they will be punished by the people. So that’s why they have this strong solidarity among themselves to sustain the regime. I think that’s why the regime is sustained.

**Sonja Biserko:**

Do some generals maybe or other older leaders have aspirations to overtake the country, because the young leader does not have these capacities to run the country through his own power?

**Mr. JANG Hae Sung:**

No, no. Because there are always checks and balances. [1:26:00] For instance, Jang Sungtae [ph] (1:26:04), who is the husband of the aunt and ChaeryongHae or Kim Sung Ha [ph] (1:26:08), all these people are always guarding each other; they are always on alert. So if they think one person is gaining power, they will be checking that. If one power gets really strong, maybe that power may be able to attract more people. But that’s not happening. And also, the military, that’s the really powerful organ, but the problem is that the people in the military are always frequently moved around. So if anybody in the military has power, they will be watched very closely. His daily activities, his daily routines will be surveyed and reported to Kim Jong-un so nobody [1:27:00] in that power structure would be able to do anything, because here in North Korea the power is concentrated.

**Ms. JEONG Jin Hwa:**

Here in Korea, you have different levels, you have the president, you have the head of NSA, the head of the defense. But in North Korea, there is only one leader of all the organizations. He is the General Secretary of the Labor Party, he is the head of the administration, so one person has all the power in North Korea. So therefore no other people will be able to come forth to take up the power. Kim Jong-un may be in generation 3, but he is able to solidify his leadership, because he is utilizing the hairstyle, or the things that his grandfather used to do, and that is because [1:28:00] the influence Kim Il-sung had was great and the residents in North Korea believe that North Korea was founded by Kim Il-sung, that they were able to eat and live because of Kim Il-sung and they think that they are able to protect their socialist system because of the greatness of Kim Il-sung and that has been put into the heads of the people. So, Kim Jong-un, you may think that he is not capable, he is very young and you may think that he may not be able to be in the leadership position, but that is not true because I think we think differently.

**Sonja Biserko:**

[Unclear] (1:28:42) … had legitimacy? The system doesn’t exist anymore; that is, the country collapsed. Do you want to suggest that there is no hope for Korea, that people of Korea will never rebel or be disobedient even in the conditions where they are offered nothing, they are guaranteed nothing; they are [1:29:00] just hostages of a group of people. If the entire environment changed since you left, do you not have any hope for the Korean people?

**Mr. JANG Hae Sung:**

Of course changes are occurring dramatically. When I was in North Korea, Kim Il-sung, Kim Jong-il… we were not able to complain, even in private. But I’ve talked to defectors who have come to Korea recently, they are referring to Kim Jong-un, the Great Leader, privately as “that little guy, what does he know?”. So that is a dramatic change, but at this stage, they might not be able to do anything, but in the near future, I think that the regime in North Korea might collapse. [1:30:00] I think there could be seeds of democracy sprouting in North Korea.

**Ms. JEONG Jin Hwa:**

But I also think this way: the heyday of North Korea was when Kim Il-sung was in position; everyone had jobs, we had free schooling, we had free health care. But since the 1980s, end of 1980s, the socialist block collapsed, and North Korea started experiencing economic difficulties and there was the death of Kim Il-sung. Now, North Korea is the only country that is maintaining the socialist system and that is why many defectors are appearing.

But Kim Jong-un, he doesn’t have all that influence. As Mr. Jang said, the North Koreans, they are referring to Kim Jong-un as “the little guy”, and I think that is so much [1:31:00] progress, that is, for North Koreans. When there were 3 million people dying, people getting publicly executed… even in those times, we were not be able to refer to the leaders in such a way as we are doing so now. So they are showing their emotions, their feelings, they are talking about the leaders in a frank way. Even in private, I think that is dramatic progress. And in the past, if you talked about that privately, you could go to political prison camps, but now it’s not. So that is possible because things have changed, so I think you cannot really control… right now in North Korea, you cannot control people talking about the leaders the way they do in private. [1:32:00] But there is a control system that is in place, that is why people are not able to rise up against the current leadership.

**Sonja Biserko:**

People underwent horrors, famine, repression, killings, prison camps, and so on. What else needs to happen in order to rebel? Where is the point of departure? What has to happen to change this mindset and to break this fear? Do you have any feeling for that because this is, I would say, the major thing that may change the environment in Korea. Nobody can change it from outside.

**Mr. JANG Hae Sung:**

I think internally, they will not be able to rise up. [1:33:00] I think that in 2010, there was a currency reform and with this sudden currency reform, there was a very strong defiance and I think that they had to change. I understand that somebody who is akin to prime minister had to apologize to the public, and the person who led the currency reform was actually shot to death. That was the most serious case. And I’m sure such an incident will occur more often in the future, and that gap, span will become shorter and I would like to see external force.

I think it was President Carter of the United States, I think that… I don’t know which president of the United States it [1:34:00] was, but they were wanting to bomb the nuclear sites in North Korea. I wish they had done that. Because North Korea would not have been able to deal with that. The North Koreans, they have been saying that they would like to nullify the armistice agreement, but they are only words, they are not able to put them into action. I think they have to have external forces, there have to be continued UN sanctions, and it may not happen right now, but I’m sure, slowly, North Korea will change. The North Koreans… and I think they are changing, although slowly because North Korea is socialist country.

**Ms. JEONG Jin Hwa:**

People, if you commit suicide because you don’t like the regime that is a crime. So the North Koreans are not allowed to commit suicide [1:35:00] and so if you commit suicide because you don’t like the regime means that you do not believe in the regime that is feeding you. With the currency reform, a lot of people had to lose the properties they had, the properties they had lost their value. A lot of people… it’s almost like the businessmen had their money taken away. Farmers worked hard at the fields, and then if they had to give everything they had farmed, of course then they would not like it. We believe that North Korean society is being able to be maintained. [1:36:00] Even we found it surprising; when Kim Jong-il passed away, we thought that there was an opportunity, there would be a possibility of democratization in North Korea. And now that we see that the third person in the Kim family has succeeded the power and that was surprising to us.

I think that the North Koreans internally have to rise up and the… I don’t think the government itself in North Korea would open up the doors because that would mean the people in power would have to give up their privileges. That would not happen because they have been enjoying these privileges, these benefits, for generations. As a human being, you would not be willing to give up those privileges.

**Sonja Biserko:**

[1:37:00] Thank you.

**Michael Kirby:**

Thank you very much Ms. Jeong and Mr. Jang for your very interesting and candid assistance to us. The fact of its importance, because of the significance of free media and the spread of information for democracy and liberty and justice, has meant that we have extended this session well beyond the time that was allocated to you and that is a tribute to the importance, objectively the importance of what you have been saying to us. We will now be watching most closely as a Commission of Inquiry how our own media, blessed with freedom and constitutional guarantees, undiverted by [1:38:00] superficiality, personality reporting, celebrity obsessions, opinionated journalism, or short attention spans, will report the testimony that you have given before us today. I would’ve like to have seen more journalists and particularly more Korean journalists present during your very important testimony to take its message, not only to Korea but to the whole world, of what happens when a media loses its freedom. We will now adjourn for 5 minutes and then we will have 2 witnesses who are both going to speak on the issue of Christian minorities in North Korea. Thank you both, you are excused, thank you for coming.

**Ms. JEONG Jin Hwa/ Mr. JANG Hae Sung:**

Thank you.

***Mr. Timothy***

**Michael Kirby:**

We will now reconvene [1:39:00] the Commission of Inquiry and I’d ask the man known as Mr. Timothy to come forward. Thank you very much for coming along today, Timothy, and thank you for agreeing that your name, which is, I understand, not your real name but a name by which you are known in the Republic of Korea, can be used. Timothy Kang. I think you have published a book on your experiences but the book is, though in the Korean language, not yet translated into the English language. Have you plans for the book to be translated [1:40:00] into the English language because there’s likely to be an audience out there for such a book, I would think.

**Mr. Timothy:**

I am considering translating my book into English. A lot of people have taken an interest in this book and so to reach out to more people and to talk more about what I have experienced, I would like to translate my book in the future.

**Michael Kirby:**

Now during the Great Famine in North Korea where you grew up, you started to go to China to get food and it was in that way that you came into contact with Christian missions, through contacts with them that had been established by your father. Is that correct?

**Mr. Timothy:**

[1:41:00] The relatives of my father are Chinese. They underwent, they experienced Cultural Revolution and my grandfather came to North Korea because of the Chinese Cultural Revolution. But other relatives stayed behind in China and they practiced Christianity so that’s why when I went to China all my relative were Christians and that’s how I was able to get their help.

**Michael Kirby:**

I think you have gone backwards and forwards between China and North Korea no fewer than 5 times, is that correct?

**Mr. Timothy:**

Yes, that is correct.

**Michael Kirby:**

Was that under compulsion [1:42:00] or did you simply more quietly backwards and forwards without being forcibly repatriated to North Korea?

**Mr. Timothy:**

Once or twice I was forcefully returned, and the rest I voluntarily went back to North Korea.

**Michael Kirby:**

And were you punished on any of these occasions or subjected to violence because of leaving North Korea?

