**Speakers:**

Mr. KIM Young Hwan (freedom of movement)

Korean Sharing Movement (right to food)

Mr. KANG Chol Hwan (political prison camps, general human rights situation)

***Mr. KIM Young Hwan (freedom of movement)***

**Michael Kirby:**

[unclear] The hearing of the Commission of Inquiry on Alleged Human Rights Abuses in North Korea. And, the next person who is going to give testimony is Mr. Kim Young Hwan.

Welcome Mr. Kim. Thank you very much for making time available to us for our public hearings. I understand that you are content that we use your name. Although there are some precautions in relation to remaining family that we have to observe [1:00]. But you’re quite happy that we describe you as in accordance with your given name. Is that correct?

**Mr. KIM Young Hwan:**

[Korean speaking] Yes.

**Interpreter:**

Could you please ask him to turn on his microphone?

**Michael Kirby:**

[unclear] …to declare that the testimony that you are now going to give to the Commission of Inquiry will be the truth.

**Mr. KIM Young Hwan:**

Yes, I can.

**Michael Kirby:**

[2:00] Tell us a little about your life growing up in the DPRK and your first engagement with questions of values and basic rights when you were a student.

**Mr. KIM Young Hwan:**

First of all, let me introduce myself. I wasn’t born in North Korea. I was born in South Korea. I was born in Gyeongsang Province of the Republic of Korea, and I mainly lived in Seoul. And in the 1980s, I was a part of the student movement that was against [3:00] the government. And, in my socialist movement, I have become accustomed to the ideology of North Korea and I began to follow the Juche ideology of North Korea. And then I visited North Korea and I actually had a meeting with Kim Il Sung. And afterwards, I have become skeptical about the Kim Il Sung ideology as well as the communist ideology and then after that I began to work for the democratization and the improvement of human rights in North Korea.

So, for the past 16years, I have worked as an activist in South Korea to enhance human rights circumstances in the North. And, last year, as a part of my work [4:00] for human rights activism, I was caught in China, and I was detained in China for about 4 months. I was under great pain in China. That was my brief introduction. I am not a defector, but for the past 16 years, I have gone to the borders between North Korea and China. And, I’ve met numerous numbers of North Korean defectors and was able to hear a lot of information about North Korea. And I was also able to learn much about the circumstances around the border between China and the North. And, in China I was able to witness human rights violations of North Koreans. And I was asked to testify about those learnings and those experiences. And [5:00] let me briefly talk about what I have prepared in order to get my submission here at the hearing.

**[Korean speaking] (00:05:08 - 00:05:51)**

**Michael Kirby:**

Excuse me. We have lost the English language.

**Interpreter:**

Excuse me.

**Michael Kirby:**

I think we are getting the [6:00] Korean.

**Interpreter:**

Excuse me. We have the... The sound was off briefly. We are back on.

**Mr. KIM Young Hwan:**

Yes, we will start from the beginning. I will talk about the circumstances at the border between North Korea and China. But, before that I would like to talk about why there is such a large number of defectors from North Korea in the past ten to twenty years, and I would also like to add why there is so much human rights violation in North Korea as compared to other countries.

**Michael Kirby:**

One question in advance, because….

**Mr. KIM Young Hwan:**

Ok.

**Michael Kirby:**

Because it is curious that someone who started as a student activist and a student activist on the left side [7:00], suddenly, or in a process of change… changed their mind and became concerned enough about the situation in North Korea to really switch sides and to take a deep concern in the human rights of the people of North Korea. Is there an inconsistency in this? Or do you simply see it as you having continued to be consistent but you discovering that the situation in North Korea was not as you had hoped and dreamed?

**Mr. KIM Young Hwan:**

Well, like the socialists in Europe and the United States, [8:00] we have thought about Utopia where there is equality for everyone. That was why I was involved in the student movement. But what I have witnessed in North Korea is that they only talk about equality. But, compared to South Korea and other countries, there was even more inequality in the North Korean society. The people are divided into different classes, and, depending on the class of a person, the food ration is provided differently. If somebody comes from a bad class, that person would not be allowed to live in major cities such as Pyongyang. And a person at a higher position can insult and take slanderous positions against the people at lower positions. I’ve seen that with my own eyes [9:00] and I have also heard numerous such stories from the defectors. I was involved in the socialist revolution movement because the people who are at the most difficulty… the people who are most oppressed in the society, I had affection for them. I felt solidarity with them. That is why I was involved in the socialist revolutionary movement. But, listening to the testimonies of the North Korean defectors, I realized that the people that are most repressed, are most oppressed, are the people, the public… the citizens of North Korea. Whether it’s left or right ideology, I have decided that is the best way for me to obtain the ideal that [10:00] I had when it came to the movement… the activity that I started when I was a student.

**Michael Kirby:**

You resume your narrative. Thank you for that explanation.

**Mr. KIM Young Hwan:**

And, under the North Korean regime, there are grave human rights violations. I think there are reasons, fundamental reasons. Reason number one is this. The former Soviet Union and China, those are communist countries. They have a communist… a proletarian dictatorship. So, the dictatorship, human rights violation and violence that can be seen in those countries can also be seen in North Korea. So, there is that common communist related [11:00] violence.

And then, the second reason is that, in North Korea, in the process of strengthening the positioning or the power of Kim Il Sung, there was added violence and abuse. North Korean dictatorship is similar to the Stalinist dictatorship. However, when compared to Stalin’s dictatorship, the abuse is even worse and it’s even more primitive. Political oppression and the human rights violations occur in North Korea because of several reasons and one of the reasons is that Kim Il Sung, as he try to solidify his position, he purged his political rivals. And also for his successor Kim Jung Il [12:00] to succeed him in power, he needed to solidify his power and in that process there was a serious commitment of the crime of human rights violation. With just a slip of tongue, you could be sent to a political prison camp. Because of this succession or inheritance of the positions or the power, this brought about graver human rights violations than the Stalinist regime.

And one more thing… there is, I think, a regime competition. There is this competition between the two Koreas. In one sense, North Korea wants to invade [13:00] South Korea and make the whole peninsula a communist country and at the same time North Korea feels threatened by South Korea. It’s not because South Korea… of course some of it may be because it feels that South Korea may attack it. But the more important reason is because South Korea is far more developed than North Korea. So some North Koreans do have some aspirations or have some dreams about South Korea and that is why the North Korea regime is more wary of South Korea. I think because of these two reasons, the North Korean government is keeping even a closer eye on their people and are punishing them if they step out of vine.

And now let me talk [14:00] about the circumstances around North Korea and the Chinese border. The numbers of defectors as you know for the past few years has decreased rather quickly. The number of defectors that are coming to South Korea peaked in 2009, which was about 2000 of them. However, in 2011, it decreased to about 2706, and last year, only 1509 of the North Korean defectors came to South Korea. And this year, that is 2013, we do not have the final numbers yet. As compared to last year we expect to see a drop of 20% in the number of North Korean defectors coming to South Korea.

So why is the number of North Korean defectors decreasing so [15:00] dramatically? Of course even so called experts differ as to why. However, there could be several explanations and one of the explanations is that… it may be that the economic circumstances in North Korea have improved and I think in some sense that is correct. The trade between North Korea and China in 2009 was about 2.9 billion. Last year it increased two-fold by about 5.6 billion dollars and the number of people dispatched from North Korea to China to work for the past three to four years has increased by several folds. So there are increased economic transactions between the two countries and that [16:00] increase has been rather quite fast. So because of such bilateral transactions, we do believe that the economy or the economic situation has improved in North Korea. And also the visitors to North Korea report that the economic situation has improved in the North.

However, if you talk to the defectors or the North Korean visitors to China, even if the economic situation has improved in the North, still many people want to come to the South. So the economic situation improvement in the North is not the main reason for the drop in the number of North Korean defectors [17:00] to the South. So what would be the biggest reason? The reason may be a stricter crackdown on defection. And since Kim Jung Eun came to power, the defectors, if they are found across the border… he has actually given an instruction to shoot to kill should soldiers or guards find North Koreans crossing the border to China. So the North Korean government has taken a very strict stance against defection.

And also for the ships that go out to sea… in the past, well of course the boats that went out to sea without approval, of course the patrol ship followed those boats and questioned them as to [18:00] why the boats were moving to the sea and then they took steps afterward. But nowadays we heard that any boats that are going to sea without prior approvals are told are to be shot right away. So such strict stances, hard line positions, I understand has decreased the number of defectors. And also the guards, the patrol around the border have become even more strengthened. The fences, the patrol at the fences has become stricter and the guards and the Bowibu around the border have been under a stricter inspection. As many people knew, North Korea is a very corrupt society [19:00] so in the past of course the border patrol was very strict. However, many North Korean defectors were able to bribe the guards and be able to cross the borders. But in recent days, the Special Forces or the team of special officials have been sent from Pyongyang to the border to investigate whether the guards or the patrol people around the border have received bribes. And if anybody, any guards, have been discovered to receive the bribes... I understand that there in fact have been cases of guards being executed by shooting. So the guards are discouraged now [20:00] to receive bribes even those who do receive bribes, they ask for much much larger size of the bribes. So the ordinary North Koreans are not able to come up with such large sum of money to be provided in bribes and I think that has contributed to the reduction in the number of North Korean defectors in recent years.

In addition, there is also another important thing that we should take note that happens on the side of border to North Korea. There is a lot of kidnapping and terrorism going on. At least over fifteen years, North Korea has set up and [21:00] managed kidnapping organizations. They have kidnapped important people from South Korea. The number amounts to over 6 – this is verified information. As for North Korean defectors we have no way of finding out how many of them were kidnapped, but as of today, we have testimonies from people who claim to have worked in this kidnapping group organized by the state. So a lot of people have been kidnapped and sent to North Korea. And several cities, major cities in China around the border next to North Korea, they have sent people to these cities to kidnap and these kidnappers went as far as cities like Shenyang, [22:00] but they do not indiscriminately kidnap North Koreans or South Koreans. They kidnapped important people like those who are still in, serving in the Bowibu, in the police, or those who are in a special relationship with the state. They target North Korean defectors who had once been or have served in important positions. Even if this potential person to be kidnapped was not from a special position, if they were found to have been engaged in anti-state political activities in China, they would be the targets of this abduction.

[23:00] In relation to terrorism, as to the number of terrorism that occurred near the border area, we don’t have verified information or data in regards to this but several years ago, in Dandong, China, there was an individual who was assassinated by a poisoned... So North Korea denied this assassination and they refused to verify this but from the method of assassination, it was very sure that it was something that had been attempted, done by the North Korean government. When I was interrogated myself [24:00] by the North Korean government... I was interrogated in Dandong, in an institution in China. The officials told me that they believed that this assassination was in fact done, carried out and planned by North Korea. Human right activists whom I have worked with, with South Korean passports, have also been targets of North Korean terrorism and I have been informed about this fact by the Chinese officials during my inquiry so from the Bowibu and Anjeonbu , North Korean [25:00] authorities are involved in terrorist acts.

Among North Korean defectors who were arrested in China and those arrested in the border area, they received heavy beating and torture. Ten years ago or so, if you were caught in the course of defection, they received heavy beating but that is no longer the case. I think they still receive some beating but the punishment becomes harsher to those who have been suspected of being involved in political activities or people who have not come forward [26:00] as to why they defected from North Korea or those suspected of being involved in religious activities such as missionaries or those allegedly being involved in, linked to South Korea... received severe beating and cruel punishments.

Those who are arrested in China, after they left in North Korea, particularly women, were found to be one of the most vulnerable and severely punished. Those who are repatriated back to North Korea, whether it’s women or men... Women are stripped naked, [27:00] even their underwear, and they are instructed to do squatting and standing up repeatedly for over 100 times, in the purpose of finding anything that had been hidden possibly in their body, for example in the vagina or in the anus. And these women defectors are not... have to go through this in front of male guards and they also do a vaginal examination. Male guards put their hand deep inside the vagina of the women and search for anything that could have been hidden in their vagina, for example like [28:00] money. So these women defectors have to, are put under this very subhuman treatment. This has been done in many cases and we have testimonies about this.

Forced abduction and forced murder of newborns are carried out. North Korean defectors who got pregnant in China, if they are repatriated back, under the… because they are blamed for carrying the child of a Chinese national and they are put to receive forced abortion or if they give birth that child is killed. If the father of the child [29:00] is not known, if the father is not North Korean, they forcefully abort the child. Out of 6 pregnant women who were imprisoned in a cell with this individual, this individual told us that 5 of these pregnant women had to go through forced abortion. And from this you can see, you can tell, that once the North Korean authorities find out, they can verify that if the child you are carrying is not the child of North Korea national, then the child is aborted. Pregnant women’s stomach are also kicked by male guards wearing military boots, and they also give injections, [30:00] or they will make you get surgeries for abortion, but even these surgeries, even when you are given surgeries, they do not give you any anesthesia, and they do not have proper medical devices, which means that these pregnant women have to go through a painful surgical experience and that leads to serious side effects after the surgery.

In the course of attempting to abort their child, if the child is born, then the child is put to death immediately. Sometimes, [31:00] the mouth and the nose are covered with a wet cloth leading to the suffocation of the baby. We have several testimonies. Sometimes, the baby is put face down, so that the baby cannot breathe, and this is one way of killing the baby, and within a few minutes or within a few hours, the baby would cry in pain because it cannot breathe. Regardless, the mother of the baby is made to witness this next to their baby. And so this is another case of the serious human rights violations occurring to these North Korean women defectors, and we have testimonies [32:00] on this.

Babies, when they are put face down... sometimes they survive until the next day. In that case, they put these babies in plastic bags alive and suffocate them to death, or they would put the babies inside a box or in a plastic bag and in negligence these babies would die in that way too. Or sometimes this baby’s head would be pressed very hard with clamps until it dies.

The border area that faces North Korea, there is another issue that is very important that we need to address. which is human trafficking. [33:00] North Korean women are trafficked to China and this is widespread around the border. Of course, the North Korean government is not involved in this; however, human trafficking of such sort is the result of the food crisis and the inappropriate policy of North Korean state. And also the Chinese government is accountable for what’s happening around these border areas. In the past... if you take a look at the human trafficking pattern that occurred in the past, there are people who look for these women inside North Korea and there are brokers in China [34:00] so these people who collect these North Korean women in North Korea... after they collect women, they send them to China to the brokers and in China, these brokers sell these women to the Chinese in return for money.

Human trafficking of North Korean women peaked in the early 2000s. 6 or 7 years ago from now it peaked. 6 or 7 years ago. And women who were victimized by human trafficking, [35:00] some are aware that they are being sold because... However, they allow them to be sold so that they can provide food for their family, but some are lied to, are allured to be sold. And there are also “human hunters” that live around these border areas that target young North Korean women. These “human hunters” wait for the women to cross the border and they catch women around the border area and traffic them to China. These women are sold to rural areas in China and are given subhuman treatment. Women [36:00] who are sold to these rural areas in China suffer from very serious abnormal living conditions. Only 20 to 30 percent of them said that they were able to fare to some extent but most received inconceivable subhuman treatment. Sometimes they are exploited as sex slaves or are chained 24/7 and detained. Or for example, if this woman was sold to the son, [37:00] the men in the entire family –f the father, the uncle, and the brothers – would take advantage of this woman and she would be sexually abused by the men in the entire family. There have been cases like this which have been reported and testified. So this is the kind of human rights violation that occurred to North Korean women.

Another point that we need to take a look at is that North Korean women sometimes give birth to children in China and the human rights of these babies are neglected today. In China... China does not recognize the marriage of Chinese men with North Korean defectors as [38:00] legal because the protection of these North Korean women is illegal in China and often the marriages are not registered with the Chinese authorities and therefore the birth of these children does not... is illegitimate in China which leads to these children not having access to education and so forth. If the mother, the North Korean woman, is arrested by the Chinese public security and is sent back to North Korea... if the child is separated from the North Korean woman, these children receive no protection or no recognition from the Chinese authorities. There are lot of [39:00] children like these cases. And these children of North Korean women who have defected are not recognized as legitimate by the South Korean government. So this is another aspect of human rights violation in North Korea that we need to take a look into. So far I have said, presented all of the things that I have prepared. Thank you very much.

**Michael Kirby:**

Thank you very much for that testimony, Mr. Kim Young Hwan. One stage we were hoping ourselves to go to the border region but it does not look as though that would be possible and your testimony has provided us with an important way in which we can try to cure that [40:00] deficit. So we are grateful to you for it.

There is one issue I would like to ask of you in relation to trafficking, which you mentioned in relation to women on the border who are the subject of actions by male members of families who take advantage of them and really keep them in conditions of strict confinement. Just before lunch, we heard of a woman who, having passed over the border and effectively being tricked to going into China was again affectively sold to an older man and he became her husband and she had a child by him. [41:00] She said that she was not restrained or prevented from going to and from the house and that he would sometime get drunk and beat her but otherwise, she has kept in touch with him. She tried to contact him when she was arrested and she is still hoping that she and their child might be able to come perhaps at one time to the Republic of Korea. Is that the sort of case you would think of as human trafficking or are you thinking of a different kind of control which amounts to trafficking? Because in human relations, there are often complex, emotional, and economic [42:00] motivations to those relationships. I’d just like to get clear in my mind what your definition of trafficking would be.

**Mr. KIM Young Hwan:**

Well if money has changed hands, if people are sold and bought, no matter what the outcome is I think that itself is human trafficking. That’s how I defined human trafficking. If you look at the outcomes and the consequences, I think they are very different person to person. About 20 to 30 percent of the women who have been trafficked, they accept the fact that they have to hide away from the eyes of the Chinese security forces, they do [43:00] maintain normal family lives. Another 20 percent may lead subnormal lives, they’re [unclear] and beatings by the husbands, there are large age gaps with the husband. But except for... It’s not a normal ordinary life but still there is no serious or grave human rights violations... that’s another 20 percent. And the remaining 15 percent of the cases, I believe that there is grave human rights violation.

For instance, let’s say that this woman has a Chinese husband with whom she has a good relationship and, although she is poor, compared to her life in North Korea she is better [44:00] off economically. So her life is better in China than North Korea in terms of finance or that she lives in hiding but she still has more freedom than she did in North Korea. So personally for that woman, for that lady, maybe it’s a fortunate circumstance. However, in this modern society, we should not accept that because that is still a type of... that is still a result of human trafficking, no matter what the outcome is, excuse me... the human trafficking could lead to very very serious human rights violations. So we should all make efforts to reduce human trafficking.

**Michael Kirby**:

[45:00] Yes, do you feel that things are getting better in North Korea? You told us of the economic indicators which appear to indicate an improvement in the economic situation. But in terms of food supply and also in terms of civil liberties, do you feel that things are getting better or are they stationary or are they getting worse under the regime since the accession of Kim Jong Un.

**Mr. KIM Young Hwan:**

About the food, there are many conflicting statements about the food supply by [46:00] North Korean defectors and there are also many conflicting statements from North Korean defectors when it comes to the political circumstances in the North. Therefore it is quite difficult for me to give you one simple answer. However, because I have been active at the border for a long time and because I have interviewed a quite a large number of North Korean defectors, I may be able to convey this, I may be able to say this. That is, the food supply, circumstance or situation in North Korea... while difficult to compare this year or the year before. However, compared to the 4, 5 years ago, well the food situation in North Korea this year for instance has improved. The number of people starving has decreased quite a lot. So overall, there is more food being supplied [47:00] to the residents of North Korea.

And about the political rights... well, it’s different. Different people tell us different stories. However, for the defectors, those who have attempted to defect, very serious or severe punishments are being imposed. If the father has passed away, if somebody is in mourning because the family members have passed away, they should not drink any alcohol, so that is I guess is moving backwards. However, if you look at the overall circumstances in North Korea, the political rights or the civil rights [48:00] have not improved dramatically as compared to the past.

However, the overall societal environment, or the atmosphere, when compared to the 1980’s and 1990’s, although piecemeal, although slightly, there seems to be bit more freedom. We don’t know whether the North Korean authorities are allowing that or have changed the policy to allow that or if there are other reasons for that. However, we have not heard that the North Korean government has changed the policy to allow more freedom. So I think there are other reasons and the first reason may be that North Korean residents are... [49:00] although they are not able to directly criticize the government, these residents are able to complain. In the 1980s and 1990s, people were not able to complain at all because if they complained, they would be classified as ‘people with bad ideology’ and would be punished and tortured. But it seems that nowadays, they are condoned if they do criticize. I think that’s because there are way too many people criticizing the government, so the government was just turning a blind eye to people who are just slightly critical of the authority.

And the second reason may be the increase of mobile phones. We do think that these mobile phones are being wiretapped and when people use mobile phones, they would talk about many things and the North Korean [50:00] government is to only catch important political information. They just don’t have the administrative or the security, the time or resources to catch people who have just made critical comments. So I don’t think legal, political rights have improved. However, the atmosphere has changed in the North and people are more allowed to make more, I guess, critical comments or complain more.

**Michael Kirby:**

[unclear] about the organization or organizations with which you work in doing your job. Can it be said of you that you have joined forces with [51:00] elements that politically or economically hostile to North Korea and that for that reason your testimony should be doubted or scrutinized with special care? You would realize that the North Korean government says that the testimony which the Commission of Inquiry has been hearing is a slander and therefore a pack of lies.

**Mr. KIM Young Hwan:**

Right now, I belong to the North Korean Democratization Network, the organization that works for human rights improvement [52:00] and democratization in the North. We are affiliated or we are cooperating with the underground organizations in the North that are working to attain democracy in the North. So in that sense maybe the North Korean regime may say that I take a very hostile attitude towards them, and they are saying that too, and many in the South also believe that I have a very hostile stance when it comes to the North.

**Michael Kirby:**

And can it be said that because of the funding that you have to rely on to perform your work that [53:00] that affects the independence and impartiality that you can bring to your conclusions and your testimony to the Commission of Inquiry. In short, why you are not out in an industry making lot of money with videos and instead spending your life reporting on the conditions in North Korea? Why have you taken this life course, to devote your life to this issue?

**Mr. KIM Young Hwan:**

I have mentioned this earlier. Ever since I was a college student, [54:00] I’ve always been very interested in the liberation of the people or to commit myself to achieve a higher level of equality and freedom and rights for the people. That is my principle, my values. In the past, I thought communism was the only certain way to liberate the people. However, today I have changed my mind. I have changed. I have my personal opinions about the South Korean society but I don’t think that’s relevant here. What’s important is that today the Kim Jung Eun regime in North Korea [55:00] does not guarantee a happy life, equality, and human rights to the people and this North Korean regime will not be able to achieve that down the road. For the people of North Korea to... for the liberation, for the freedom, equality, and happiness of the people of North Korea, I would like to commit myself. I find this type of work very rewarding, very important and for that reason I have engaged myself in becoming involved in these kinds of activities.

**Michael Kirby:**

[unclear] …Optimistic about the position in North Korea or are you pessimistic?

**Mr. KIM Young Hwan:**

Mid to long term, [56:00] I have optimistic thoughts about the future of North Korea. Regardless, at present, even if it’s not close to the Chinese style of opening, I think Kim Jung Eun is going to drive for something similar to the opening and liberation policy of China, so it’s going to be a limited opening of the economy or the society. As for the opening of the country, I think North Korea would be mainly interacting with China. This limited type of opening and liberation [57:00] will work for several years but fundamentally, because North Korea has its inherent weaknesses, the legitimacy of the government and of the regime has to be guaranteed in order for that to work for longer periods of time. So, in the long term, their policy is bound to fail and it will end up going backwards. There is a high possibility of... for this possibility to go backward, leading to more chaos and confusion. Ultimately, North Korea, without being able to endure this chaos, there is a high possibility of leading to the collapse of this regime. If the North Korea regime [58:00] implodes, there will be people who will have to pay for that sacrifice, for the collapse of the regime, but with the cooperation of South Korea, eventually, I hope that we can aspire for an improved regime.

**Michael Kirby:**

First of all, can it be said that your hopes of improvement under Kim Jong Eun are an illustration of optimism prevailing over experience, given that what has happened as you described since his exaction has been a tightening up, a closing up of the borders and a stricter punishment of anybody who is involved in the borders in order to prevent openness [59:00] and the movement of people even between North Korea and China? There seems to be a tension between your optimism about the new supreme leader and what you have earlier told us is the actuality on the ground.

**Mr. KIM Young Hwan:**

Fundamentally, these kinds of juxtapositions exist in North Korea. They need to protect the regime while driving economic progress. It’s the juxtaposition, I think it’s inherent in the nature of this kind of regime. To improve [1:00:00] the economic situation, they will need to allow their people to move around, to freely use more hand phones, and they will need to guarantee more freedom to the people to pursue their activities. However, at the same time, the Kim Jung Eun regime is at the same time very aware of the risks involved in this opening policy so they will need to be very alert in order to protect the security of regime. So going after these two – economic progress and the protection of the regime – this is why we are seeing this gap. For us it’s a contradiction, a juxtaposition, but [1:01:00] for this North Korean government... in order to sustain [unclear] their regime they have to set these contradicting policies forth. They will be using these policies for the time being and they will continue to do so.

**Michael Kirby:**

My last question relates to the people of South Korea. Although you indicated that you prefer not to comment on South Korea, there does seem to be at least amongst younger people in South Korea, and indeed, more generally in the world, a lack of attention and engagement with the issues that you have been describing and that we are investigating, and an unwillingness, emotionally, intellectually, and economically to engage with them. How can that be altered so that the world [1:02:00] becomes more engaged with the kind of circumstances you have described on the border and the kind of circumstances we have been hearing about throughout North Korea?

**Mr. KIM Young Hwan:**

I have two sons. One is doing military service. Before that, he was a college student. Another one is in high school. My sons, because of me, have relatively more interest in North Korean issues, but if you meet other South Korean young people, they have very little interest in North Korea and in the reunification [1:03:00] of the two Koreas. And, they have very little sense of what’s going on in North Korea. If the issues related to North Korea are covered in the media, sometimes I feel like I have a hard time trying to make them understand what’s happening in North Korea.

Whether the government has not done enough to raise awareness on this, I am not sure if I am able to say that. The parents, the government, the communities, or organizations that could maybe provide information on North Korea have spared effort in trying to tell our young people about North Korea [1:04:00]. And because we don’t have much going on with North Korea, young people do not feel the importance of these issues. However, I think politically, economically, socially, North Korea is going to be a very important issue in the South. And in the long term, understanding North Korea will be essential in making South Korea a better society. So, the North Korean issue is very important for our society…. for South Korea too. So, parents or people who understand North Korea more, we need to encourage these parents to tell more to their children [1:05:00], professors, parents, teachers. They need to get an accurate knowledge about North Korea first, and then, they will be able to discuss North Korea with their children and young people.

**Michael Kirby:**

I will ask my colleagues if they have any other questions.

**Marzuki Darusman:**

Thank you, Mr. Chairman. Thank you, Mr. Kim. Mr. Kim, I’d like to take advantage of your vast knowledge about the China-North Korea border. Would you be able to describe and [1:06:00] render the lay of the land, the layout of the situation along the border in terms of a, perhaps a, political map, settlement and concentration of activities, and just a rough sketch of a description on both sides of the border? To, for us, for the Commission of Inquiry, to get an image of what the layout there is. It doesn’t have to be now, but in the course of these coming days, just a rough sketch of positions of concentration, of activities, settlements, and cross border [1:07:00], let’s say, transactions. Is it possible for you to do that?

**Mr. KIM Young Hwan:**

Yes, I can. I think it’s going to require some time, and I realized that we don’t have enough time right here to share that. But, if given the time and the opportunity, I am willing to do so. And, in particular, if you have anything special on mind that you would like to ask, I will be able to talk to you about that.

**Marzuki Darusman:**

[unclear] specific issues. In your research and reading of the situation there, have you ever come across information of [1:08:00] abductions conducted against Chinese nationals?