**Mr. Timothy:**

Yes, if you are forcefully returned to North Korea… first, you are imprisoned in China and then you are handed over to North Korea. You go through different stages via Bowibu, which is akin to the National Intelligence Service in [1:43:00] South Korea. And you go through the AnJunbu in North Korea and then you are in the custody, when I was young, when I was a minor, I was in the custody of Gu-Ee-Chil, Sang Mo [ph] (1:43:17), so you go through a series of arrests.

**Michael Kirby:**

And did you suffer in North Korea any wrong behavior that you can tell us of? Such as terrible conditions, lack of food, interrogation, imprisonment, and torture. Did you have any of those experiences or not?

**Mr. Timothy:**

On so many occasions, I cannot tell about every single one of them [1:44:00] in this hearing. But basically in North Korea, they search your body to find out if you have hidden money. They make you squat and stand up repeatedly. I went through several different prisons. I think there may be about 15. I was in the detention center of Bowibu and also in the detention of BoAnSuh [ph] (1:44:30). I went through a lot of jails, 15 of them. And in each jail, they tortured me different ways. There is no way to express the things that I suffered. I was starved, they beat me up, and in North Korea, they wear Russian style military boots. They wear those boots when they beat me up [1:45:00] and they use square wooden rulers to beat you up because beating up somebody with your hand can rather cause a lot of pain in the hand. You can see the wounds on my body. Torture in North Korea was terrible; I cannot talk about each and every one of them.

**Michael Kirby:**

Your link with Christianity, as you’ve told us, went through your father. He had gone to ShiHan [ph] (1:45:46) to study Christianity in underground churches there. He himself had been repatriated with 39 Christian North Koreans. Is that correct?

**Mr. Timothy:**

Yes, that is correct.

**Michael Kirby:**

When did that happen? When was his repatriation and how old were you at that time?

**Mr. Timothy:**

[1:46:00] When I heard about the repatriation of my father, I think it was in 2003, but I think the repatriation took place in 2003. In 2003, I believe maybe I was about 14-15 years old.

**Michael Kirby:**

Did you discover Christianity through your father or was this a discovery you yourself had made independently of your father?

**Mr. Timothy:**

In China, my relatives living in China… he’s a missionary now, he’s a reverend, so my uncle, this man, is a reverend. [1:47:00] The grandmother of this uncle was an elder in the church. So I saw that grandmother going to church every morning to pray. I followed her. I just went to church for the sake of it. I didn’t really understand the messages of Christianity but over time, I began to understand the messages of Christianity and tried to embrace the religion and participated in spreading Christianity. So I did not get help from my father in accepting Christianity.

**Michael Kirby:**

And when you were told by NSA agents that your father had on his repatriation been punished… he I think was sent to the Yodok camp, is that correct?

**Mr. Timothy:**

[1:48:00] Yes, my father was sent to Yodok.

**Michael Kirby:**

And that is the camp for political prisoners, is that correct?

**Mr. Timothy:**

Yes, yes, that is correct. My father was arrested in Suhan, [ph] (1:48:35) he was returned to North Korea. He was sent to the prison camp, yes that is correct.

**Michael Kirby:**

Was he sent with the 39 other Christians who were repatriated to Yodok or did he go alone?

**Mr. Timothy:**

He was returned with the 39 other North Korean Christians.

**Michael Kirby:**

The Constitution of North Korean guarantees freedom of religion. Can you tell us something about the existence of Christian congregations and [1:49:00] religious observance in North Korea? Is that something that is permitted or not?

**Mr. Timothy:**

In fact, I found that there were churches in North Korea when I was in China. I heard about the freedom of religion in North Korea but the purpose is to praise, idolize Kim Il-sung as the only God. So it’s not about allowing people to accept Jesus. I don’t think it is allowed in North Korea. And even in the films, they portray missionaries as the product [1:50:00] of capitalism, US capitalism, that’s what we are instructed. So Christianity is strictly banned; Christianity is compared to a drug, narcotics, the sin to society.

In North Korea, there are Christians who live in North Korea, but as you may very well know, we have Bong Soo Church, but that’s one way to earn foreign currency. I did not go to the Kim Il-sung University so I don’t have specific information on this, but based on what I’ve heard, in Kim Il-sung University, in the foreign affairs studies, they have religious studies in Kim Il-sung University and they nurture, they foster [1:51:00] missionaries and followers of Buddhism, but you have to be very loyal to the regime to study these religions. And they are nurtured to earn foreign currency.

During the Korean War, not all religious people, practitioners, went to South Korea. So some of them remained in North Korea, still adhering to their religion. In other cases, North Koreans who went to China, who came into contact with Christian missionaries, they are trained to accept Christianity. And when they go back to North Korea, they try to spread Christianity and practice Christianity but in very small numbers. When I went to North Korea, I was one of them; I was one of the people who tried to preach Christianity and practice Christianity [1:52:00] in North Korea.

**Michael Kirby:**

And tell me about your own punishment. Your father was sent to Yodok. What happened to you? You were imprisoned, I think. Where were you sent, because you were just a young teenager or a young man?

**Mr. Timothy:**

Yes, I was a minor. If I were an adult, I would have received the same kind of punishment as my father, sent to the political prison camp. I cannot tell, there’s a limit to what I can share here, but family background is very important. But if my [1:53:00] father was my birth father, then I would have been severely punished, but my father was a step father so in my case… I think I was about 16 at the time, and I think I was sent to the Hamhung labor training, or sentenced there for 1 year. Before that, I was sent to Sinuiju Bowibu. We call them “Ddonggang” [ph] (1:53:33). I was detained, which is harsher than jails. I was in this Ddonggang detention center for about 8 months; I had been forcefully returned for the fourth time there and so I was in jail for about a year there.

**Michael Kirby:**

Yes, and what was the nature of your [1:54:00] treatment during the time you were in that prison? Did you suffer any harsh conditions or inhuman treatment?

**Mr. Timothy:**

In the detention center when I first entered the place… it’s a living hell. You have no idea even if I tried to explain it, describe it here, you cannot come up with the right words to describe it. There’s a famous film, “Nanjing Nanjing” in South Korea, and it made me foster contempt for the Japanese because the Japanese, during the war, massacred a lot of people during the war.[1:55:00] And so I had this hostile feeling against the Japanese but what I experienced in North Korea, what was done to me was worse than what the Japanese did. If for example, you see people living, sitting in the jail, they looked like skeletons barely covered with skin and they were trying to catch lice.

And we are given instruction about our loyalty, about the words of Kim Il-sung, about working hard. We had to learn the ten rules, instructed by Kim Il-sung… you need to memorize them and if you don’t memorize them, they prolong your sentence. So you are brainwashed to idolize Kim Il-sung even inside the detention centers. [1:56:00] When you are released after completing that training, then you are allocated to this group, to this place where they have collected all people who have attempted to escape from North Korea. They are collected to prevent them from trying to run away from North Korea again.

So the words and instructions of Kim Il-sung and Kim Jong-Il, you need to memorize them… and there are special pardon days. North Koreans who try to go to China, you are never given special pardons; rather they expect you [1:57:00] to die in the detention centers. And you see so many bodies, dead bodies, coming out of the detention centers. People who try to escape, defectors are the first ones to go out dead. We have group 1 to 3. Group 1 refers to the first offenders; group 2 and group 3 refer to inmates who work as technicians. Group 3 and 4 and 5 are different inmates and in group 7 and 8, they put people who were repeat offenders… was also grouped together and they received very harsh treatment and they never knew when they would be released.

The police who were [1:58:00] in charge of these repeat offenders had to guarantee that the offenders were re-educated but you never knew when the day would come; it could take a year or two. But some people stayed in there forever; they never got to go back home. In North Korea, we have jails, we have detention centers, we have labor training prisons, but most of the people that I have come into contact with know how severe the situation is in Yongkwanggun [ph] (1:58:40). Everybody has heard of Yongkwanggun. Coming out of Yongkwanggun alive was like a miracle. So life in Yongkwanggun is a living hell.

**Michael Kirby:**

What was the position as far as food [1:59:00] was concerned for you?

**Mr. Timothy:**

They gave us Gadabab. Gadabab is like lumped rice; there are 150 beans. I think they have their own rule in a way; 150 beans mixed with rice which are cooked by the inmates. And to make cooking easier, they cook the porridge in the morning and there is a molder made of coal. They put the porridge into this molder and then you get this [2:00:00] lumped rice and they put this lumped rice bowl on each dish. If you pour water over this lumped rice, the rice becomes very mushy and it will be like half of the dish. We didn’t have any seasoning, no meat. You can never think about those. Gadabab was like 5 spoonful of food that we got; that’s what we had to eat. We were malnourished and from 5 in the morning to 10 at night, we had to work. It was very hard labor and mentally, we were every week. We didn’t have enough food and for after a month or two, we saw a lot of people die.

**Michael Kirby:**

[2:01:00] And when you were growing up in North Korea, did you have feelings of loyalty or affection to the Kim family, to Kim Jong-il and his successors?