**Mr. KIM Young Hwan:**

Sometimes, Chinese are involved in the abduction. In the case of human trafficking, I think…

**Marzuki Darusman:**

... Chinese nationals being abducted.

**Mr. KIM Young Hwan:**

There are several cases where Chinese nationals were abducted. Of course, those Chinese who were abducted were not Han Chinese. They were ethnic Koreans living in China. We don’t have official verification for this, but according to the testimonies [1:09:00] of those who have been abducted, they said that, sometimes, ethnic Koreans living in China had been abducted. I have been told about these stories before.

**Marzuki Darusman:**

Thank you. Now, with regard to… let us use the term ‘political economy’ of the China-North Korea transborder relations. How much of the economy on the border is dependent on transborder activities? Would you say?

**Mr. KIM Young Hwan:**

First of all, in the past [1:10:00] where there was not so much economic activity going on between North and China, there was a high proportion, percentage of, trafficking going into China and going into North Korea. Between Chinese and North Korean merchants, there were a lot of trafficking going on across the Yalu and the Tumen River, and it accounted for very high percentage of the North Korean economy. And we believe that this is still going on, but the percentage of official trading has increased and may have replaced some percentage of trafficking or smuggling.

Some of this trafficking takes place without the knowledge of the North Korean [1:11:00] regime, but some is going on with the knowledge of North Korean government. Commodities that have been banned to be exported to other countries are imported to China. Some are trafficked, but some are sponsored by the North Korean authorities, but the North Korean authorities are denying this fact. Sometimes, food is also exported to North Korea from China. This case has been reported in the North Korea-China economic relations.

[1:12:00] In major mines in North Korea, they have received huge investment from China. Major mines in North Korea, 70% of them, are directly operated by Chinese companies, and part of profit is given to North Korea, while the rest is transported back to China. There is high percentage of major mines in North Korea that are being operated and managed by Chinese companies. And North Korea has sent their people to China for employment, and this number has increased [1:13:00] last year. North Korean nationals who have received official visas from China amounted to close to 160,000. Out of those, 80,000 received work permits, and we have statistics that they are working in China, so 80,000 were given work permits signifying that... For a closed society like North Korea, it was a very dramatic step made as a milestone between the North and Chinese economic relation. North Korea has been very reluctant to export their workforce overseas.

So, this is a major step, which means that the North Korean regime is very ambitious to push for economic progress. [1:14:00] While... the economic exchanges with South Korea are very limited, rather they have chosen to pursue economic exchanges with China, and they have a very strong will to pursue that. So, politically, there is enough reason to say that North Korea will rely on China to sustain their regime. Right now, the exchanges are mostly economic.

**Marzuki Darusman:**

I mean to ask this question actually, Mr. Kim. That there is limit to closing off the border before the economy along the border is affected, so you cannot totally [1:15:00] seal off the border because of the interests of the political economy for both sides. Is that the case? Because if you close the border, then it will affect the economy of the region.

**Mr. KIM Young Hwan:**

If you completely close down the border between North Korea and China and block and end all economic interactions that cross these borders, it will pose an unbelievably serious impact on North Korean economy. Ten years ago, [1:16:00] even ten years ago, the North Korean economy was a closed economy. It did not have any contact with the outside world. Of course, every year, even at the time, they receive some economic assistance from China, but I think the reliance on China for the economy has increased. So if you completely close down that border, I believe it will cause extreme consequences and confusion in the economy of North Korea, which can spill over to the political situation in North Korea. So, if you close that border down, it will be a matter of time before the collapse of the regime. I think the North Korean regime is aware of this possibility.

**Marzuki Darusman:**

[1:17:00] A broader question in this connection. How big is the… What is the percentage of Chinese economic influence in North Korea? Is it above 50%?

**Mr. KIM Young Hwan:**

Well, just mathematically, about 30%... you would say 30%, but it would have consequences, so that consequence would be even larger than just the direct impact or influence of Chinese economy of 30%. So, the ultimate consequence would be more than 50%.

**Sonja Biserko:**

You yourself have been [1:18:00] sympathetic, sympathized to the Juche ideology and have quickly become disappointed. Can you say, after all that we have heard about the 90s, that the famine in 90s was an eye opener for some segments of the North Korean’s society? Well, first, I would say evidence to start doubting the Juche ideology, as such? Could we conclude like that?

**Mr. KIM Young Hwan:**

Well, internally, in North Korea, doubts about the Juche ideology or doubts about the leaders… Well… I don’t know how to explain this. I don’t know when those doubts started to emerge, [1:19:00] but I think that during the Great Famine, I think that North Korean residents began to have some doubts about the leader, the regime, and the ideology. I guess the Great Famine was the time, when these doubts began to emerge.

But, when I met defectors who have left North Korea in 1990s, despite this famine and despite the difficulties, a lot of defectors refused to criticize the regime or the leaders. Well, that tells us how strongly and how prevalently these people have been brainwashed. So, the famine, a large number of people starving to death. [1:20:00] Still, a lot of people are very cautious about having doubts about the regime and the leaders. However, I think that was a starting point. That is, the Great Famine was a starting point for the people to have doubts, and now, many North Korean defectors who have left North Korea in recent years or North Koreans who have traveled to China and that I have met… their trust or their belief in the system or in the leaders have weakened significantly. So, I think that the Great Famine of the mid 1990s was a starting point for a significant transformation or shift in the North. Now, much has changed, of course.

**Sonja Biserko:**

Thank you. You had contact with the North Korean elite, political, intellectual and so on. What is your [1:21:00] feeling in your interaction with them, whether there could be possible cleavages? They certainly have more opportunity to doubt the ideology even though they are users of this privileged life. Do you expect any kind of internal struggle for power or for a new policy?

**Mr. KIM Young Hwan:**

Well, the elites in the North, compared to the ordinary people of the North, they have relatively better lives, but even these elites, if they make mistakes in terms of the words they say or the things they say, they could be punished severely. So they are under control 24/7. [1:22:00] And, compared to the ordinary people, they do know what’s happening outside. They do know more about what’s happening outside, so they have complaints. They are discontent about the regime, and they do have suspicions about the regime. Doubts, that is.

Of course, there are those whose conscience is not touched by anything, but anybody with a bit of conscience, and anybody who wants North Korea to go, to follow the right direction... I believe that those people have a strong motivation to bring out changes in the North. The elites in the North have high positions. The higher their position in the society, the stricter the control [1:23:00] that is imposed on them. If you look at these high ranking generals in the North, well, there are people who keep tabs on them and who write reports on them on a daily basis. The reports on these generals are written by 5 minutes... so, at 10:00, this person met with this person, and at 10:05, he did this. So, every 5 minutes, the report is to be made on these high ranking generals, and they don’t let just one agency to keep surveillance, to ensure that there is no conflict of interest. They have several agencies that take turns in taking on surveillance on these people, the high ranking generals in the North. So, the higher your position in the government, the stricter the control imposed on them in the North. [1:24:00] So, therefore, they have discontent. They have grief about that. But because of this very very tight surveillance, any uprising led by the elite or any power struggle that is brought about or induced by the elite is not going to be very easy.

**Sonja Biserko:**

[unclear] ... intelligence in the Soviet Union was the first alarm about the failure of the Soviet Union empire. Andropov was the first to initiate changes within the Soviet structures, so they are the best informed people in such countries. Therefore, my question was really aimed to these people who may be aware in what dire situation the country is.

**Mr. KIM Young Hwan:**

[1:25:00] Well, in case of the Soviet Union, I think that there is quite a bit of difference between the Soviet Union and North Korea, except for the Stalinist times. I think there is not much similarity between the North and the Soviet Union. So, I think politically and economically, I think things were not as bad in the Soviet Union, except during Stalin’s reign. And, even when compared to Stalin’s rule, the North Korean structure is more oppressive, and I think there is more surveillance that is imposed by the North Korean regime. So, I think that it’s not easy to compare North Korea to the former Soviet Union. However, the [1:26:00] North Korean elites could play a role in bringing about changes or the collapse of North Korea. And I think that compared to the Soviet Union, the collapse in the North would be more violent, because discussion, debates, or any sort of discussion is just not allowed in the North. So, therefore, the resistance by the elites in the North would be more violent, and the government’s measures would be also more violent.

**Sonja Biserko:**

You have discussed here China’s economic influence and the consequences of this influence which are much more long-term or much more profound. I have recently read an article in one of the international media. [1:27:00] It is just a speculation. I wonder what you think of it. That China might have plans for creating a new province, a Chinese province which would include North Korea together with the neighboring provinces settled by Koreans in China. Would it be possible? Or, is it just a speculation?

**Mr. KIM Young Hwan:**

Well, among some Korean so-called intelligentsia, they have been making such arguments, but I think that’s not possible. When I was in China, I tried to collect a lot of information, and I have met with many scholars [1:28:00] including professors. The Chinese government, I do not think is trying to… or is attempting to establish a new province which would include North Korea. And, if North Korea is in a way annexed to China, then North Korea would not be able to serve as a military buffer between China and other countries. And, North Korea would be a source of much social confusion and social problems in China, so I don’t think that the Chinese government would want that because that would be against the national interest of China. And I have not heard or seen any [1:29:00] Chinese elites or any Chinese politicians that argued for the annexation of North Korea.

**Marzuki Darusman:**

Just one follow-up question. You mentioned about mobile phones. Since we have information that, for the past period, 2 million mobile phones have been distributed, more or less, do you think that, with this fact, that change in North Korea is irreversible, imminent, and accelerated, and that any analysis of impending changes are more realistic [1:30:00] now than at any time in the past? Could you also add one element here – what would be the role of the United States? Because you have views that come out from a left perspective, as the Chairman has indicated. You would have an analysis of geopolitics of the peninsula.

**Mr. KIM Young Hwan:**

About the changes, I believe that there is high possibility of change in the North, but as to the direction of the change, I think that the change that the North Korean government wants is to have economic development and [1:31:00] more economic freedom, but political control… so they would like to maintain in the regime but be able to obtain economic progress. That’s what the North Korean government wants. That’s the kind of change that the government wants. And, another direction of change would be that in the process of economic development, there could be a collapse of the regime, which leads to a great chaos.

So, there are two possibilities of change, but the current North Korean regime, I don’t think they would be able to fulfill the needs of North Korean residents, so the South Korean government and the U.S. government… [1:32:00] I believe where there are people who are working for democracy in the North and if these people are caught, they will be shot to death. And, even before they are shot to death, they will be tortured and their family members would be sent to political prison camps. And, despite such a risk, there are people in the North that are working against the regime. And, I believe that the South Korean government and the U.S. government are supporting these people and providing assistance, and these two governments also are... [1:33:00] would need to provide support to these people in different ways.

Although the South Korea government’s budget for the North may not be large, and, unfortunately, although I don’t know for sure, the budget set aside to support these sort of people in the North is very very tiny, but I think that, for the South Korean government to take a more active North Korean policy, should provide more assistance to these people who are working for democracy in the North, so as to bring accelerated change in the North.

Well, the U.S. government, [1:34:00] I think the U.S. government is interested in the North Korean issue as well as its human rights issue. The Department of State of the United States, I understand, has allocated some budget in relation to North Korea and North Korea human rights issue. It seems that Americans are more interested in the nuclear issue of the North, and the press, the media, I don’t think that they have much interest in the North Korea regime itself and its human rights situation. I don’t think that North Korea is going to give up its nuclear weapons or weapons program, and I believe between the U.S., China and North [1:35:00] Korea, among the three countries, if they come to some sort of agreement, although it’s an implicit agreement, maybe the United States may take measures to provide some sort of appeasement to the North.

And I think it’s not the nuclear issue that is the main issue. I think it’s the regime issue. I think that if the regime issue is solved in the North, then the nuclear issue will be automatically resolved. So, I think that there should be a threat exerted to bring about changes in the regime within North Korea as well as by other countries. Other countries should understand that, I believe, need to provide more active support and assistance, and even if the diplomatic relationship changes between the North and China, [1:36:00] and the North and the United States, there has to be continued activities and support for these activities to bring about the changes in the North. If there are symptoms of chaos in the North, I think that we have to provide support and assistance to the democratization elements in the North consistently.

**Michael Kirby:**

Of course, you will understand that the Commission of Inquiry reports to Human Rights Council and to the General Assembly of the United Nations, and as such is not involved in issues of peace and security. They are higher responsibility of the Security Council and other organise of the United Nations, [1:37:00] but they are a necessary background to the way in which we approach the issue of human rights. We have no mandate to seek for regime change or any other alteration of that kind. We have to concentrate on securing improvements in short term, at least in the Democratic People’s Republic of Korea. Do you understand that?

**Mr. KIM Young Hwan:**

Yes, I understand.

**Michael Kirby:**

Well, thank you very much, Mr. Kim Young Hwan. You have been extremely patient and very helpful. You have lasted twice as long as you were expected to last. That’s an indication of our respect for you. And, perhaps, some of us were also student trouble makers in early days, and therefore, have a kindred sympathy for your interests and your journey in life. [1:38:00] Thank you very much.

**Mr. KIM Young Hwan:**

Thank you.

***Korean Sharing Movement (Right to food)***

**Mr. HWANG Jae Sung**

**Michael Kirby:**

I’d ask now that Korean Sharing Movement should come forward.

**Mr. HWANG Jae Sung:**

Actually I was... I thought we were having a few minutes of break, so I was sitting without my jackets and didn’t prepare at all. Sorry about that.

**Michael Kirby:**

Don’t worry about that at all, I am the only…. [Unclear]

Much of my earlier life, I had to also wear a wig, so that you get used to a certain formality. You are [1:36:00] Hwang Jae Sung, and you are associated with the Korean Sharing Movement. And you’re quite content for your name to be used. There are no protection concerns in using your name, and you have come before the Commission today voluntarily to assist us with our inquiry on behalf of the Human Rights Council of the United Nations. And do you declare that the testimony that you are about to give to the Commission will be the truth?

**Mr. HWANG Jae Sung:**

Yes.

**Michael Kirby:**

Thank you very much. Do you wish to give your testimony in Korean or in the English language?

**Mr. HWANG Jae Sung:**

In English.

**Michael Kirby:**

Very well, thank you.

**Mr. HWANG Jae Sung:**

Thank you. My name is Jae Hwang. I am the project director for the Korean Sharing Movement, just simply called KSM. Before I start, I would like to thank Mr. Chairman [1:40:00] and members of the COI for having me today. I believe that this is the last day and you all look tired, so I admire your efforts.

**Michael Kirby:**

I don’t feel tired. I feel as fit as a fiddle.

**Mr. HWANG Jae Sung:**

Alright! Let me just begin with who we are and what the South Korean NGOs and we’ve been doing. KSM is founded in 1996. Since then, showing emphasis on North and South cooperation and development projects, but, in fact, today I am here not only for KSM but also for KNCCK, Korea NGO Council for Cooperation with North Korea. KNCCK is much more like an umbrella organization. Currently, it has 57 member organizations. The main role is coordinating among NGOs and sharing information, having [1:41:00] international networks, partnering, and talking to the government. Currently, the KSM is elected as a chair organization, so that’s why I am here. So, how did all this start? How and why the South Korean NGOs started all the humanitarian development projects to the DPRK? As you all know back in 1995, North Korea had severe natural disasters, floods and bad harvests. So, during this period of time ...

**Michael Kirby:**

Could you just explain to me, because I don’t quite understand it, where the Arduous March fitted in? Was it in fact a march like the Great Salt March in India or is that a metaphor for a different…

**Mr. HWANG Jae Sung:**

Oh, that’s the North Korean term for … [1:42:00] they call that period of time as like, they are having a really hard time, food famines, floods, food shortage. They just call those periods of time as a ‘march’. Like, we should go forward even if we have a hard time. That’s those periods of time, 1995 to 1999. That’s what North Koreans called the Arduous March.

**Michael Kirby:**

That would fit in with the central notion of Juche, as it has been translated as self-sufficiency in approach to solving problems?

**Mr. HWANG Jae Sung:**

Yes, that’s why they use those kinds of terms as to press people.

**Michael Kirby:**

Thank you. I just had an image of lots of people marching, but I think that’s more likely to be found in Seoul than in the North...

**Mr. HWANG Jae Sung:**

I know it’s kind of an odd expression.

**Michael Kirby:**

Not really, it’s a revolutionary type of idea.

**Mr. HWANG Jae Sung:**

[1:43:00] Actually in Korean, it’s called *go-nan-ui haeng-gun si-gi*. That’s what is the Arduous March. So, during those periods of time, even there is a rumor that 3 million people have died, but from the 2008 DPRK Population Census from the UN, there was an unexplainable gap with the rate of natural cause of death, which is approximately 330,000 people are missing. We figure this number is actually those people who died in this period of time because of the lack of food and lack of medical support. I mean this figure is only one tenth of what’s been talked about, but still this number is extremely high. [1:44:00] In a meantime, this shocking news was brought to South Korea, so our leaders from religious groups, such as Roman Catholics, Protestant churches, Buddhism, and also distinguished social figures, which… with a wide spectrum of political backgrounds, like conservatives and liberals... they all got together and agreed to help North Korean people. So, they started aid organizations and initiated a nationwide campaign for food aid to the DPRK, and this campaign transformed the public image of North Korea from the enemy to brothers and sisters who need help. So, they started this form of aid NGOs, and it started around [1:45:00] 1996 and started dramatically expanding later on. See the table, there is the amount of ROK private aid to the DPRK rocket high up to 2007, and also you can see the bilateral channels to the DPRK also goes really high up to 2007 here. Then...

**Michael Kirby:**

Did any of it go across the border directly from the ROK into the DPRK?

**Mr. HWANG Jae Sung:**

Yes, yes. For me, myself, I’ve been there 75 or 80 times. We send our... we do the development project there, and after that, during development project, we go in there. We check that every single stuff that we sent is right there, and we also carry out those capacity building projects [1:46:00] that we train North Korean people on the sites. So, yes we do.

**Michael Kirby:**

Is there... I understand that you can’t fly directly between the ROK and the DPRK. Do you have to go via China or is there some other way?

**Mr. HWANG Jae Sung:**

I think there are four different ways. One way is going to either Shenyang or Beijing in China and taking the North Korean plane that goes to North Korea. The other one is you drive through the Kaesong industrial complex. I drove my car, you just go up there. The other one is to….

**Michael Kirby:**

You’ve been to North Korea?

**Mr. HWANG Jae Sung:**

Yes.

**Michael Kirby:**

Do you need a special visa for that?

**Mr. HWANG Jae Sung:**

I don’t need an actual visa to go through the Kaesong industrial complex, but I have to fax them my... or the list of people who want to visit prior to the visit. Probably like 20 [1:47:00] days before you visit. Then they give you a piece of paper as an invitation, that says we agree that you are coming to North Korea. Then we submit it to the South Korean government and they approve the visits.

**Michael Kirby:**

So, perhaps we should have contacted you earlier on to see if we could arrange for the Commission of Inquiry to go to North Korea?

**Mr. HWANG Jae Sung:**

Well, the thing is… there are different partners for South Korean NGOs. Actually, the people.. they say they are not from the party, but we just... everyone knows that they are from the party. They’re called Min-jok-hwa-he-hyo-bi-he [ph] (1:47:41), which is some sort of front organization for the party to deal with South Korean NGOs.

**Michael Kirby:**

Anyway, you are doing good works, and we would not want to cut across the good works that you are doing.

**Mr. HWANG Jae Sung:**

So, do you want to continue on going to North Korea? Or…

**Michael Kirby:**

No, you just take your own course.

**Mr. HWANG Jae Sung:**

[1:48:00] OK, OK. All right, well...

**Michael Kirby:**

As I understand it, there is a tension in the Republic of Korea between those who support the type of efforts that you and your organizations perform and those who feel this is a well-meaning but rather naive series of actions which may provide some immediate support but has tendency to prop up the Northern regime, and therefore, is ultimately against the interests of people in North Korea.

**Mr. HWANG Jae Sung:**

Yes, yes, even my mother-in-law actually asked me exactly that same question. I put the… not the answer but my point of view on the PowerPoint later on, so can I continue? I will explain it later on.

So, the year 2000... back to my PowerPoint. Before [1:49:00] 2000, every South Korean aid was much more focused on emergency food aid or just sending simple essential medicines. Then, after 2000, we changed it to sustainable development, much more like mid- to long term development. We set up the strategy, plans, and we carried out those projects. And also, the very important thing is the empowerment of people there... is very, is a key to the development project. So, we started capacity building projects on the site. Just like I said, up to 2000, there is much more like food aid, then it goes to actually increase the agricultural productivity at the site. So, the project has been changed [1:50:00].

So, these things are the South Korean NGOs carrying out projects in the DPRK, in the last, let’s say, 10 years. I can’t really go through all of it, so I will just show you a few things. All these projects fall into those 5 categories, like most of them, as we call it ICBDP, that’s like... I preferred to use those kinds of terms, but Integrated Community Based Development Project. And, the other one is health and medical, agricultural projects were on that, including two of the health and medical category there. And, also capacity building, MVP (most vulnerable people), support project, and also emergency relieve projects.

**Michael Kirby:**

What’s MVP, please?

**Mr. HWANG Jae Sung:**

[1:51:00] Most vulnerable people. We just simply shortened to MVP. It’s not from baseball… Sorry. I can’t resist.

So, ICBDP is basically like all different kind of field of work is just... into the one goal. Like improved quality of life for the people out there. So, education, agriculture, capacity building, residential environment, health and medical is included in this project. Before we start the project there, if it rains, you can’t use agricultural machinery, like nothing really there, so you put a greenhouse and build the roads, and agricultural capacity building projects on the site. [1:52:00] Those Korean houses… they grow little tomatoes and sell to the hotels in Pyongyang or sell to the market, and that’s directly increased the household incomes.

**Michael Kirby:**

Selling to the market is itself a bit controversial, isn’t it, in the North? That there is a theoretical stand against the market, which has been softened over time, but with occasional interruptions to the softening… [Multiple Speakers] (1:52:27)

**Mr. HWANG Jae Sung:**

But the thing is.. it is true that there is a market. Actually back in, I believe, 2010, North Korea tried to shut down all the markets but it didn’t happen. It’s too big to shut down. So, obviously, the market… some... has a very important role in the North Korean society at this [1:53:00] point of time.

**Michael Kirby:**

Now what is this building that you are showing us now?

**Mr. HWANG Jae Sung:**

On the top left, it is a local clinic. It used to be... On the top right, that’s a local clinic that’s rebuilt. The bottom left is the unitary there, that’s for dentists. That’s manufactured in 60s. It’s from the East European countries, it changed to those new facilities.

**Michael Kirby:**

And that’s like a mini health center?

**Mr. HWANG Jae Sung:**

‘Ri’ is the smallest administrative… what are they call it?... smaller than county… so, it’s the smallest place… actually it used to… usually divided by like collective forms. It’s a very basic local clinic. [1:54:00] On the top left is an elementary school. They call… 10 day kindergarten. They just call it 10 day because they put their kids and take care about 10 days and just get it out for 1 or 2 days, then put it back to the kindergarten for 10 days. That’s why on the bottom right, there’s a blanket on the wall. So, the kids basically have to sleep, they have to eat there, they have to live there for ten days. So, that’s the remodeling things we’ve been, the South Koreans have been doing.

This picture is… it shows the capacity building projects on the site. This picture only shows the focusing on the agricultural stuff, but on the [1:55:00] far left, on the top, that’s a… teach them how to use small agricultural machinery. At the bottom left is... you know like, once you send it.. you have to fix it. We ask them to give us five people who will become the expert on maintaining these small machineries. So, we teach them for a year and a half, so after that they could fix by themselves without our help. And on the top right, there is a… one on the far right, a South Korean guy who is an expert on vegetables, teaching them how to grow vegetables, and which way is the best way to do it to increase productivity. On the middle, on the top, we ask them to [1:56:00] write down every single thing that they do. When we get there, we check those records that are how they used it and how it improved things on the site.

**Michael Kirby:**

On the bottom right, is a teacher, instructor… [Multiple speakers] (1:56:18)

**Mr. HWANG Jae Sung:**

That’s right. We brought an agricultural expert to North Korea, and we asked North Korean government to give us the head of each ‘do’ (a province)… the agricultural… the person in charge of agriculture in each ‘do,’ and there were 10. Obviously, there are more, but if it’s too far away, they couldn’t come, so 10 experts... The North Koreans.. they came in and we had a conference on agricultural technology.

**Michael Kirby:**

Are most or all of [1:57:00] these teachers from the Republic of Korea?

**Mr. HWANG Jae Sung:**

Yes.

**Michael Kirby:**

How are they received on a personal level in the North?

**Mr. HWANG Jae Sung:**

You mean like in the class?

**Michael Kirby:**

Both.

**Mr. HWANG Jae Sung:**

They don’t really have a problem. Actually, they were shocked, and actually… Later on, I had that point too.

**Michael Kirby:**

Keep in mind that the record is being taken of this. I wouldn’t want you to say anything that might like to impede your work or cause embarrassment to you and your organization.

**Mr. HWANG Jae Sung:**

Oh, yes, yes. I am not.

The thing is that they take really seriously and… because the thing that we’ve been talking at the class wasn’t, like, that high technology that we use right now. [1:58:00] The technologies that we’ve been using back in 70s and 80s in South Korea. We teach them like, we have the same experience as you guys. And, teaching them the technology we have right now is too much for the North Koreans, so we just pick some stuff from the 80s that we know that, we are sure that, increases productivity. So, we teach them that kind of stuff back in the class. And, they take it really seriously, and then they go back to their organization and they will teach them, their experts, on those same matters.

**Michael Kirby:**

And there isn’t a loss of face at having to listen to instructions from somebody from the Republic of Korea?

**Mr. HWANG Jae Sung:**

No, not really.

**Michael Kirby:**

[1:59:00] How can that be when the propaganda, as we’ve been told so far, that indicates that South Korea is actually a poorer country and is not progressing very well, and… [Multiple speakers] (1:59:16)

**Mr. HWANG Jae Sung:**

Maybe that conference was held before we began those development projects. Yes, they were. We’ve been there for like 2 years on the site with a… I mean on the site, we have limited access to households, we meet people, talk,… of course, up to the 6 month point, they are much more like, they are very distant, they don’t want to talk to us. But we’ve been working with them like after 6 months, they start talking, they start coming and bringing us potatoes. And they just talk about family stuff and they get close. [2:00:00] After 2 years, we kind of like talk about a lot of things and we share a lot of things. We built the trust.

**Michael Kirby:**

Is there self-censorship on your part that you don’t talk about matters that might be sensitive, such as the issues of freedom, open media, stopping and jamming of media, availability of the Internet, all those matters which are taken for granted in the Republic of Korea?

**Mr. Hwang Je Sung:**

Some yes, some no. Like Internet, let’s say… the media, some information. Yes I’ve been talking about that. One thing you don’t really talk about is their leaders. That’s…

**Michael Kirby:**

That’s … [Multiple Speakers] (2:00:47)… forbidden territory

**Mr. HWANG Jae Sung:**

Yes, but besides that, I’ve talked about a lot of things.

**Michael Kirby:**

Do they ever talk about their leaders to you? [2:01:00] Perhaps, you shouldn’t answer that question.

**Mr. HWANG Jae Sung:**

Up to a few months… yes. I mean they talk a lot of propaganda stuff up to a few months. Later on, they just know that it doesn’t work, and they know everything. So, they stop talking.

**Michael Kirby:**

They stop trying to convince you?

**Mr. HWANG Jae Sung:**

No.

**Michael Kirby:**

Alright, press on.

**Mr. HWANG Jae Sung:**

Alright, so that’s the whole picture on the central, the collective farm being changed. Changing the window just increases 3 degrees in the inside temperatures. That really helps, since North Korea has huge energy problems, so it really helps their energy side.