**Mr. Timothy:**

Well, myself, personally… many people in North Korea, they… I think they had respect because they were able to enjoy some benefits but in my case, I’ve never received anything and I experienced the Great Famine and I saw a lot of people die and [2:02:00] I had experienced near-death situations. I did not have much to eat. I had to survive on grass, on plants. On TV, there are songs praising Kim Il-sung or Kim Jong-il, but I didn’t respect them. I don’t think people my age really respected or liked them but our older generations, they may have some reminiscence of the past times, they may have some favorable feelings, but not me; I didn’t have any of those feelings.

**Michael Kirby:**

What is your feeling about the North Korean government now?

**Mr. Timothy:**

Well, in a state, a nation, [2:03:00] I think should exist for the people and I think there should be laws for these people and the laws should make sure that people don’t die of starvation. But if you look at North Korea, they have laws, but the laws are not laws because they have this absolute power that is above the law and Kim Il-sung, Kim Jong-il and Kim Jong-un, they are almost made into deities. They are gods, so the laws, the state, the people had no power at all and I think such a regime should not exist.

And with Germany, way in the past, had massacred [2:04:00] the Jewish people. I went to Auschwitz, the concentration camp, I had an opportunity to visit there and when I was at the camp that reminded me of North Korea, but that happened way in the past. But the thing is that in North Korea, these camps still exist. This is just unbelievable. I cried so much as I was looking at these camps in Auschwitz. I also cried, I cried because of the poor Jews but I also cried because of the North Koreans that are presently still going through all these abuses, all this terror, and I wanted to make sure that more people know about this. I am against such a regime, such a government.

**Michael Kirby:**

[Unclear] (2:04:53) … know that many of those who perished in Auschwitz, although the most numerous were the Jews, [2:05:00] were themselves political opponents of the Hitler regime and were gypsies, homosexuals, Jehovah’s Witnesses, and various other groups.

**Mr. Timothy:**

Yes, I learned that. When I went to Auschwitz, they had these markings; they showed that it wasn’t just the Jewish people; it showed the different kinds of people who were executed at the concentration camp. There was a guy who told us about that.

**Michael Kirby:**

[Unclear] (2:05:45) … any instruction in your education in North Korea about the concentration camps in Europe and elsewhere that had been built in earlier times or did you not hear about them until after you [2:06:00] came to South Korea?

**Mr. Timothy:**

When I was in North Korea, they don’t really teach anything that is not related to North Korea. Even if they teach, they may teach about the United States or some of the really bad by-products of capitalism, about the riots, about the protests that occur in the capitalist societies. And they would tell us that the people are suffering so much that they are rioting, and they would be telling us that that’s the result of capitalism. That’s about all they told us. We never heard about the Auschwitz concentration camp. And I love books and I love documentary films so when I came to China and other countries, I was able to learn about that. So [2:07:00] when I went to Auschwitz camp, it was even worse than what I had learned from the book.

**Michael Kirby:**

[Unclear] (2:07:06) … prejudice against you as a young Christian-believing person in China did you feel, or was that not a source of any relevant prejudice or discrimination?

**Mr. Timothy:**

Well, I was able to get a lot of assistance from the missionaries. I stayed in many shelters. I had to stay inside the house and just read the Bible. So I spent a lot of time just reading bibles. I don’t think I was actually really discriminated against. But through the missionaries, through the lives of missionaries, I was able to realize what true love was and I also realized what was wrong in North Korea [2:08:00]. So I think that was a turning point in the way I was thinking. And I also became aware that North Korea was doing things wrong, because when I was in North Korea, I had this vague thought, a vague idea that North Korea was bad, that the North Korean regime was bad. But I was reading the Bible and through the missionaries, because I knew what was right, I was able to learn what is bad, what is not right as opposed to what is right.

**Michael Kirby:**

And what is the main lesson that you have learned from your experience as a young person suffering discrimination on the basis, as you put it, of your religious beliefs?

**Mr. Timothy:**

[2:09:00] Many have said… I mean, there are churches, and a lot of people don’t believe us when North Korean defectors say there are churches in Pyongyang. Well, in North Korea, the law allows religion and there are some churches, there are reverends. There are some outside reverends and missionaries that are preaching and so people think that there could be churches. But they are not true churches. When we went to North Korea willingly and spread the words of Christ, I think there are many people, many [2:10:00] of my brothers that are in North Korea. I don’t know whether they are in prisoner camps or not. In my book, I talk about these so called brothers. One of the brothers had to go to the prisoner camp and he asked me that if I do survive and if I do escape North Korea, he wanted me to write about North Korea, and that is why I am here, giving this testimony. Because of my promise to that person… and he has gone to the political prisoner camp because of his belief in Jesus Christ.

If religion is truly allowed in North Korea, that person, who I called brother, should not have to go to the political prisoner camp. I don’t know if he is alive or not. [2:11:00] There are so many that have learned about Christianity in China and have voluntarily gone to North Korea and except for a few, they were all going to come back to China. But most of them have not come back from China and I’m praying for them. And I’m praying for those who are in North Korea spreading the words of the gospel.

When I was in North Korea, things that are described in the Bible are actually occurring in North Korea. God… here in North Korea, if you just mention the word God, you would be executed, you would be sent to a political prison camp. But as I was spreading the words of Christianity in North [2:12:00] Korea, I think that religion is not something you can just put a stop to. But if I choose Kim Il-sung, they would let me live, they would let people live, but if people choose God, they would die; they would be put to death. Such a society that does not give freedom of religion, freedom of choice, and treating people like animals… the fact that such a society exists, and especially now that I am in South Korea where I can freely follow God, I believe that this is unbelievable. So I think this really doesn’t make sense.

**Michael Kirby:**

[Unclear] (2:13:00) … consistent with respect for the political order or do they challenge the political system? In other words, do you accept a separation of the role of the religious and the political in a state?

**Mr. Timothy:**

I think one of the things that the North Korean regime doesn’t like much is religion. The North Korean regime does not like religion because of the basics, because of the fundamentals of Christianity. The North Korean government teaches that you have to be strong to survive. That is the concept of Juche, because Juche means [2:14:00] self-reliance; you have to just rely on yourself in order to survive. So, you are the center. And that is ‘one for all, all for one’, that’s what North Koreans said. In the case of North Korea, it’s not just ‘one for all’, it’s ‘all for one’. I think that’s more the case in North Korea. Everyone exists just for one person, the Kim leader. I don’t know what I’m saying; can you ask me the question again? I’ve been thinking of so many things that I forgot your question.

**Michael Kirby:**

Is part of the opposition of the North Korean government to Christian groups the fact that they challenge the political authority of the North Korean government, or does your view of [2:15:00] Christianity as you practice it, accept that politics and religion have to live side by side and are separate constructs?

**Mr. Timothy:**

I think that religion and politics have to be separate and I think that politics is about governing people but religion is not about governing. Religion is about seeking chances internally; it’s about self-reflection, it’s about self-healing, about giving affection to others, and through [2:16:00] love, through affection, you are acting towards others in a kind way. In church, we talk about truth and truth is something that does not change. But in North Korea, they don’t like this word “truth” and they don’t like the truth. So everything is a lie in North Korea; it’s a country full of lies. So therefore, since religion is all about truth, about seeking the truth, and because of the truth that is emphasized in religion, the lies in North Korea are exposed and that is why the North Korean government is not allowing religion in the North.

**Michael Kirby:**

[Unclear] (2:16:50) … journeys with religion have you met members of other beliefs, such as Buddhists or Islamic believers who suffer discrimination and [2:17:00] persecution?

**Mr. Timothy:**

No, I have not met them. The people that I have met are Christians. I’ve met some Catholics, but I’ve not really met people who believe in Buddhism or other religions.

**Michael Kirby:**

Is there anything else that you want to say that you haven’t said in answer to my questions?

(Multiple speakers)

**Mr. Timothy:**

[2:18:00] I think I’ve said almost all the things that I wanted to say. The religion in North Korea, and the fact that the regime in North Korea is maintained is because the structure and the regime is almost like a network marketing, is like a multi-level marketing, that we see here. Everything is in existence for the person at the very top. So just for one person. We have this pyramid structure. In Pyongyang, that is just supporting this one person at the top.

North Korea talks about strong country [2:19:00] and we are, as had been said by other people here, there are other cities, other towns besides Pyongyang and these communists, only the communists, Pyongyang is all about the communists. And the country, the North Korean regime, the state exists only for those communists that are in Pyongyang, the core people. Because I’ve lived in other cities, provincial cities, we have seen things that are [2:20:00] different than the things that are happening in Pyongyang. I think there is a bit of capitalism that is starting to show up in the provincial cities and I believe that the lies will be exposed one day and I believe that one day the North Korean regime will collapse and Pyongyang will not be the only city where people live. And, in other cities in North Korea, just like the cities here in South Korea, we’ll have freedom, we’ll have rights. Just like here in Korea, people have the right to choose their leaders, I believe that one day, that North Koreans will have the right to choose their own leaders.

**Michael Kirby:**

[Unclear] (2:20:50) … should be allowed to choose their religion or to choose not to have a religion?

**Mr. Timothy:**

[2:21:00] You have to have the freedom to choose a religion like the Republic of Korea. We need to have people who can practice Buddhism, Christianity, and other types of religions. It’s a fundamental freedom of a human being.

**Michael Kirby:**

Yes, thank you very much, Mr. Timothy.

**Marzuki Darusman:**

Just a few questions. Thank you, Mr. Timothy. You experienced hardships and torture and we recognize your suffering and hope that things will be [2:22:00] better in the future. I detect a sense of acceptance on your part that that what has happened has happened and looking into the future, my question would be if you were to have to have a view on unification, would you want your torturers to be brought to accountability? [2:23:00] Would you remember the people that tortured you and would you want them to be punished?

**Mr. Timothy:**

The North Korean system, in fact, is what sustains those people who tortured me to stay alive. Well personally, I feel there is a desperate feeling that I need to be rewarded, compensated, but can that happen? My father passed away in a political prison and my mother died of frostbite while she was being repatriated. I have nothing, no one left in North Korea. I’m alone. I don’t have any parents. I have [2:24:00] kept myself alive until now. How can anybody compensate for that? I don’t think there is a way and I don’t know if I can be compensated. I just wish that nobody suffers what I experienced. I just want to see North Korea become a free democratic country as soon as possible. I think that’s the only way that I can be compensated.

**Marzuki Darusman:**

Thank you.

**Sonja Biserko:**

It is a known fact that in almost the entire communist world, the collapse of the socialist values was replaced by church activities and religion. Did you in your preaching in North Korea have a feeling that it may happen [2:25:00] in North Korea as well, that people will have to take something in order to survive on, in believing in something since the whole entire value system collapsed.

**Mr. Timothy:**

A lot of people via food assistance and various ways, I see them engage in these activities and I believe in the impact of those aid activities. Internally, I think what drives those people is religion. What can happen, what can change North Korea, are [2:26:00] changes that occur in multi-levels. But I think the change, 50% of the change, will come from religion. You cannot dismiss the power of religion.

**Sonja Biserko:**

Thank you.

**Michael Kirby:**

Thank you very much, Mr. Timothy, and thank you for coming along today. This is an important matter, which is within our mandate, and we will certainly be giving attention to it and to your testimony. Thank you for giving your testimony. You can now step down, thank you.

**Mr. Timothy:**

Thank you very much.

***Mr. A***

**Michael Kirby:**

Is Mr. A present?

[2:27:00] Thank you very much for coming to this meeting, Mr. A. We are grateful for your assistance and we understand that you too are going to help us on the issue of discrimination against people on the grounds of their religious beliefs. Is that correct? Do you have the microphone? Do you have the translation?

**Mr. A:**

[2:28:00] Yes that is correct, what you said is correct.

**Michael Kirby:**
And are you prepared to declare that the evidence that you will give before the Commission of Inquiry will be the truth?

**Mr. A:**

Yes, I declare.

**Michael Kirby:**

I think that you grew up in the Democratic People’s Republic of Korea, North Korea, and were a member of a privileged family with a songbun which was respected, and that your family members were members of the local Korean Workers’ Party structure. Is that correct?

**Mr. A:**

Yes, that is correct.

**Michael Kirby:**

You left North Korea in [2:29:00] May 2004 in order to come to South Korea.

**Mr. A:**

Yes

**Michael Kirby:**

When did you actually arrive in South Korea?

**Mr. A:**

I left North Korea in June 2004 and that’s when I came to South Korea.

**Michael Kirby:**

Tell us something about your life growing up in North Korea.

**Mr. A:**

In North Korea… I was born in North Korea and I grew up in North Korea. I received 9 years of higher education and I served in the army for 10 years. [2:30:00] After I was released from my service, I worked for a while in the factory. I was allocated to a factory. And after that, I went to Sariwon, a school of pharmacy. I was there for two years. It was a tele-education and until I came to South Korea, I worked in a factory of herbal medicine.

**Michael Kirby:**

And you became interested in religion, and [2:31:00] specifically the Christian religion, through your sister-in-law. Is that correct?

**Mr. A:**

Yes, that is correct.

**Michael Kirby**:

And she, in fact, suffered as a result of her religion and was sent to a prison camp for political prisoners.

**Mr. A:**

I think there is something that I need to share right now. I need to explain this. It wasn’t my… it was my sister; my sister [2:32:00] was persecuted for following Christianity. She was labeled as anti-regime. In North Korea, the only ideology, the only religion that is allowed, is the ideology of Kim Il-sung. She was sentenced to 14 years and was sent to Hamhung prison. And it was very difficult to get anything to eat. She suffered from malnutrition. I went to visit her. I gave her some money to get treatment and she… I brought her out of the camp, she received treatment [2:33:00] for 3 months and she came to a point that she could no longer stay in North Korea because according to the North Korean law, anybody who abandoned the North Korean ideology and chose Christianity is never forgiven by law. You are punished by law.

So in all thoughts, the only way… there was no way I could save her in this country and that’s why I sent her to China. I wanted to save her. I wanted to save my sister. But everything had to be done so quickly and so at the time, I forced her to go to China. [2:34:00] Later, I could not think, I did not think about that I would be held accountable for her disappearance. I realized that long after she was gone, and my thought did not reach as far that, that the legal institution would hold me accountable for her whereabouts. After I sent my sister to China, the Anjeonbu agents gave me a lot of trouble.

**Michael Kirby:**

And tell us about the treatment of your sister-in-law, because she was sent to a kyo-hwa-so prison camp and I think she suffered very [2:35:00] severely. When was she sent to the prison camp?

**Mr. A:**

It’s not my sister-in-law. It was my own older sister.

**Michael Kirby:**

Oh, I am sorry. You made that clear. So it was your older sister, or was it your younger sister?

**Mr. A:**

It was my older sister. It was my own older sister, my birth sister.

**Michael Kirby:**

I see, and she was found with a Bible and she was sentenced to 13 years in a kyo-hwa-so prison camp for ordinary criminals. Is that correct?

**Mr. A:**

[2:36:00] It wasn’t my older sister. It was my younger sister who was discovered with the Bible. She was preaching Christianity to her friend and the Anjeonbu learned about this and she was sentenced to 13 years in prison. It was my younger sister who was caught with a Bible, not my older sister.

**Michael Kirby:**

What happened to her in the prison camp?

**Mr. A:**

You mean my older sister?

**Michael Kirby:**

The one who went to the prison camp.

**Mr. A:**

[2:37:00] Can you repeat the question?

**Michael Kirby:**

I think that the sister who was sent to a kyo-hwa-so prison camp for ordinary criminals after she was caught with a Bible was sentenced to 13 years of detention. Is that correct?

**Mr. A:**

Yes, that is correct.

**Michael Kirby:**

And after three years, she had almost died from starvation. Is that correct?

**Mr. A:**

Can you repeat your question please?

**Michael Kirby:**

After three years, your sister had almost died of starvation but you managed to get her out. Is that correct?

**Mr. A:**

[2:38:00] Yes, that is correct.

**Michael Kirby:**

Why did she almost die of starvation? Was the food ration inadequate for sustaining life?

**Mr. A:**

The food ration at the time in North Korea, during the March of Great Suffering, the Arduous March, you could see children abandoned in the streets, lots and lots of them. And there were a lot of people who died of starvation. When you got up in the morning, for the entire day, you would hear about everyone who had died because of starvation and in my factory where I worked, there were piles and piles of bodies that died of starvation and nobody claimed them so we buried all these bodies together. Because of the food crisis [2:39:00] in 1998, 1999 and before that in 1997, times were difficult before 1997, but those 3 years were particularly difficult. The food crisis worsened during those three years and the rations stopped. There were not enough rations and there are painful memories from these three years.

**Michael Kirby:**

So when your sister was released, did she go back to live in the family home, did she?

**Mr. A:**

Yes, I brought her to my house, I brought her to my house, [2:40:00] but if one is released from the prison, to get treatment for a disease, the Anjeonbu has to be notified of this fact and you need to sign and print your fingerprints in the Anjeonbu documents. And I followed those procedures to bring my sister home so that she can receive medical treatment for three months.

**Michael Kirby:**

I think your older sister left for China in 2000 but she was repatriated from China to North Korea in July 2004. Is that correct?

**Mr. A:**

Yes, that is correct. Yes, that is correct.

**Michael Kirby:**

You found out through [2:41:00] contacts in the security forces that your older sister had been interrogated and tortured by the National Security Agency and she had ended up in Yodok political prison camp number 15.

**Mr. A:**

Yes, that is correct.

**Michael Kirby:**

She had been sentenced only to 2 years, but I believe you have not heard from her since then. Is that correct?

**Mr. A:**

Yes, that is correct.

**Michael Kirby:**

And what is your understanding of the reason why she was sent to Yodok? Was it because she had gone to China or was it because she was also engaged with Christian missions, or was it both?

**Mr. A:**

[2:42:00] Well what’s important is, China is a socialist country like North Korea. The two countries are very close. Those who cross the border to China are not sent to the political camp. But if you go further from China, for example if you had the intention of coming to South Korea, it’s a different story. In the North Korean law, they specifically stipulate South Korea. If you commit an offence, to stay alive, to survive, and you crossed the [2:43:00] border, that’s an offence, that’s a crime. And in the course of committing that crime, if you had the intention of going to South Korea… my sister was arrested while she was trying to cross the border to Mongolia.