**Michael Kirby:**

Does this mean making windows smaller?

**Mr. HWANG Jae Sung:**

No, just sending the proper windows. The plastic windows [2:02:00] we brought to North Korea. They used to have plastic sheets or broken glass. They put the plastic sheets on and the glass.

**Michael Kirby:**

That led to the loss of temperature from the internal to the external whereas the plastic gives a better seal.

**Mr. HWANG Jae Sung:**

It’s better seal. Definitely.

**Michael Kirby:**

Yes.

**Mr. HWANG Jae Sung:**

And also changing the roof.

**Michael Kirby:**

In what way? What is it? Is a flat roof better? … [Multiple Speakers] (2:02:34)… snow roofs would involve steep roofs to get rid of snow.

**Mr. HWANG Jae Sung:**

Not the snow. They don’t have enough materials to put on the ceiling. So, it doesn’t really block the heat from the inside that goes outside. That’s why we brought those... what they call it... to block the temperature… materials.. on the ceilings and [2:03:00] also change the roof on the house.

**Michael Kirby:**

Are there any solar panels for the summer periods?

**Mr. HWANG Jae Sung:**

We did try a few times, but the panels are extremely expensive and don’t really work. In my personal point of view, it doesn’t work in North Korea. Because the solar panels have to have batteries, and the batteries are very expensive and only last for 2 or 3 years. So, you have to change it.

**Michael Kirby:**

It has to be able to be fed into a grid of the national electricity system.

**Mr. HWANG Jae Sung:**

Yes, and also we have to send them the batteries because they can’t really get it from North Korea.

And this is the health and medical capacity building. The one on the left side on the top is... they used to use those beer bottles as [2:04:00] IV solution bottles. They just rinse it and put the IV in it. This is taken from the Red Cross Hospital. That’s the biggest hospital in North Korea. So, after we saw that, we kind of figured out that they need IV solution factories, so we’ve been building those factories there.

**Michael Kirby:**

What are the standards of that hospital?

**Mr. HWANG Jae Sung:**

The one on the top left?

**Michael Kirby:**

Are they world-class? What are the standards of that hospital, the Red Cross Hospital?

**Mr. HWANG Jae Sung:**

Red Cross Hospital. Yes.

**Michael Kirby:**

Do they perform major radical surgeries, like bypass operations?

**Mr. HWANG Jae Sung:**

Yes, they do all different kinds of surgeries. That’s the biggest hospital that just the common population can go to.

**Michael Kirby:**

They have free outpatients [ph], do they? Or is it [unclear] cost?

**Mr. HWANG Jae Sung:**

Yes, it’s supposed to be free, but since the [2:05:00] lack of medicine, they only give you the name of the medicine that you have to buy at the market...

**Michael Kirby:**

Have to buy it at the market, we’ve been told about that.

**Mr. HWANG Jae Sung:**

Yes

**Michael Kirby:**

Alright, move on.

**Mr. HWANG Jae Sung:**

Alright, and this picture…. I will just tell you the one on the top. We also carry out malaria control projects. And, from South Korea, we figure out that 70% of patients in South Korea are bitten by malaria mosquitoes from North Korea. That’s why we have to have the some sort of… what do they call it… We have to solve the malaria problem in North Korea because it’s crucial to… also to [2:06:00] South Korea.

**Michael Kirby:**

Who are the two leaders shown in the photographs? The photograph of the center lower.

**Mr. HWANG Jae Sung:**

The center lower? That’s a… Up to 2006... 2007... I am not clear, but we had some sort of international medical conference in Pyongyang. South Korean doctors, Korean Americans, Korean Canadians, Korean Chinese, Korean Japanese were there, to get together. Of course, doctors from North Korea get together. They gave presentations and shared the information on how to cure the people. During those conferences, we got the booklets from the North Koreans on how they cure people at the hospitals [2:07:00] and what are their medical policies. It’s about that.

**Michael Kirby:**

And the leaders who are shown in the photograph? Is that Kim Jung Il and Kim…?

**Mr. HWANG Jae Sung:**

Kim Il Sung and Kim Jung Il.

**Michael Kirby:**

I see.

**Mr. HWANG Jae Sung:**

Yes.

**Michael Kirby:**

This was before the advent of Kim Jong Eun?

**Mr. HWANG Jae Sung:**

Yes, the latest one that South Korean doctors attended was 2007.

**Michael Kirby:**

Would they have three photographs or two?

**Mr. HWANG Jae Sung:**

Right now?

**Michael Kirby:**

Yes, you don’t know?

**Mr. HWANG Jae Sung:**

I haven’t been there for like… after 2010. April 2010 was the last time I’ve been to Pyongyang. Later on, I’ve been to Kaesong, but I didn’t see the pictures.

**Michael Kirby:**

Right, very well. Move on.

**Mr. HWANG Jae Sung:**

Those projects have been postponed or on hold [2:08:00] right now. Everything has to stop. This table shows the ROK government and NGOs assistant to the DPRK, but all the numbers, we can really see it. You see, up to 2007, it goes really steeply up, then, starting from 2008, it decreases.

**Michael Kirby:**

What happened between 2007 and 2008?

**Mr. HWANG Jae Sung:**

The previous administration that they got elected and there was... South and North Koreans relations have been gone really bad. The previous government said… I mean like, back to 10 years... Simple food or essential medicines, except that [2:09:00], there’s nothing you can really send, because if South Korean NGOs want to send that aid, we have to get approval from the South Korean government, so we couldn’t get approval. So, all the development projects have been stooped. Completely stopped.

**Michael Kirby:**

I want to understand this. I think it was in 2000, was it 2000? In the Republic, Kim Dae Yong came into power. When did his administration begin?

**Mr. HWANG Jae Sung:**

Kim Dae Yong? Kim Jung Eun?

**Michael Kirby:**

No, in the Republic of Korea.

**Mr. HWANG Jae Sung:**

Kim Dae Jung?

**Michael Kirby:**

Kim Dae Jung.

**Mr. Hwang Je Sung:**

In 1991.

**Michael Kirby:**

1991. And, after that...

**Mr. HWANG Jae Sung:**

Roh Moo Hyun administration.

**Michael Kirby:**

Which is the administration that changed the strategy?

**Mr. HWANG Jae Sung:**

Lee Myung Bak administration.

**Michael Kirby:**

Was that [2:10:00] again interrupted by a different administration and the policy switched back to a more cooperative approach? I am trying to understand why there is this up and down. Is that a consequence of changing the politics in Republic of Korea?

**Mr. HWANG Jae Sung:**

Yes. Up to 2008... of course, there is an up and down, but there is... if North Korea had a missile test, then it stopped for a few months. And, the nuclear test, then stopped for a few months. So, it has up and downs there, but in the long term, it goes up.

Then, in 2008, the previous government just completely stopped and then it started to decrease. Of course, in 2010, there is the sinking of the Cheonan. And also, the [2:11:00] artillery shelling at the Yeonpyeong Island, so that’s like 2010.

**Michael Kirby:**

And by 2012, the government assistance is really diminished to virtually zero.

**Mr. HWANG Jae Sung:**

Yes. Yes.

**Michael Kirby:**

Has that gone up slightly since? Or not?

**Mr. HWANG Jae Sung:**

Very slightly, very slightly. Recently, the South Korean government approved 5 NGOs for humanitarian aid, and also they grant to the UN agencies. So, very slightly.

**Michael Kirby:**

Very well. What has been the consequence of that on grassroots-level life in North Korea?

**Mr. HWANG Jae Sung:**

I’ve been questioned that, exactly the same question [2:12:00] a few times. I would say the loss of trust from the North Korean people is the main point, the biggest...

**Michael Kirby:**

Trust has to work into directions, and...

**Mr. HWANG Jae Sung:**

Yes.

**Michael Kirby:**

And, the North Korean administration agreed to negotiations to terminate its nuclear program. And all the time that it was making that promise, it was actually advancing its program, which it demonstrated by the nuclear tests which it conducted. So, the trust has to be in both directions. And I assume that’s the position of the present administration in the Republic of Korea. Would you say that’s the position... would that be a view that would be held by most citizens of the Republic of Korea?

**Mr. HWANG Jae Sung:**

At the government level, I completely agree when you are saying that. But, when I say trust, it’s from people [2:13:00] in North Korea who are working with us. Our partners, the guys from the government, they understand that North Korea had nuclear tests and that’s why South Korean aid has been stopped. They totally understand. But I met people from the collective farm, or at the hospital. They keep asking me... They don’t know what’s going in on the outside world, so they just keep asking me why it’s stopped, like, ‘The reason we started working with you guys is to have a better life, a better quality of life. All of sudden, it just completely stopped and we have to go back to where we were’. When I say trust, it’s just a different level of trust.

**Michael Kirby:**

We are sitting here, and in 100km distance, there could be missile systems, [2:14:00] which could destroy us and a great deal of infrastructure, prosperity, and human life in the Republic of Korea. Even with conventional weapons. So, this is…. I assume this is the source of concern of politicians in the Republic of Korea.

**Mr. HWANG Jae Sung:**

I think, in that point, we have two tracks. The UN, the international community, have keep pressuring the North Korea government as to solve nuclear or other political agendas. On the other hand, humanitarian, we call it humanitarian because no matter what happens, if there are people who are suffering, then we should have, at the minimum, support. That’s humanitarian aid, I mean, that’s what I think.

**Michael Kirby:**

[2:15:00] That also has to be a two way street. We have heard some most shocking stories in the last five days. About, if true, gross, inhumane, cruel tortures and punishments inflicted on people of no guilt or virtually no guilt over very long times... total indifference to death, total indifference to family dislocation, great pain and suffering caused to people through a lack of proper infrastructure for food distribution, abductions, prisoners of war who have been swept up in a war and have lost contact. So humanitarianism is also something like trust that has to move in two directions.

**Mr. HWANG Jae Sung:**

Yes, I mean, I agree with that. I am very aware of those kind of problems are still there.

**Michael Kirby:**

[2:16:00] But you keep seeing the faces of the people who are sick in hospitals, of the people who are malnourished, who could be helped by rudimentary changes in farming practices and of infrastructure that could be built with very small expenditures that could make a real difference in the day to day life of ordinary people who are themselves innocent of any wrongdoing that is committed in their names by any government.

**Mr. Hwang Je Sung:**

I mean, what I am saying is, there are people like those kind of people. We should listen to their voices too. That’s my point of view. I am sure that the Vienna Declaration says that human rights are indivisible. All human rights are treated equally, I think. What I am saying is their right to food, right to live, right to survive, [2:17:00] is also as important as other human rights issues.

**Michael Kirby:**

Yes, you proceed with your submission and we will have a lot of questions.

**Mr. HWANG Jae Sung:**

Yes, and when it comes to Q&A, can I answer in Korean?

**Michael Kirby:**

Yes, of course.

**Mr. HWANG Jae Sung:**

Alright, this is the inter-Korean exchange of people, it also shows that the exchange of people decreased like… it almost stopped in 2012. And, the red line is the number excluding the Kaesong industrial complex, and those people who go for monitoring, humanitarian aid, or small business meetings. Which means that even if we sent humanitarian aid, we can’t really go to monitoring on the site. [2:18:00] So, this is...

**Michael Kirby:**

Kaesong [ph] is another spelling of Kaesong?

**Mr. HWANG Jae Sung:**

Yes, Kaesong industrial complex.

**Michael Kirby:**

When did the tourist resort stop after the murder of the tourist?

**Mr. HWANG Jae Sung:**

The Geum-gang-san area. When was that? I forget.

**Michael Kirby:**

Don’t worry.

**Mr. HWANG Jae Sung:**

It doesn’t include all the tourist numbers on that figure.

**Michael Kirby:**

Did those tourists include Republic of Korea or are they not permitted in if they traveling on the Republic of Korea? They are not allowed to travel there on a Republic of Korea [2:19:00] passport?

**Mr. HWANG Jae Sung:**

Yes, we do have a passport. When you go for tour, you don’t bring your passport. Whether they have some sort of…. Looks like a passport, but it is not. It’s just a license to go to North Korea. It is published by the South Korea government.

**Michael Kirby:**

And that is accepted by North Korea government?

**Mr. HWANG Jae Sung:**

Yes, yes.

So, I would like to say six things today. The chairman made a really good point on other human right issues. Yes, I know there are a lot of human rights issues there. I am not saying that the North Korean government is doing a great job there, but we have to think about people who are actually suffering in [2:20:00] another way. Can’t eat, can’t have proper medical treatment. When you are saying humanitarian, even if it’s a war or enemy combatants got wounded, you go to cure. That’s the whole idea of Red Cross. Even according to the UN Declaration on the Right to Development in 1996, development is also human rights. The Vienna Declaration also mentioned that all human rights are indivisible. When you talk about human rights issues, when it comes to North Korea they only talk about CPR, the civil and political rights, but also other human rights are also as important as the CPR and other human rights. The 2000 [2:21:00] Human Development Report says human rights are an intrinsic part of development.

I think South Korean NGOs doing the development projects and capacity building, and so and so, it’s not far from the human rights issues here. As long as it works as food right issues to North Korea, once again, I just want to mention that food security and survival rights are also as important as other human rights.

The second thing is what is the main reason that we are talking about human rights in the DPRK? I mean, the main reason is to improve people’s quality of life. People who live there, we just want to improve their quality of life, not like we are having hidden agendas, no political issues allowed. [2:22:00] Some people might say changing the regime is the key to this matter. But that’s not the goal. The goal is to improve people’s life. On the way, yes, it might happen or it could happen. But, that’s not the goal. We need to keep that in mind. That’s very personal view. So, changing North Korea, I think information flow from the outside is the key element. It’s a very important thing. It’s proven in many years and many societies, but how? What is the best or natural way without causing resistance or hostility?