So she was caught in Mongolia and I called North Korea and asked if she can be saved. The person from North Korea said that because she intended to go to South Korea, she could not be saved. And I also asked if she had committed another offence and the person on the other side of the phone told me that [2:44:00] being a Christian was an issue. And so her attempt to go to South Korea, and because she was practicing Christianity, there was no chance that my sister could be saved in North Korea.

And for this reason, I talked to my friends in North Korea. When I left North Korea, I had contacts in the Bowibu and police and I knew people in the Labor Party. So I called my friends up and I begged them to save my sister unconditionally, that they have to save my sister. Attempting to come to South Korea would be treated like a criminal who has to be sent to political prison camp by the Bowibu. My only wish, my only wish [2:45:00] at the time was to at least lessen her sentence so that she could be dealt with by the Anjeonbu, not the Bowibu. That was the only way that I could save her. My elder sister, if she could at least be in the custody of the Anjeonbu, she would be sent to Hamhung jail or somewhere, for example, in a jail that women were sent to. If she could be sent to those jails, she had a chance to stay alive. So for that reason, because she could not be saved, I told my friend that I was going to send [2:46:00] money and ask them to come up with a plan to save her.

But during the investigation, my elder sister took a very heavy beating and that resulted in a stroke. She was suffering from a stroke and the Bowibu never gave her treatment and just sent her to the political prison camp. And as I can remember, that happened in early May 2007. She was sent to the Yodok camp in the South Hamgyong province. But because she had a stroke, [2:47:00] I wanted to get her treatment, and I wish there was something I could do, but as a brother, I couldn’t even get her a package of herbal medicine and I never saw her rest in eternal sleep. I was very depressed about the fact, so I got myself drinks for like 3 hours, in a bar in my village.

**Michael Kirby:**

You yourself had been arrested by the Ministry of People’s Safety because of surveillance of [2:48:00] you moving to China. Is that correct?

**Mr. A:**

Yes, that’s correct.

**Michael Kirby:**

And you were subjected to interrogation. Tell us about the interrogation.

**Mr. A:**

To put it easy, here in Korea… it’s a wooden club. It’s about 5 cm in each direction. They hit me on my back dozens of times and I almost fainted, I could not scream anymore. They stopped beating me because I could no longer [2:49:00] scream, I was almost about to faint. They asked me what I did in China because I was part of the underground church and I was receiving some financial help. And I brought bibles into North Korea and my younger sibling… I think they got some sort of information out of my younger sibling during her questioning. So one of the people from the police actually told [2:50:00] one of the other police officers to bring me in and to torture me to get answers out of me. I think they were told to beat me until they got the answer. I still get acupuncture because I have blood clotting in my body. My kidneys are in a really bad condition, that’s what I found out here in South Korea and I think that is because of the blood clotting that occurred when I received beatings of the hands of the police officers in the North.

While I was living in North Korea, I went to [2:51:00] China, and of course that is a violation of North Korean law, but I had to survive. I mean, there was no food in North Korea. The state was not giving me any rice and a lot of people were dying due to lack of food.

**Michael Kirby:**

[Unclear] (2:51:25) … that finally led you to leave North Korea and to proceed to South Korea in June 2004?

**Mr. A:**

Yes, that’s correct.

**Michael Kirby:**

Two other matters that you can speak about, one of them relates to the health care system in North Korea. What can you tell us about that system?

**Mr. A:**

[2:52:00] Well… I think you mean the health care system in North Korea? The health care system in North Korea, during the Kim Il-sung era, there were free medical services. During the Kim Il-sung era, we received free medical treatments. Even now, they say the medicines are free. But during the Kim Il-sung era… well, there were not enough drugs. The patients had to go to markets and buy the medicine with their own money. And just to get an injection, they would [2:53:00] take the medication to the hospitals; it’s not free medicine, it’s not free healthcare. And doctors, when I was in North Korea, I was very close… my job was very much related to what the doctors did. You have to give some money, you have to give kickbacks to doctors in order to get treatment, proper treatment, from the doctors. If you don’t give them any money, if you just buy medication from the market, from the store, the doctors would not be all that willing; they wouldn’t feel that much responsibility towards you as a patient. Kim Il-sung [2:54:00] of course talked about free medicine, but free medicine or free health care did not take place since the early 1990s.

**Michael Kirby:**

Yes, I think you made that clear. Now the other matter that you wanted to talk about was opium smuggling in the North. I don’t ask anything about your involvement, but can you tell us anything about the smuggling or would you prefer not to talk about that? It’s alright if you don’t want to talk about it.

**Mr. A:**

No, no, I can talk about it. Well, opium, there is one thing I want to talk about regarding [2:55:00] opium. I think it was the late 1990s, I think there was this one year at the farms… well, here in Korea you have private farms; in North Korea, it’s collective farms. I think about 20 people are in a work group; each work group was created for the opium. And at that time, we didn’t know what was happening. When we were drinking, we were talking to one of the officials. [2:56:00] We didn’t know why they were planting opium plants. We asked, when we were drinking privately. One of the officials who was there said that there is a Gangsungsan [ph] (2:56:20), he used to be a very high ranking official, I think he was almost like a premier. He talked to Kim Jong-il and he got approval from Kim Jong-il about opium.

So in North Hamgyong province, that year and the year after that, there was legal planting of opium and we got the sap out of the opium [2:57:00] and some of the opium product went into the warehouse of the Gwali-guk [ph] (2:57:06) and SongJin NamHang Port [ph] (2:57:10). There is something called Nam Hang Pharmaceuticals, they would process it… excuse me, it’s a port and through the port they would go to the sea. So I was wondering what would happen to the opium on the sea and this person told me that it’s a liaison office, it’s more like spies. The spies would transport the opium to Japan. So, [2:58:00] some opium cargo, I saw some opium cargo that was returning to North Korea because they were discovered. So when it comes to opium…

**Michael Kirby:**

[Unclear] (2:58:15) … just something that you had been told, this is not something that you know from your own knowledge?

**Mr. A:**

It was in Geumdeok of South Hamgyong province, from there to Chongjin of Hamgyong Province, I transported opium once. I transported opium because there was this factory. One of the people in charge of [2:59:00] the factory… to get about 7-8 people and go to Geumdeok and buy opium.

**Michael Kirby:**

I think I’ll stop you at this stage because it’s not really something that may be in your interest to talk about and it’s not essential for the Commission of Inquiry to have it and therefore, I think we might just leave it at the issues that you have previously raised concerning religious persecution of yourself, your sisters, and family, your own forcible repatriation, and the arrest and torture that you suffered on leaving your own country. I think that is something that which we might leave to one side, the issue of the opium. I don’t want you to [3:00:00] get into any trouble as a result of your giving evidence before the Commission of Inquiry. I’ll see if my colleagues have any questions from you and if not, we’ll move to the next witness, witnesses who are now half an hour behind.

**Marzuki Darusman:**

Just one question Mr. A and this is something that you experienced personally. You were arrested by the Ministry of People’s Safety in November 2003, is that correct?

**Mr. A:**

Yes that’s correct. I was arrested by the Bowibu once and once I was arrested [3:01:00] by BoAnbu, which would be the police.

**Marzuki Darusman:**

Yes, but then subsequently you were interrogated for two weeks and tortured during that interrogation.

**Mr. A:**

Yes.

**Marzuki Darusman:**

What transpired during the interrogation? Were they wanting you to leave the religion, to give up the religion? What was told to you to do?

**Mr. A:**

I was not arrested because of the religion at that time. [3:02:00] Because I was moving back and forth between China and North Korea, they wanted to know about what I did in China, that’s what they wanted to know. But I brought bibles from China. If I told them that I brought bibles from China, if I told them I studied the Bible in China, they would have killed me right away. So even if they gave me the harshest beating, I did not say anything about the Bible or the Bible Studies.

**Marzuki Darusman:**

Did they ask you whether you were a Christian?

**Mr. A:**

No, they didn’t get to that extent. [3:03:00] Their questioning did not go as far as asking about Christianity; their questions were mainly about my doings in China. There was a smell of oil in my house, so they were asking me where I got the money from, those were the main two questions that they asked me.

**Marzuki Darusman:**

[Unclear] (3:03:35) sensing that there is religious persecution against Christians in North Korea. Are you aware of any official or practices that, to the effect that Christianity is being persecuted?

**Mr. A:**

[3:04:00] People in my neighborhood, in my village… there was this woman who was about 40 years old, I think she was caught running a church. So she was taken to the Bowibu, or the National Security Agency. Because she was taken to the Bowibu, the people in the village talked about her. We were asking ourselves why she was caught, we said it was because of religion. [3:05:00] And I think that was around the time when the religion issue began to emerge in North Korea… and Christianity, when Kim Il-sung was younger, in his childhood, Kim Il-sung’s mother believed in Christianity, so there was a story about that. But we…

**Michael Kirby:**

He was a Presbyterian minister and education, is that not correct? It was translated as his mother, it may also have been his father.

**Mr. A:**

I understand that both the mother and the father. From what we know, the [3:06:00] father is from Shoomsir Junior High School [ph] (3:06:10) and the mother, Gangbasuk, her whole family… even the father of the mother was also a reverend. That’s what we know.

**Marzuki Darusman:**

You yourself have never experienced having to deal with the Ministry of People’s Safety or the Bowibu in connection with your beliefs as a Christian. Have you ever experienced any abuse or questioning or any problems with the authorities because of your religious beliefs?

**Mr. A:**

[3:07:00] I have never received questioning because of religion from the Bowibu or BoAnBu. I realized that I needed to go to South Korea to survive because of the fact that I had brought bibles into North Korea. That, I thought, was going to get me killed. So one of my friends, one day, told me that I needed to be careful, if not I would be dead. That’s why this friend said to me. So I asked him, ‘What’s going on?’. He said that there was an instruction from one of the [3:08:00] heads of the police to arrest me, so that’s when I realized that I could no longer stay in North Korea and survive. That is why I took my children to cross the Tumen River and to leave North Korea.

**Marzuki Darusman:**

Thank you.

**Michael Kirby:**

Thank you very much, Mr. A, for coming along and giving us your assistance. We greatly appreciate it and we express good wishes to you for your future. You are now excused. You may stand down. Thank you.

**Mr. A:**

Thank you very much.

***National Human Rights Commission of Korea***

**Michael Kirby:**

Now we have present members of the National Human Rights Commission of Korea and I would invite them to come forward now. [3:09:00] Can I welcome Mr. Ahn, Mr. Yoon, and Mr. Lee to this meeting? I apologize that we are running behind time but we have had some very interesting and informative witnesses today and sometimes it is difficult to cut things off when they have such useful information to give us. But we have had the pleasure of meeting the National Human Rights Commission of Korea and we are grateful to the members for coming to assist us today and we pay our respects to professor Yoon Nam Geun, the chair of the special committee for North Korean human rights and the presentation. And I would ask [3:10:00] Professor Yoon to make the presentation after which we will have time for some questions. Thank you.

**Mr. YOON Nam Geun:**

We are behind schedule, yes, but I would like to express my respect and gratitude for each and every one of you for being here. Everybody in the NHRCK, we have very high aspirations and expectations for the COI and we are looking forward to a fruitful outcome. Before I begin, I would like to show you a DVD of prison camps in North Korea. This is a 7-minute DVD on [3:11:00] the political prison camps in North Korea. I would like to start my presentation after we have seen this DVD.

**Michael Kirby:**

Yes, very well. Is that in a position that you can show us the video? And can you leave a copy of the video with us after your presentation? When the video has been shown, a copy will become exhibit S10. Yes, please show us the video.

**Mr. LEE Yong Geun:**

Before we start the DVD, I would like to briefly introduce the DVD, why we put this together. In 2011, we heard testimonies from North Korean defectors and we learned about the Kyo-hwa-so, the forceful [3:12:00] repatriation to North Korea, and about the political camps. So this is a documentary about the testimonies that we heard. But today, we would like to show you the part about the long-term re-education training camp, the Kyo-hwa-so. This is going to be a 7 minute DVD.

*(7 Minute DVD)* (3:12:30-3:19:07)

**Interpreter:**

Please speak into the microphone. Please speak into the microphone. Please speak into the microphone. We are not getting audio input in the booth. [3:20:00] We are currently not getting any audio input into the booth.

*(Pause)* (3:20:00-3:22:45)

**Mr. YOON Nam Geun:**

We will begin our presentation now. Thank you very much for waiting. [3:23:00] We are behind schedule and because of that, what I am about to present is based on the materials that we have at the NHRCK. We are going to give this information to you, so I would like to make this presentation brief. Is that okay with you?

**Michael Kirby:**

Yes.

**Mr. YOON Nam Geun:**

I think this is going to take about 10 minutes. The NHRCK, beginning in 2005, we have carried out a fact-finding study on the North Korean human rights situation every year. In 2011, we have set up a North Korean Human Rights Violations and Documentation and Archives Centers to get [3:24:00] specific information on cases of human rights violations and we have published a compilation of these cases. Today I would like to talk about some of the results of the fact-finding and what they have found out based on the cases that have been submitted to this Archive Center. In 2012, we received 619 cases submitted to the Documentation and Archive Center. And we broke them down into different categories: tortures and inhuman treatment made up 37.5% of the cases, human trafficking and sexual assault 23.6%, horrific detention conditions 15.9%, violations of the right to life 9.1%, discrimination [3:25:00] cases 3.4%, violations of the freedom of movement 2.4%, and violation of the freedom of expression made up 1.7% of the cases that had been submitted.

First of all, I would like to talk about what we found out about the violations of the right to food. As you may very well know, North Korea has an inefficient collective farming system and they are experiencing shortage of the inputs of the agricultural production and because of the annual food shortage situation it has led to different crises: the foreign currency shortage, energy crisis, these all chronic situations going on. And in the mid-1990s, in what is called the Arduous March, the food scarcity worsened to a massive death from starvation. And the result of our fact-finding studies show that only 2% of the respondents [3:26:00] to our survey received food rations and 58% were the people who witnessed people who starved from death. 87% had responded that they had a very difficult time getting food, shelter, and clothing.

With the help of UNICEF and other international organizations, North Korea published the statistics… we published the statistics, called the 2012 North Korean Nutritional Report. 27.9% of the children under the age of 5 showed signs of stunted growth and, of these children, 7.2% showed acute stunted growth. 4% showed a serious case of malnutrition.

And mortality rate among young children was also very serious. Out of 1000 children, [3:27:00] 25.2 children died of malnutrition. For children under the age of 5, the mortality rates were very high, 50% higher than South Korea. Before October this year, 2.8% of the current North Korean citizen would be in need of food. And because of the food shortage, North Korean residents are forced to go to the marketplaces and get vegetables and food from someone’s garden. But the vulnerable people, patients, elders and children, have no choice but to suffer from extreme hunger.

Next, I would like to talk about… another point that I would like to add is… in 2011, we took a look at the cases admitted to the data center. [3:28:00] In the mid-1990s, out of 100 000 Hamgu-gun population, about 2000 people died. Around the Chongjin station, you could find 4-5 dead bodies everyday.

Next, I would like to go into the violation of the right to life. In North Korea, the violation of the right to life is against the Criminal Code and is stipulated to public execution. But regardless, just because they are antithetical to the regime, people can face death penalties. In the criminal law of North Korea, crimes that deserve the death penalty, that are stipulated to be charged with the death penalty, are attempts to [unclear] (3:28:55) over the state, terrorist acts, anti-state crime, [3:29:00] treason of nation, treason of people, murder, etc. or causing damage to state property, misbehaving, illegal business, and prostitution. So they have a very broad scope of crimes that are subject to the death penalty.

I would like to talk about another example. In 2009, Pak Nam-gi, who drove the currency reform was publicly executed in order to allay the dissatisfaction of the people. He was executed as a scapegoat. Even if he did not commit any offense that can be charged with the death penalty as stipulated in the criminal law, he was executed. 93% of the respondents witnessed public execution because [3:30:00] these people were charged with anti-regime crimes, human trafficking, and murder. 93 witnessed with their own eyes, the public execution. 73% of North Korean defectors testified that they are eyewitnesses to public executions.

Another point worthy of note is that, in particular with the rise in the number of women defectors, trafficking women to China is charged with public execution. In our standards, we think that they are executing people who help people defect from North Korea. For example, one person who submitted a complaint said that his [3:31:00] brother was tortured and detained for 3 years just because he was following Christianity. He was sentenced to death for treason against people. In a case that was submitted in 2011, in 1983 at the Yodok camp, this person testified that he had personally witnessed public execution at the Yodok camp.

A few days ago, recently, we received a case about public execution at a kyo-hwa-so. He came to our office to give his testimony. At the kyo-hwa-so, this person worked as a foreman for 3 years. He was a model person at this kyo-hwa-so, he was in charge of taking [3:32:00] care of the dead bodies. At the Jeongeori kyo-hwa-so – this is specifically about Jeongeori kyo-hwa-so – this person came forward saying that there were about 200 cases of secret public execution, and these executions were in accordance to Kim Jong-Il’s instruction to clear everyone who is sick in their mind. According to this person, sometimes the public executions took place 3 times a month and for each time 5-10 people were killed.

In addition to public execution, North Korea carries out secret executions, and those who are secretly executed, they do not get trials before executions. So public and secret [3:33:00] execution contravenes the Rome Statute that stipulates...

In 2009, we met with 17 North Korean defectors and based on other testimonies, we carried out a fact-finding survey about the violation of North Korean human rights in political camps. There used to be 15 camps but now they have been integrated. We are told there are about 200 000 inmates, but there is no way of finding out if this number is accurate or not. And many inmates face execution, or they suffer from malnutrition. And so many die from diseases. Therefore, we estimate that the number will be higher than that which we are aware of.

[3:34:00] You are put into the political prisons if you criticize the regime or if you belong to the hostile class. Sometimes you are imprisoned for guilt by association without ever finding out why you are imprisoned and you don’t get a fair trial. There are two types of political prison. One is the completely confined section; the other is the revolutionary section. The former is for those who have to serve an unlimited term, but those who go into the revolutionary section, are… most of them know the term of their sentence and when they have done their term, they can return to society.