Sending... [2:23:00] I’ll say first... when I say below trust, when you work there for 2 years, for like 15 days a month for a whole year, you start to build the trust. And when you build the trust... There is Shrek that I had on my laptop. This one time back in 2007, some guy wants to see if I have anything on my laptop, so we were watching Shrek 2. People started to come along and we watched Shrek together. After that, they are asking me about how they... ‘Do they make by computer or do they draw things?’ They started to ask questions, and also it leads to what happen [2:24:00] in the outside world. And also, the book, a lot of time it gets really boring in North Korea. There is nothing to do. So, I bring lots of books, and people ask me to borrow. If I put that South Korean book on the table, they start to read for hours and hours and they just can’t take their eyes off from the book, and, after that, they just start asking questions.

**Michael Kirby:**

What sort of books are you referring to?

**Mr. HWANG Jae Sung:**

Just novels, a lot of time it’s novels. It’s talking about Korean societies and so on.

Those questions and start the conversation is really the key to the change. I mean think about up to the 1980s, even South Korea had a dictatorship government, and people started those [2:25:00] demonstrations by reading Newsweek and some other news source from outside sources or media. This is very effective and this could loosen their society. I mean, maybe this is not a correct term, but loosen their society. Very efficient to carry out the change.

**Michael Kirby:**

But it can’t loosen the.. [Multiple speakers] (2:25:29) … if they put jammers on that prevent broadcast, televisions, soap operas, and all the other paraphernalia from coming in, and if they ban the access to internet, except in approved places, which is confined to the elite.

**Mr. HWANG Jae Sung:**

Banning internet and jamming things will not change in a few years. It’s going to take long time. [2:26:00] When we, the NGOs or South Koreans, when we go in, we could bring lots of stuff without causing any hostility. We can share information, we can share the thoughts, we can share the knowledge that we have in very natural way. Walking down the street in Pyongyang, I am one of those… human show… human sign I think. People look at me, the way they dress, talk, and things that they brought. That just gives you the idea that what South Korea become these days.

**Michael Kirby:**

Well, that seems to be contrary to what one reads in many books. That there are, that you attract looks of great hostility [2:27:00] from the racial purity idea, which is fostered by the government of North Korea. The South is seen as having lost its way on basic issues and Westerners in particular are seen as completely unacceptable to notions of racial purity, which is said to be a major factor in the ideology of the North.

**Mr. HWANG Jae Sung**

That’s why we have met as often as possible. We have to reduce the hostility. As I said like, first time we met, we don’t talk. We just started talking all the propaganda stuff to each other, then, 7 times, 10 times, 20 times, we started talking about actually your thought, of course, I mean very deep emotional feelings, they are probably screened. [2:28:00] Those feelings, they don’t talk very deep thought, but up to a certain point, yes, this information flow is the key to the change.

**Michael Kirby:**

You said you had six points and you’ve taken us to four.

**Mr. HWANG Jae Sung:**

Yes, this is number 4.

This is from one North Korean official... that after we carried out the agricultural project, the guy was saying that, ‘I know we are, and people in North Korea all know, that adapting South Korean agriculture techniques is a solution for us to increase crop productivity, but in order to do that, since the North Korean factories have been stopped completely... I mean, on the news, we said we [2:29:00] produce a lot, but it’s not true, we don’t have enough fertilizers or chemicals. Up to certain point, we have to have outside support, but since the political or any other reason, the aid from the outside world, international community, if it stops completely, then we have to go back to where we were, and going towards progress is much easier to adapt to for people in North Korea but going backward, there will be chaos’. So this guy was basically saying that we need the outside world’s help but also, it has to be sustainable, it has to be [2:30:00] continuous for a certain period of time. If we don’t have guarantee of that, we can’t come forward to… we have to change... to the government.

**Michael Kirby:**

You are showing us the resolution of General Assembly, Resolution 1874 of 2009. That doesn’t have the binding force of a resolution of the Security Council. Has the Security Council made any resolutions on trade or other assistance to North Korea?

**Mr. HWANG Jae Sung:**

Recently, yes. They did. I believe they did. That was this year, actually, the beginning of this year. The Security Council made a resolution.

**Michael Kirby:**

Just to cut across the exception to humanitarian development purposes that is referred to in the General Assembly resolution that you are showing us? [2:31:00] Do you know?

**Mr. HWANG Jae Sung:**

Actually, the recent resolution doesn’t really have an exceptional clause.

**Michael Kirby:**

The General Assembly in a sense is more likely to have exceptions for humanitarian development purposes. This is because of the composition of the General Assembly. The Security Council, because of its focus on world peace and security, would more likely have concerns about a former state in the Nuclear Non-Proliferation Treaty having withdrawn from that treaty and having told everybody it was in a process of reducing and demolishing nuclear weapons, then proceeds to explode nuclear weapons and confront a very close neighbour with the great dangers of its rocket program deliberately.

**Mr. HWANG Jae Sung:**

Exactly, exactly.

**Michael Kirby:**

So, [2:32:00] this is the dilemma that the international community faces. Thank you for drawing our attention to 1874. We will have to have a look at what the Security Council has written. Do you know when that was passed, the Security Council resolution?

**Mr. HWANG Jae Sung:**

This year, I think it’s in March or February.

The fifth one, number five, as I said, we have to have two [unclear] approaches to solve food security issues in North Korea. The short term food aid has to be like... we have to have long term plans for food security projects and we have to apply as soon as possible, in order to reduce the short term food aid. Right now, the WFP and other [2:33:00] UN agencies, they give out the short term food aid. And they always come up with monitoring issues and talking to issues about the North Korean government not cooperating for monitoring. But, rather, to meet long term plans, you can’t really miss any monitoring. If you send... if you teach them, it’s there. It’s not like… you know what my point is, right? Capacity building, and the things like... let’s say fertilizers, chemicals. If you send them, we check their roots, and if we go to the collective farm, if it stays there it’s there. And you can’t eat those chemicals or [2:34:00] fertilizers and send them to military service, that as we all like saying that sending food goes to the military. But if you have made much more focus on long term plans, that will reduce our monitoring issues that we brought up these days.

In the [unclear], I heard after this inquiry, there are suggestions for DPRK and suggestions for the international community. Yes, the DPRK is a member of the UN and the international community. So, the UN and international community should put very intensive pressure on Pyongyang over this humanitarian issue but with very great patience. I know it’s not going to be easy, but we still have to keep pressure on this issue. [2:35:00] But at the same time, the international community has to show more responsibility towards the general population in the DPRK. Humanitarian aid should not be stopped. Even if the resolution that I showed you before, even if it says it accepts humanitarian aid, what happened was that the US, the South Korean government and lots of the international community stopped their humanitarian aid. They should not be stopped because of political issues, and we have to remember that why we call it humanitarian. In order to do that, close cooperation and coordination are needed among the ROK government, NGOs, UN agencies and international communities. It seems like the UN agencies and some European... like EUPS in Pyongyang… [2:36:00] and UN agencies and other international agencies have very good networks and coordination, but a lot of times the South Korean NGOs or governments are not really in the talk. I think the coordination among those groups is crucial on this matter.

**Michael Kirby:**

Yes.

**Mr. HWANG Jae Sung:**

So, this is... the satellite picture that took at night in 1992 and 2008. Sixteen years have passed and the humanitarian situation has not been improved.

**Michael Kirby:**

What does that picture show? It doesn’t speak without an explanation.

**Mr. HWANG Jae Sung:**

Well, they took it at night from the satellite. So the bright side is where they have lights on. [2:37:00] You see the... rarely you see the lights in North Korea. Electricity is very low, so no electricity. One thing, but it clearly shows the energy crisis in North Korea. And also lack of energy means, like food and other sources. So, I just put this picture to show you the clear view on what the humanitarian situation is in North Korea. It hasn’t improved in the last 16 years. I just want to close down, that this picture is from the UN radio on January 14, 2013. Those kids are still there. We have to remember that. [2:38:00] I know it’s not going to be easy. I took that picture in Kaeosong, I took that picture because when I saw the slope, it’s kind of like our situation. It’s not going to be easy to bring them into the change and bring them as a member of the international community but I strongly believe that sometime in the future it will. Thank you.

**Michael Kirby:**

Yes, thank you very much, Mr. Hwang, you’ve been very helpful indeed. I think my exchanges with you during the course of your remarks indicated the dilemmas which the international community and the United Nations and to some extent the Republic of Korea has on these issues. I will ask my colleagues if they have any questions. [2:39:00] Commissioner Darusman...

**Marzuki Darusman:**

Thank you Mr. Chairman. We appreciate the presentation which gives us a... somewhat nuanced view on what is happening there. Just to begin with elementary issues, how far… where are these projects being undertaken? How far into the country are you engaged and what...?

**Mr. HWANG Jae Sung:**

In the vicinity, most took place in the vicinity of Pyongyang, Kaesong, Sinuiju, and above Sinuiju, there are little cities above Sinuiju. [2:40:00] The projects take place in Sinuiju, Kaesong and in the vicinity of Pyongyang.

**Marzuki Darusman:**

So, it’s up to Pyongyang, is it? Not further North?

**Mr. HWANG Jae Sung:**

Rather than Pyongyang, I would say that for South Korean NGOs, there is a restriction to where we can go into. And I also heard this from the UN agency that I’ve visited. Places where there is a concentrated level of military forces... as for North Koreans, it can be difficult for them to allow us to go into those regions. Right outside of the [2:41:00] Kaesong industrial complex, there is this place called Gye-ri-won [ph] or, as far as Hwanghae-do, we have access to those regions. And another region is around Pyongyang, where we can get access via a third country. When we enter North Korea via a third country, we go through Pyongyang, so that’s why it’s easier to get access to the vicinity around Pyongyang this way.

And locations where we have easier access from the South, we are open to go into that region. Otherwise, for other locations, it’s really difficult for us to go in for our development projects. [2:42:00] About 7 to 8 years ago, we persisted to ask North Korea to allow us to go to remote places other than Pyongyang to do these development projects. We were given permission and the projects in these remote areas went on for two years. But because the infrastructure was almost not there, when it was time for us to leave after the completion of project, we were very confused. Because if we left, we had doubts whether they would be able to get continuous output. What we realized at that time period was that location of the project is [2:43:00] important, but it was more important is to go to those places where they could continue on these projects on their own and continue to get outputs. And by doing that, we thought if the projects can continue, it could provide a good example to North Korea as to the effectiveness of these projects. It’s more comfortable for me to say all this in Korean. I just realized that.

**Marzuki Darusman:**

[Multiple Speakers] (2:43:35) …. existing conditions? Do you start out with a completely new initiative there?

**Mr. HWANG Jae Sung:**

[2:44:00] In relation to these analyses, we have a lot of experts in South Korea, whether it’s about food or agriculture. I think Dr. Kim Young Hoon was here earlier. We meet with those experts to talk about our project plans, so we tried to get information on how many people would have specific needs or would need specific projects. I think, from the presentation, you may have gotten the impression that everything went very smoothly with North Korea. But every single project that we did, [2:45:00] it took 3 years or longer to negotiate for each project. We had to sit down with the North, negotiate. We wanted to meet as many people so that we can give maximized output to reach the largest number of people.

I am saying this because we go to the North with the project plan and we will sit down to talk about this. For example, if the project is about assisting orphanage and child care center in Sinuiju, we study about these orphanages, these facilities, and we get information about how many children are there. And we get information about their needs, and if it’s [2:46:00] children’s hospital, whether it’s a special clinic for certain disease, we negotiate with North Korea, and we engage South Korean experts in those processes. That’s how we start off each project. Sometimes we get the proposals from the North. They send us the project, request for proposals, request for plans. We talk with our South Korean experts about the plan. Sometimes we scale it up, or sometimes we scale it down, or sometimes we stream line the project, sometimes we re-coordinate the projects.

**Marzuki Darusman:**

We, of course… with recent conditions in North Korea, you can’t really distinguish that much between humanitarian [2:47:00] efforts and development efforts. What processes are you looking at to move there in a sustainable sense? Because at the end, these projects will only be sustainable, in a sense, if it is linked to other social mechanisms and primarily economic mechanisms. How do you navigate that?

**Mr. Hwang Je Sung:**

That is very valid point. Beginning in 2000, I have mentioned that the nature of the projects switched from humanitarian [2:48:00] to more developmental projects. In the past 5 to 6 years, I mentioned that most of the projects and assistance were ended, so the history of South Korean developmental aid to North Korea is very short. We have just begun to do development projects, and just when we were starting to see outputs coming out of it, these projects were stopped. It’s very difficult to tell you now how we are trying to achieve sustainability.

I have given the presentation in English earlier so I feel that I did not get a lot of messages across to you. But in the collective farms, I have been told that in order to revitalize the market [2:49:00] in North Korea, that... I agree that this is a very important point. If you inject an external factor in order to revitalize the market, that’s going to be a lot of trouble. For example, cherry tomatoes, special vegetables, if we can develop that and get that to the market and help the households to raise their income, I think that’s the one way of naturally fostering and nurturing a market based economy. So, the use of these outputs of our development projects is an integral part of building this market based economy. In order to maximize the output of collective farms, the [2:50:00] best way to do that is to restructure the market of the collective farms. But the system of collective farms is the rudimentary part of a social society. So you can’t abandon it all.

There was the June 28 economic action plan in North Korea... so the purpose of that plan was to sustain the social structures as much as possible and seek marginal changes for structural improvement. So, we will make efforts to make those marginal changes within the structure of the system. I do not feel that there is going to be a dramatic structural change in the social society. But I think we are doing something to induce those marginal changes.

**Marzuki Darusman:**

[2:51:00] I just have one more question. I completely agree with the approach and that is to balance human rights and humanitarian rights. Now, the problem so far in the international community is that it’s not widely accepted that humanitarian needs could lead to... that being understood as a human right. Therefore we always have this view out there that anything that is done on a humanitarian basis erodes efforts to enforce human rights as such. And therefore I think there is a lot of need to discuss this within the UN system actually. Perhaps [2:52:00] KSM can... I don’t know what the agenda is, but I do feel that this is an area that needs to be addressed by KSM, to get the message out there that there needs to be this balance. By way of linking this to a broader issue, you came out with the resolutions on development as a human right. What would be your view – I’m just throwing this in – whether unification is a human right?

**Mr. HWANG Jae Sung:**

Yes, of course. Education is a human right. Ah... [2:53:00] whether reunification is related to human rights, I think it’s a very difficult issue. As for unification, if you look at Germany’s case, it was a re-unification, re-integration. I think this is about integration. In order to achieve integration, North and South have to close the gap between the differences in their ideas in order for them to integrate.

If you think about the process, unification can be relevant to human rights. But what I want to say is [2:54:00] among the South Korean NGOs providing humanitarian aid or who carry out development projects, we have had debates on how to perceive the human rights situations in North Korea and the majority of the voices perceive the human rights situation to be very serious in North Korea. And so, there are a lot of issues, social, political issues intermingled with human rights issues. We don’t think that there is a silver bullet that can address all of these issues. But we need to set our priorities right. We need a strategic decision as to what to tackle first. [2:55:00] That’s the approach that we need. The right to food, the right to survival is therefore emphasized in that line.

And, well, just aside, I would like to mention that, in the past, somebody from the North Korean government told us that people in the organizations that provide assistance to North Korea are feared the most by the North Korean regime. I did not understand what he was saying, but he said that people who provide assistance to North Korea in the past have fought in South Korea for human rights in South Korea, and so, once the food situation is addressed and resolved in North Korea, [2:56:00] the North Korean government fear that these people who provide assistance to North Korea might work for the democratization of North Korea. I think that was a very valid point that he pointed out.

**Sonja Biserko:**

I just want to add to what you have said. Such regimes are fearful of empowerment of the individuals and family enterprises and it has been a tension in all these socialist countries, which collapsed in the meantime because they didn’t understand how important it is. Because, throughout the socialist history, all reforms were blocked in the moment when the power of the regime was brought into question. So it’s very important, then, to empower individuals and family projects through your [unclear] project because it can contribute to the [2:57:00] feeling independent. Economic independence is the key for the democratization of the country, because it cannot come from above, it has to come from below.

I also wanted to say something about this collective or socialist model of agriculture. Do you have this collective, of course, modernized form of agricultural strategies in the West now, so you have to within this model bring in innovations which would fit into this socialist model but would apply new techniques. I don’t know how the land is divided in the North, whether there are small land owners. Because if none of them is able to produce or to develop modern agriculture concept, they have to unite in some kinds of collective. But in agreement that everything that they needed [2:58:00] for developing agriculture has to come through this modern technology and so on. So this is extremely important to understand, to leave this concept for the time being but work within it. Thank you.

**Mr. HWANG Jae Sung:**

I believe I have understood what... your comments. If you believe that there are deficits in my answers, please repeat your questions and elaborate. In Korean saying, there is a sentence that says, words have no wings but they travel a thousand miles. Through the capacity building programs, we can achieve stronger autonomy and independence of individuals, [2:59:00] but from the beginning if you suggest that to North Korea, they are not going to accept it. So the approach that we took was to suggest that we are going to transfer rudimentary basic IT technologies or technologies related to agriculture.

In Dandong, which is located on the border between the North and China, we trained people about this IT technology, and afterwards, we heard that they changed the textbooks of undergraduate students. So, we need to take the approach that can be accepted by North Korea first and work from there. [3:00:00] We will need to either increase the scope from there, so in the course of doing so, we believe that we can empower the capacity of individual North Korean residents. If somebody asks me how they should approach in their development efforts to North Korea, I tell them to keep their eye level, eye sight level, with the Koreans as if you are dealing with a child. North Koreans have not experienced much, and because of that, we need to be level with them. If we tried to transfer the level of technology that we have right now, it’s going to confuse them. Everything that we are trying to transfer now [3:01:00] mostly are from 1970s. And the technologies or materials that we used in 1970s, we have to reorder them, ask the companies to make them again. If we tried to transfer the level of technology we are using right now, it’s going to be very chaotic, so you need to be level with them. In being level, I think you will be eventually able to achieve individual… [Multiple Speakers] (3:01:28)

**Sonja Biserko:**

[Multiple Speakers] (3:01:28)

**Interpreter:**

Please speak into microphone.

**Sonja Biserko:**

The human capacity of the society doesn’t fit into this new technology, so your approach is quite correct for the time being.

**Mr. HWANG Jae Sung:**

Thank you.

**Michael Kirby:**

[3:02:00] Towards the end, you said something that you suggested that your English expression left something to be desired. I want to say to you, as a native English speaker, that your English expression was, as far as I can see, virtually perfect. Your pronunciation is flawless. Your insight into our questions was analytical, and your approach appears completely honest according to your premises. Your humanitarian instinct is admirable and your reference to kindness is, I hope, a key to solving a lot of the problems. We heard a lot of unkind things in this hearing, so it was good to have an emphasis on kindness. And maybe even where kindness is not exhibited, those in a position to do so [3:03:00] have to give a good example. So thank you very much for your help to us, Mr. Hwang. We are grateful to you and your organizations, and you are excused. Thank you.

**Mr. HWANG Jae Sung:**

Thank you very much.

***Mr. KANG Chol Hwan (Political prison camps, general human rights situation)***

**Michael Kirby:**

We have one final witness in our hearing, and that is Mr. Kang Chol Hwan. I call him forward now please. I am sorry that you have been kept waiting, Mr. Kang. But as you have seen we have had very heavy days and today has been no different to others. But we are grateful to you for coming along and waiting in order to give your testimony. We will [3:04:00] have some questions for you. But, I would like to first ask you if you have anything you want to say at the outset. May I ask you, as I have asked all witnesses before the Commission, whether you would make declaration that what you will say to us will be the truth?

**Mr. KANG Chol Hwan:**

Yes, I can.

**Michael Kirby:**

Mr. Kang. You are in a sense a bridge to us at the end of our hearing in Seoul, in the Republic of Korea to the next public hearing which we will be undertaking next week in Tokyo in Japan. Because your family had connections with Japan and perhaps you could give us background of your family and [3:05:00] of your experiences as a young person growing up in North Korea. I don’t have a note here that there are any protection concerns for family continuing in Japan. But if there are, it would be the best not to make anything identifiable that could cause any problems to those members of your family.

**Mr. KANG Chol Hwan:**

Yes.

**Michael Kirby**

… [Unclear] (3:05:31) about your life growing up and something about your family in North Korea?

**Mr. KANG Chol Hwan:**

First of all, I would like to say what an honor it is for me to be able to give my submission to this public hearing. Although, of course, as you have said I had to [3:06:00] wait a little, that was also a very useful time for me because I was able to learn quite a lot of about the aid to North Korea. I was born in Pyongyang in 1968, but both of my parents were born in Japan, and my grandparents were born in Jeju Island in South Korea. And my grandparents, during the Japanese colonial rule, moved to Japan. My grandmother was a member of the Communist Party for a long time, and she was instrumental, actually played a very important role in setting up the North Korean Communist Party in Japan.

About 100,000 Japanese Koreans moved to North Korea. My grandparents actually persuaded many Korean living in Japan to [3:07:00] relocate to North Korea. My grandparents also moved to North Korea. My grandfather was doing business, so he was quite rich, so he was able to donate a lot of money to the North Korean government. So my grandmother was quite high up in the government. At that time, my grandmother was the vice chairperson to an organization which was headed by the wife of Kim Il Sung. And my grandfather was very high up in the business network that included department stores. When I was born, I belonged to a very top class and I was born at the center of Pyongyang, so when I was young, I think I was very happy. And compared to other North Korean residents, I think I was a very happy child. And then in 1977, [3:08:00] my grandfather went to work and then he didn’t come back for one month. So we went to his workplace to find out why, and we were told that he went on a business. And then from the Bowibu, that is the National Security Agency of North Korea, came to us and said that our grandfather committed treason to the state as well as the people, that he deserved to die, but that instead of giving him the death penalty, that he was taken somewhere else. Our properties were confiscated. On the 4th of August in 1977, our families were brought into the Yodok political prisoner camp. I was 9 years old. It was 8th of August 1977, that’s when we [3:09:00] were taken to the political prison camp.

**Michael Kirby:**

[Unclear] (3:09:05)… Yodok?

**Mr. KANG Chol Hwan:**

Yes, Yodok. When I first went to Yodok camp, actually there was a village just for Japanese Koreans. I think there were about 5000 of us. The people, that is the officials of this North Korean organization in Japan were there. Only the family members were actually there in the village. At the time Yodok political prison camp was divided into the restricted district and the revolutionary district, or zone. I was [3:10:00] in the revolutionary zone, therefore, the labor that was given to me was less intensive and the control imposed on us was less. But there was a lot of work to do. But when it came to the torture, when it came to the labor, and when it came to the executions, it was almost the same. When I was in the camp, I was on the verge of death three times because of starvation, and many of my classmates died because of starvation, as well as malnourishment. I actually buried some of my classmates. Actually I buried over 300 bodies during the period of 10 years. I have written my story in the book. My book has been translated and published. [3:11:00] It’s the Aquariums of Pyongyang. That is the title of my book.

**Michael Kirby:**

[Unclear] (3:11:07) English language?

**Mr. KANG Chol Hwan:**

Yes, it’s in English as well.

**Michael Kirby:**

[Unclear] (3:11:12) able to be purchased in Seoul?

**Mr. KANG Chol Hwan:**

Yes, you can.

**Michael Kirby:**

[Unclear] (3:11:18) purchase one of your books. Hahaha, you’ll get the royalties.

**Mr. KANG Chol Hwan:**

Yes, I do. I do get some royalties.

[Multiple Speakers] (3:11:33)

**Mr. KANG Chol Hwan:**

Yes, in that revolutionary district, there were a lot of people from the upper hierarchy of the North Korean society, so from the, you know, broadcasting company as well as the party. So, if somebody in the upper society makes mistakes, then they are sent [3:12:00] to the camp so that they can be retrained and we were there for a long time. However, most of them were released after 3 to 5 years of imprisonment. Many officials in Pyongyang… I understand that they actually have experienced being in the Yodok camp. There’s a gentleman by the name of Bang Chol-gap [ph] (3:12:25), he was in the camp, and then he became the head of the People’s Commissions. He was actually there at the camp at the same time I was. So, the revolutionary district is rather well known because many people have been released from the district, revolutionary district.

But there’s not much known about the restrictive district. Mr. Ahn Myong-Chol, he was a guard at Camp 22 [3:13:00] and he has experienced, he has seen the restricted zone. And, Mr. Shin Dong-hyuk, who served his time in Camp 17, has had some experience in the restricted zone. So, there are only 2 people that I know who had been in the restricted zones of the camps. Most of them, like myself, were in the revolutionary district. I was released after 10 years, and I was assigned to Yodok County, and I lived there for about 5 years.

And with my friends, who went to Pyongyang as well [Unclear] (3:13:42), I started an anti-regime movement. In order to learn South Korean songs, we would listen to the South Korean radio broadcasting. As we were listening to the radio program from South Korea, [3:14:00] we were able to learn about South Korea. And we also recorded and we had a lot of people listen to these songs. And that is why we became targets of the National Security Agency of North Korea. So, we either had to escape or we were on the verge of being caught and being imprisoned into the camp. So, we said, if we were going to get into the camp, we were going to die anyway, so we decided to escape. So, with my friend, Ahn Yoo-hyuk [ph] (3:14:30), I attempted to escape and miraculously, I succeeded.

In 1996, there were not many North Korean defectors. There was nobody to guide us, so it was a very difficult escape for us. And the Bowibu, the National Security Agency, I understand there was one team that was dispatched to track us down. But, luckily, we evaded [3:15:00] the capture and were able to come to South Korea. And we disclosed, we exposed the political prison camp in North Korea for the first time in the world. I have been in South Korea for about 20 years now, and I believe that South Korea is a comrade for those that are working in North Korea for the democratisation, to collapse the regime. But I felt something strange about South Korea, too. In 1993, I went to university. And it was as if I was in one of the universities in Pyongyang. At the university... it was 1993 that I went to college here in South Korea.

**Michael Kirby:**

[Unclear] (3:16:00) when did you arrive in South Korea?

**Mr. KANG Chol Hwan:**

92. And the next year, I was able to go to college.

**Michael Kirby:**

[Unclear] (3:16:17) tantalizingly, with your grandfather suddenly disappearing and being told that he was a traitor. Did you know where he was sent? Did you meet your grandfather in Yodok or did you meet him anywhere subsequently? Your grandfather.

**Mr. KANG Chol Hwan:**

After my grandfather disappeared, we do not know about him. We don’t know what happened to him. We just assume, that there was the largest North Korean political [3:17:00] prisoner camp in Sunghori. Amnesty International, I think in the early 1990s, exposed Sunghori camp and the names of the people who had been imprisoned were also exposed, but my grandfather’s name was not included in that list. But one of his colleague’s name was on the list, so we think that maybe he might have died in that camp.

**Michael Kirby:**

[Unclear] (3:17:24) number14, or is that another camp?

**Mr. KANG Chol Hwan:**

21. No, excuse me, 26. This is Camp 26. This is near the Pyongyang City. I think this is a camp that was quite near Pyongyang.

**Michael Kirby:**

[Unclear] (3:18:00) to your grandmother. Was she touched? Was she imprisoned? Because she was the leading force.

**Mr. KANG Chol Hwan:**

Well, my grandma, of course, had to leave all her posts. She was also taken to a camp, but I think she was released from the camp after 10 years. And after one year, she died. So, my father and my grandmother died. The survivors were me, my younger sister, and our youngest uncle. My grandmother and my father, they almost died in the camp. But, fortunately, they were able to survive, but once they were released, they died.

**Michael Kirby:**

[Unclear] (3:18:56) all in Yodok? That is to say, your grandmother, [3:19:00] your father, and your younger sister, and your youngest uncle. Were they all in Yodok? Did you meet them and see them when you were there?

**Mr. KANG Chol Hwan:**

Well, at the camp, you are managed or controlled by family unit. So my grandfather was taken to another camp, but the remaining families, we were at the camp. We were at the same village, at the same house.