The entire family is imprisoned in the political camps. When you [3:35:00] give birth, it means that that child has to live in that political camp until the parents are released. In 2009, we carried out the fact-finding survey and we combined these results with the 2011 cases submitted to the data center. We were able to break down the types of violations. There were cases of control over the natural instincts of human beings. And people, inmates, suffered from continuous beating, as long as they were in prison. And everything they needed for everyday life had to be procured in a self-reliant way and therefore a lot of inmates suffered from TB [3:36:00] and malnourishment, which resulted in a lot of death. There are high numbers of TB patients among North Korean defectors. Whether they are from the political camp or not, it means that across North Korea, there are a lot of people suffering from malnutrition. As we have said before, public execution and secret executions are carried out in political camps.

Now let me talk about discrimination. According to the North Korean constitution, everyone has equal rights. So there is the right to equality. But from 1967 until 1970, North Korea conducted a survey to find out about the class of the people and they broke their citizens into different classes. [3:37:00] The class that is respected the most is called the core class and it’s about 28% of the total population. And workers, technicians, the farmers, clerks, and teachers are called the ‘wavering class’ and they account for 45% of the total population. And the so-called ‘hostile class’, those are the so-called impure elements, or reactionary elements; they make up 27% of the total population. Yes, I’ll try to rush through the rest of the presentation.

And now I would like to talk about the torture and inhuman treatment, and arbitrary detention. According to the constitution, they shouldn’t torture, they shouldn’t arrest people against the law, but there is arbitrary detention and there is also a lot of torture and inhumane treatment that occurs in North Korea. And, [3:38:00] according to this lady, she has said that she had fainted because she was beaten with a stick. With every kick on her head, she experienced blood gushing out, like a fountain.

Now I would like to talk about the freedom of movement. About relocation, or travel, you need a travel permit or certificate and if you are going to go beyond the border of a ‘do’, or province, you have to get this certificate or permit. And if you are going to change your address, then you need to get the permit in advance. About 2 weeks before, the citizen should submit an application for travel to the head of his or her workplace and she will get approval after the head of her workplace has reviewed and allowed the travel.

[3:39:00] And people… but nowadays, this has been relaxed. If they travel without approval and they are caught, they just pay them bribes. That is what is happening in North Korea. And as for international travel, for construction or employment, only the people with good ideology or good class will be allowed. And there is also forced movement. The people who are not politically reliable would be forcefully moved to places that are difficult to live in, such as mining areas and other newly established areas.

[3:40:00] And now I would like to talk briefly about freedom of expression. Citizens are not allowed to have freedom of speech or the press or assembly or demonstration or association. Only a few organs that belong to the North Korean government are allowed to have any sort of media-related activities. And they do not have any means of communication. All the radio frequency of North Korea is fixed to the government-run Korean central broadcasting station. If the seal is broken, he or she will be punished as he or she is deemed to have listened to the broadcasting of a hostile nation. And I believe that it’s important that we provide diversity of information, outside information to the citizens of North Korea. Of course it’s important to provide food aid to the North Korean people but I believe that it is necessary that we provide information to [3:41:00] North Korean citizens. In 2011, our Commission has recommended to the South Korean government to take action to ensure that the North Korean citizens have access to information.

Now I would like to talk about enforced disappearance including the abduction of nationals of other states. Many people including artists journalists and politicians have been taken to North Korea forcefully during the Korean War. We anticipate the number to be around 83 000. And even after the Korean War, North Korea continued to abduct South Koreans. Many fishermen have been abducted and the flight crew of a Korean airliner has been abducted and they have not been returned. There are about 3800 civilians that have been abducted and they have [3:42:00] not been able to return. And 3300 have fortunately been returned but about 517 have not been able to return. NHRCK has recommended to the Korean government and to the Korean National Assembly to enact a law to facilitate the return of those abducted to the North after the Korean War and to compensate them. And with this, I would like to end my presentation. Thank you.

We will be translating this document into English to give it to you.

**Michael Kirby:**

That would be very helpful if you could do that. And when received, the document in English setting out the submission of the National Korean Human Rights Commission will be exhibit 11, S11. [3:43:00] Thank you very much for giving us that submission so efficiently and rapidly. We do have a document before us which is… is that the document which is the English language translation?

**NHRCK:**

Yes, that is the English translation.

**Michael Kirby:**

That will be exhibit 11. We’ll put that with our S11. Thank you. Now, one thing I should ask at the outset, and I do this without any disrespect, but given the suspicions of the government of the DPRK, of anything originating in the Republic of Korea and given that the National Human Rights Commission of Korea receives funding, as I understand it, from the government of the Republic of Korea, can it be said [3:44:00] that… would it be fair to call the NHRCK a hostile agency because it is in receipt of funding from a power which the North Koreans regard as hostile and contrary to their system of government and their survival? What would you say in answer to that contingent?

**Mr. AHN Sock Mo:**

The NHRCK… yes, we do get government funding, however our work is completely independent. The North Korean human rights issue is not prone [ph] (3:44:55) to North Korea; this is about an issue for the entire world. [3:45:00] The conscience of the entire humanity cannot dismiss this issue anymore and in order to achieve real changes in this area, we need to move very quickly. And human rights violations in North Korea… through the investigation inquiry of COI, you can verify human rights violations cases in North Korea. With the concerted efforts of international community, I think we hope that we can address this issue in a very short period of time.

**Mr. LEE Yong Geun:**

I would like to add to that comment. The nature of NHRCK is an independent institution that abides by the Paris Convention. The North’s human rights issue [3:46:00] is dealt in pursuance of the International Convention on Human Rights. Recently, according to North Korean broadcasts, North Korea has expressed an uneasy position about what we are doing in terms of North Korean human rights. And they have mentioned about taking retaliatory actions.

**Michael Kirby:**

Is that a source of concern for you, that threat?

**Mr. YOON Nam Geun:**

For me?

**Michael Kirby:**

For the Commission.

**Mr. YOON Nam Geun:**

You can never anticipate what action North Korea will take; they have always carried out terrorist action. There is a possibility of another one occurring [3:47:00] but by attacking human rights or the NHRCK, I think North Korea should think about what they can get out of it. We don’t feel any immediate threat from North Korea at this point.

**Mr. LEE Yong Geun:**

The documentary that was previously shown, when it was put together, one of the North Korean media targeting to reach South Korea, used expressions like they would uproot everyone in South Korea. And so I think the North Korean regime doesn’t feel very comfortable about us.

**Michael Kirby:**

And what human rights violations in the North need more attention and analysis in your opinion? I realize that the point of your [3:48:00] submission is that there are so many matters on the list, but what do you think are some matters that have been neglected and that should have new, fresh, and special attention by the COI?

**Mr. YOON Nam Geun:**

I think the COI has classified human rights violations into 9 patterns. I think these 9 patterns cover all areas, most of the areas, and of those, which we think is very important, is the right to life, or the right to food. Another aspect is that North Korean residents are completely blocked from outside [3:49:00] information. Their right to access information is completely cut off. Without information, North Korea will be not be able to drive change on its own and so in addition to international food aid, I think information is a very important area.

**Michael Kirby:**

In the case of the German unification, one of the factors, which was a driving force for unification and for change in the East, was the capacity of telephonic and news broadcasts to jump the Berlin Wall. In a country with such sophisticated technology as the Republic of Korea, and particularly, probably the world leader in mobile phone networks [3:50:00] and the video and other visual presentations, is there nothing that can be done to overcome the jammers that are put in place? Jammers, after all, are very old technology. Has there been any consideration in the Republic of Korea, of a technological approach to affording every person in North Korea access to the global Internet?

**Mr. YOON Nam Geun:**

I think about two million have access to computers. One million mobile phones have been penetrated but [3:51:00] the supply of computers in North Korea does not really give access to the internet for everyone. Only the privileged have access to the internet, a limited number. And they have handsets and it’s a playing a very important role but it’s not enough to make people learn about democracy and freedom. As for televisions and radios, because of the jammers… if they remove the jammers they will be charged with criminal punishment. So for ordinary North Koreans, it is fundamentally not possible to have access to Korean broadcastings. A lot of civilian organizations [3:52:00] in South Korea, they put flyers and they allow it to fly to North Korea and North Korea has responded with high sensitivity and this is a very politically sensitive issue in North Korea as well.

**Mr. LEE Yong Geun:**

As for the technical aspects, in the previous year, when there was democratization in Jongdong [ph], the Arab Spring, the updated telecommunication technology contributed to make people learn about the outside world. Government organizations, [3:53:00] we and us, we have come together and carried out an in-depth discussion, but technically, there is an issue, there is an issue… and the PAL and the NTSC system… because of these two different systems, even if Korea is very advanced in terms of technology, there are issues.

**Mr. YOON Nam Geun:**

For your reference, we have conducted a survey with the defectors. About 20% of the defectors have said that they have listened to the Korean and Chinese broadcasting. So with a wider distribution or [3:54:00] penetration of communication devices, even if there is still a strong control over these communication devices, we hope that will be able to reach more people.

**Michael Kirby:**

The existence of satellite images, which have been a very important part of our inquiry, indicates that by technology, you can leap the border and you can provide images. I find it impossible to believe that there is not a satellite-type solution to the issue of providing access to the Internet to all people on the Korean Peninsula if the will is there and the political sensitivities can be overcome. I am sure there must be a technological solution and we have been told that [3:55:00] Kim Jong-un has himself welcomed the handheld telephone and praised it and he is person of a generation that knows how important it is, so it may be something where he should be taken at his word.

**Mr. YOON Nam Geun:**

About this technological development… well, we do have high expectations. We do have hopes. But we also have to think about the political circumstances in South Korea. It’s rather complicated. We do have broadcasting targeted at North Korea. We have civic organizations that are transmitting frequency to North Korea. We are not able to do so directly from South Korea. We are doing that from Central Asian countries. And because [3:56:00] North Korea has nuclear weapons, we do not want to provoke North Korea. So we have to overcome some of the technological obstacles but we also have to overcome the political difficulties.

**Mr. AHN Sock Mo:**

And as you know, anybody can access Korean Internet sites. And just like… anybody can call us in Korea via the mobile handset. But it’s not possible to do so in North Korea because they have blocked it. It’s not a technological problem; I think they have jammed it, they have blocked it. That is why we are not able to access the Internet and mobile phones in North Korea.

**Michael Kirby:**

Do my colleagues have questions?

**Marzuki Darusman:**

[3:57:00] Thank you Mr. Chairman. Thank you, NHRCK, for the presentation. I have just a few points. To start with, I would just like to bring this up and inform our discussion that – you may be well aware of this – a few months ago, there a seminar in Washington, organized by the Hyundai Organization. The theme was transitional justice in the unification of Korea. This was organized by the foundation with the one of the universities there. I was not able to attend but my colleague, Professor David Cohen, [3:58:00] gave a speech there, gave a talk. And it was striking that that theme came up in the whole business of pushing forward this agenda of addressing the human rights situation in North Korea. I’m wondering whether the Hyundai Foundation knows what we don’t know, that perhaps unification is imminent. But more to that perhaps would you have any views? Would the Commission have any views on the post-unification scenario? And this links to [3:59:00] the need for addressing accountability.

We had a witness earlier who testified on the basis of being prosecuted because of his religion. The question was posed to him, that he was tortured, he was kept in the camp, in the prison camps, and he escaped and he said that in the future, he doesn’t feel that there is enough compensation for him to balance or to pay, compensate for the suffering that he endured. His mother died, his father died and all the suffering that took place. Looking at the future [4:00:00] in a distinct perspective of reconciliation, but nevertheless accountability will have to be undertaken. Now what accountability processes have now been initiated by the government of Korea, by the National Commission of Human Rights which is essential in a post-unification… and I realize that accountability is a post-unification issue but then again, it needs to be started now, the process toward accountability. What has been done? I am not in any way aware that any institution in Korea is engaged [4:01:00] in the accountability process with a view to addressing the human rights situation, conditions, which will have to be confronted by both when the time comes.

Now the second point here is this: what is your position on the prison camps? I take it that you acknowledge that they are in existence, that there is a consensus that there are 5 prison camps. Now, the third is the horrible conditions. Inhuman treatment that is being handed to these inmates is acknowledged in this paper. As long as we have these prison camps [4:02:00] and information regarding the conditions within these camps, it’s a moot point to talk about restrictions on the freedom of movement. Restrictions to the right to food, on the right to expression... as long as the prison camps there, what is the point of discussing the freedom of movement?

Now, my question to you is, if we could hypothetically imagine that the 5 prison camps are not in existence, the conditions of North Korea are typical of the conditions of a Third World country with a [4:03:00] weak enforcement capacity. Whether or not the Third World terminology is still being used, I would like you to picture the sense that it would be just another undeveloped country with a weak capacity for enforcement. But that is a capacity issue. But with the existence of these prison camps, would you say that these camps are excesses of the system or is it an integral part of the system? If it is an excess of the system, then I would agree with you that the challenges to improve the human rights conditions in North Korea. But if it is an integral part, a constituent part of the system, [4:04:00] I don’t see much point in discussing about improvements of human rights in North Korea.

Now these are the two issues: the post-unification, what is the accountability process and secondly, what is the position on prison camps here. Thank you.

**Mr. YOON Nam Geun:**

I think your question can be broken down into 3. Let me try to answer your questions. We have established this center within our Commission in 2011, the center that I mentioned in my presentation. We have referenced the German model. The broad and systematic human rights violation in North Korea for [4:05:00] those who are responsible, we would like to see them punished. We believe that is the way to ensure justice and we believe that is the way to have full integration between the two Koreas after the reunification. And for us to be able to punish, we are collecting data and that fact alone, I think, would have a chilling effect on the leaders of North Korea, that’s what we thought.

And about those that have died as a result of torture, if you look at the North Korean defectors in South Korea, they are suffering from side effects or complications from the tortures. And the South Korean government, because these are now our citizens, we are providing them with treatment, we are providing them support to get medical attention. People are talking about the [4:06:00] possible reunification costs. And as part of the costs, there has to be compensation for the people who have suffered human rights violations.

And about these political prison camps… well, the North Korea government is in denial of their existence, and even in South Korea there is some doubt, some questions, as to whether these camps exist. There are about 27 [ph] North Korean defectors residing in South Korea, and many of them have been inmates in the camps and they have escaped or they have been released from the camps and have come to Korea. There are dozens [unclear] of them. So for us, the Commission, we have no doubt about the existence of the camps, but in terms of [4:07:00] numbers of inmates, well it seems that according to the defectors, it seems like many people have died really quickly once they got into the camps so it is quite difficult to quantify the numbers. And the North Korea government has integrated these different camps and I think that is because the number of inmates has decreased.

And about the meaning or the significance of the political camps and the regime of North Korea… I think that this is a completely different issue compared to other issues in the Third World. I think political prison camps are a core part of the regime. We can criticize the North Korean regime because they are using these camps to maintain their power. These are not people that have committed crimes; these are [4:08:00] people that have become potential threats to the regime. They have been put to the camps without a just trial. So therefore, we believe that prison camps play an important role, or a core role, in the maintenance of the North Korea regime. So this is quite different to human rights violations in other Third World countries.

**Mr. AHN Sock Mo:**

I completely agree with the view of the Special Rapporteur. The gulags in the Soviet Union and Auschwitz have disappeared but the political camps in North Korea still imprison 200 000 inmates. In order to close these political camps we are doing our best endeavors. Through the inquiry of the COI, we hope that we can [4:09:00] end the denial of North Korea about the existence of these political camps. We need to get the stories out to the world so that they can shut down these political camps.

**Marzuki Darusman:**

I was just asking, when you mentioned Germany, is this 1945 Germany or 1890 Germany? Because the 1890 Germany did not proceed with any process.

**Mr. YOON Nam Geun:**

Human rights record at [unclear] said that [unclear] 1963 and that record was kept until the unification and the [unclear] punished criminally after the idea. [Unclear] (04:09:55)

**Marzuki Darusman:**

Early on, we had a session with the Korean Bar Association. [4:10:00] They do not acknowledge that public executions were taking place, just to inform you of their proposition, which is an interesting view of course, in view of the fact that the overwhelming opinion is that there are in existence these camps and what has been established, insofar as public executions are concerned, is predominantly, overwhelmingly, I would say, stated by the witnesses. Thank you.

**Mr. YOON Nam Geun:**

We don’t have access to North Korea right now and we cannot investigate the people who are responsible right now. When a limited number of North Korean defectors testified about public executions, a lot of people thought [4:11:00] that was inhuman and horrible. There were doubts and we were suspicious if that was true. And for those who defected to South Korea, it was suspected that maybe they wanted to be in favor of the Korean government but, to this date, we have 27 000 defectors in South Korea testifying the same thing. I don’t think they can fabricate the existence of the political camps. So many people are testifying about it; they cannot collectively fabricate this.

**Michael Kirby**:

They do have public executions in the People’s Republic of China. It’s on TV. They are for crimes of corruption. So it’s not unknown in this region to have public executions, but what is unusual in the case of the evidence on North Korea is the number of them, the variety of the offences, [4:12:00] and the fact that some of them appear to be carried out without any offence at all, and certainly not a due process or even a semblance of due process or accord being involved.

**Mr. YOON Nam Geun:**

I would like to add to that comment. I think what is going on North Korea is also different from what is happening in China. According to North Korean defectors, public executions are carried out in front of inmates and they summon the families of the person who is going to be publicly executed and they make them criticize their family member that is going to be executed. And then the people are executed according to the Criminal Procedure Law in North Korea. When you are charged with the death penalty or other crimes, [4:13:00] the law stipulates that you can appeal but they are… this right is not guaranteed and soon after the trial is over, they are publically executed right away. So the situation in North Korea is different from that in China.

**Michael Kirby:**

I think we have already extended the time of the interpreters far beyond their allotted service to us. I’d like to once again thank the interpreters for an outstanding job. Their level of interpretation is truly outstanding. I’d like to thank Professor Yoon and Professor Ahn and Mr. Lee for their help today and earlier and I assure them that we will take closely into account all of the matters that they have put before us. We are grateful to the [4:14:00] National Human Rights Commission of Korea for that help.

This session of the Commission of Inquiry stands adjourned until tomorrow morning at 9 o’clock.