**Michael Kirby:**

[Unclear] (3:19:31) What had you committed, or your father or your sister... what had you done that deserved being put into a form of imprisonment or detention? What was your offense?

**Mr. KANG Chol Hwan:**

In North Korea, you are guilty, there is guilt by association. So, if your father does something wrong, the sons, as well as [3:20:00] the grandchildren, are punished as well. The North Korean system, I think it is very similar to the Nazis of Hitler. They don’t allow any opponents.

**Michael Kirby:**

The Nazis had punishment of grandparents and grandchildren. This is something different. But, anyway, you were not actually a Japanese-Korean. You were ethnic Korean. You had gone to Japan and then your grandfather, a wealthy businessman, donated money and came back and urged people to come back as did you grandmother. And they were leaders in the party mechanism. But they were [3:21:00] not Japanese-Koreans. Or rather, they were not Japanese. So, why did they get put into Japanese group at Yodok?

**Mr. KANG Chol Hwan:**

Well, within the camp, there are ten villages. We call them villages, 1 through to 10. We were in village number 10, and that’s the village that was established the latest. Village 1 was, contained, people who were cooperative to soldiers as were Christians. And then, in the process of Kim Il Sung building the power, his opponents, [3:22:00] his rivals were brought in. So, we were Koreans living in Japan, we were brought into the village. Because we lived in Japan which was a capitalist society... when they were moving to North Korea, they brought with them, Japanese capitalist culture. So,…

**Michael Kirby:**

[Unclear] (3:22:32) being contaminated by contact with a capitalist country, just as South Koreans were corrupted by contact with capitalism in South Korea. Is that the theory that you understood?

**Mr. KANG Chol Hwan:**

Yes, in one aspect. And in case of my grandfather, he was... there was some conflict in the power structure of the North Korean Communist Party in Japan. My grandfather was a part of [3:23:00] that organization. And I think that one of the people in that organization betrayed, I guess. But we don’t know exactly what our charges were. Even now, we don’t know exactly what my grandfather did wrong.

**Michael Kirby:**

[Unclear] (3:23:24) grandmother, about the great irony and apparent injustice of her arbitrary fall from power and influence. Did she ever say anything to you about how she felt, about how she was being treated by a regime to which she had given so much intellectual and moral and financial support? Or did she not talk about it?

**Mr. KANG Chol Hwan:**

[3:24:00] My grandmother was a hard-core communist. She went to North Korea, and so she held onto her communist ideology. My father’s brothers complained why she had taken her to North Korea and why... and she instructed us that we should continue to believe in the communist ideology. She was a hard-core communist. But when her husband was taken away to the political camp and when all of us, her kids, were sent to the political camp, that’s when she began to have regrets. The communism that she believed in, and the reality of the communism, there was a huge gap in the ideal communism. Everybody fared well, whereas in North Korea, in the communist North, everything was about upholding and protecting the Kim Il Sung [3:25:00] family and Kim Il Sung. That was not a communist society; it was a pseudo-communist society. So my grandmother thought that she had made the wrong choice and because of that, she felt that she had put the family into this ordeal.

**Michael Kirby:**

Yes, well go back to where we left you, where you got through the ten years. Were you actually tried and sentenced to a ten year detention, or is that just how it worked out? Were you ever told that you would be kept in Yodok for ten years and was the ten year detention what your father and other family members suffered as well, or were they shorter terms, or longer terms? Than ten years.

**Mr. KANG Chol Hwan:**

[3:26:00] There was a commissioner and a vice-commissioner in the North Korean Communist Party in Japan who worked with my father. They received over ten year’s sentence but the rest were released in 3 years, 5 years, and 7 years. The individuals who are allegedly offenders are notified of their sentences but those who were put into the revolutionary district in Yodok were considered to be the most guilty. And my grandfather, because he was deemed to be very guilty, he was sent to a place where the punishment was more severe. [3:27:00] And we never learned about how many years he was sentenced to. The families...

**Michael Kirby:**

[Unclear] (3:27:08) of your family actually inside. You were inside for ten years, is that correct?

**Mr. KANG Chol Hwan:**

Yes, that is correct. They served ten years’ time, like me.

**Michael Kirby:**

They all served ten years, together? Or was it separate but about the same time?

**Mr. KANG Chol Hwan:**

We went there together, we stayed in the same house together, and after ten years, we were released at the same time.

**Mr. KANG Chol Hwan:**

Were you receiving political or revolutionary instruction during that ten years to try and restore you to good revolutionary grace in your mind and in your service to the government of North Korea?

**Mr. KANG Chol Hwan:**

[3:28:00] Within the camp, in the completely confined area, they didn’t give any instruction, revolutionary instruction, but in the revolutionary area, we did receive revolutionary ideological training. But the end purpose was to have a chilling effect on the people. And in those trainings, I began to have second thoughts about the regime.

**Michael Kirby:**

But did you go through the paces of appearing to accept what you were being told or did you protest and criticize what you were being told? And if not, why not? In the [3:29:00] revolutionary training.

**Mr. KANG Chol Hwan:**

We were very young when we went to North Korea. So kids my own age at the time... for example, if their grandparents and parents were allegedly considered like criminals, the kids became hostile to their grandparents and parents. Some kids went to the camp with their parents and so sometimes, these kids, out of anger and a sense of betrayal, would hurt their parents. When I was young, I felt the same. I did not understand why my grandfather was treated as somebody who had committed treason against the country. After middle [3:30:00] school, but I...

**Michael Kirby:**

[Unclear] (3:30:02) You arrived and how old were you when you left the camp Yodok?

**Mr. KANG Chol Hwan:**

I was 9 when I entered and I was released when I was 19.

**Michael Kirby:**

So you wouldn’t have had much time to have committed, for yourself, an offence against North Korea or its laws. At the age of 9, it is unlikely that you, yourself, committed any offence as a child. As I understand it, you were inside not for any offence, but because you were just a member of a family which is being punished for the offence of a relative, your grandfather.

**Mr. KANG Chol Hwan:**

[3:31:00] Yes, including myself, and a lot of children who were at the camp at the time, I mean I was 9 years old, we were innocent; we didn’t do anything wrong.

**Michael Kirby:**

[Unclear] (3:31:11) Food like? Did you have appropriate and sufficient rations during your time in prison?

**Mr. KANG Chol Hwan:**

At that time, the economic situation was pretty stable, so I think the food was okay. But for political criminals, they gave a fistful of corn kernels and they gave us once a month... rations were given once a month, but after 15 days, we would run out of food, so we had to cut grass [3:32:00] to cook porridge, to stay alive. So even fit men, healthy people, after 3 months, would suffer from malnutrition. So in order to overcome malnutrition, we ate things like mice, snakes, frogs, worms, anything that came into our sight, in order to get protein. So when we got those supplementary proteins, we felt better.

In the 3 months after you enter the prison camp, those three months are critical. Those who would survive the first 3 months would go on, those who didn’t, did not ever make it out of the prison. So in 3 months, we got malnutrition and people died of complications because of malnutrition. I also developed malnutrition [3:33:00] in those 3 months and I came very close to dying but kids who were there before me, they caught mice in the field for me and they saved me. So that’s how we managed to stay alive. But if you were a member of the party before you went to the camp, or if you were very well off... adults are not able to eat mice or rats, so the elites, the intellectuals, the people who used to be in higher positions, they are the first ones to die because they don’t dare to eat those things. But those who had a difficult life outside the camp, and kids, who leaned to their instincts, they had higher survival rates.

**Michael Kirby:**

Yes. Well, then you were released and in [3:34:00] a surprising manner, you then took up, with friends, learning South Korean songs. Didn’t you feel that that form of defiance would lead to you being returned to Yodok or some other even more onerous camp? Wasn’t that a very risky thing to do?

**Mr. KANG Chol Hwan:**

Yes, at the time, but the rations were distributed and the regime was quite stable so it was not easy to be anti-regime. Most of the elites who were imprisoned in the camps, and there were also young students who had gone overseas, in the camp, they were in the camp because they had dated foreign [3:35:00] nationals. But these young people, because they came from a good family background, were released, so we established networks with those kinds of young people and we were able to carry out anti-government activities. But because of our activities, although we managed to survive, there were some people who were sacrificed. I was 20 at the time, and I had these anti-regime sentiments and I found other comrades who shared the same feeling. And what motivated me to defect was the strong will, the strong anti-regime sentiment.

**Michael Kirby:**

And when did you actually [3:36:00] take steps with your friend and go with her to escape North Korea? How long after your release from Yodok was that?

**Mr. KANG Chol Hwan:**

I was released in 1987. After 2-3 years, I had second thoughts about the regime and I met people who had studied overseas who were far smarter than I was and who were very open-minded. So, in addition to the Korean songs, I learned about Michael Jackson, I recorded his songs and sang Michael Jackson’s songs.

**Michael Kirby:**

Was Michael Jackson around in 1990? Was, I thought he came a [3:37:00] bit later. Although, he was a child singer, wasn’t he? I have expert knowledge on my left to tell me. It’s not the sort of the thing I know much about, haha. Proceed. You copied Michael Jackson’s songs. Were they available on Korean radio and television?

**Mr. KANG Chol Hwan:**

Oh, I did not record Michael Jackson’s songs, but those who had studied overseas were singing Michael Jackson’s songs and that’s why I knew about Michael Jackson. Mostly I sang Korean pop songs. At the time, some of the classical music was permitted by the North Korean government to be performed. We were able to listen to them. So [3:38:00] mostly, I learned to sing Korean songs. But some of the songs, like ‘The Morning Dew’, that’s a South Korean song, it was about this anti-government sentiment in South Korea. So I believe that there was something similar going on between the two countries at the same time.

**Michael Kirby:**

Yes, there were many people rising in the streets in South Korea, but so far that has never happened in the North. No doubt, or possibly in part, because there are a lot of people who don’t like the idea of eating rats and mice and lizards. It’s a sentiment which I at least I can understand. Anyway, how long after that was it that you actually left North Korea? [3:39:00] And how did you do it? Did you go into China or some other route?

**Mr. KANG Chol Hwan:**

There were 20 of us, me and my comrades, my friends. Somebody reported on us, so we thought the Bowibu was going to interrogate me. One of my closest friends was arrested. His name, my best friend was Lee Yong Mo [ph] (3:39:30). His father was in the Central Commission of the Labor Party. He was in charge of the education division. Kim Jong Il had a step brother, Kim Pyong Il, and his father, Lee’s father, was arrested because he supported Kim Pyong Il, step brother of Kim Jong Il.

Lee, my friend, swore to be my best friend forever, and [3:40:00] I think he is now in a political camp. He was arrested by the Bowibu after 3 months. I think he spared my name when he was being interrogated and so I got in contact with others who weren’t arrested and so we planned to defect. We promised to meet in the city, in the border, in Ryanggang-do and I left with Ahn Hyuk [ph] (3:40:34). We were the only two that made it to this border city. The rest were arrested. Later I learned, that most of the friends that I used to hang out with were arrested by the Bowibu. Some were executed, some were sent to the political prisons, or some did not make it out of the tortures; most were [3:41:00] sacrificed. So in Hyesan, in that border city, I gave cigarettes and alcoholic drinks to the border guards. At 2am in the morning, we crossed the river. In China, we paid a Korean ethnic living in China to take us to Yanji, and from there we went to Shenyang and via Daeryun [ph] (3:41:27), we came South Korea.

**Michael Kirby:**

[Unclear] (3:41:37) you arrive in the Republic of Korea?

**Mr. KANG Chol Hwan:**

August 1992.

**Michael Kirby:**

What have you been doing since then?

**Mr. KANG Chol Hwan:**

[3:42:00] After I came to South Korea, I was, I received an inquiry. I talked about the political camps and the South Korean government did not buy my story and they told me not to talk about it at that time. And they showed me the satellite picture of this political camp that I was in and I saw this huge pine tree and my house was also in the picture so I was very surprised to see that. The location of the camp, the location of each specific building, I was able to identify it. And only then did the Korean government trust my story, and I learned from there, that the South Korean government has sufficient information about these political camps. And that’s how the stories about these political camps got out to the world. [3:43:00] After that I went to college, and I settled in the Korean society.

In 1989, there was this Korean student, Im Soo Kyung [ph] (3:43:14) who came to Pyongyang. We were very excited when we saw her because she was in her jeans and she said everything that she wanted to say in so much freedom; it was so shocking. It was a very exciting experience and I thought that if we could meet someone like her, we thought that we could help to democratize North Korea. But when we found people like her, they told me that we were people trying to commit treason against the country. Well, [3:44:00] none of us ever attempted to do that, but our government did not care about its people, so even if we did try to do something against the government, it’s not going to be treason.

**Michael Kirby:**

[Unclear] (3:44:15) person, the young woman coming to Korea and appearing in jeans and being very informal and relaxed. Would you remind me why she was invited? What led to her being invited to come to North Korea?

**Mr. KANG Chol Hwan:**

At the time, she went to North Korea illegally. She did not get the permission of the South Korean government. To the South Korean government, she was there illegally, but at that time, the North Korean government welcomed her. Kim Il Sung, he hugged her and [3:45:00] well, that’s that. But for us, when we were in North Korea, the Japanese beer was very expensive but it was very delicious and when Im Soo Kyung came, she asked us why we didn’t drink Korean beer. And from that, the impression that we got from Korean students was that they were very free and our interest in the Korean society exploded. So Im Soo Kyung was the reason why I began to listen to the South Korean radio and broadcasting. But in the South, I don’t think people like her care about the North Korean people. Rather, they are more supporters of the North Korean government. It remains a mystery to me. Now these people I heard...

**Michael Kirby:**

[Unclear] (3:45:57) go back to the [3:46:00] Republic of Korea?

**Mr. KANG Chol Hwan:**

Yes she did, she did. And she was imprisoned for violating the National Security Law.

**Michael Kirby:**

Yes, but I think you now want to speak about a few particular issues. One was the issue of the unfairness of the way you and your family were dealt in Yodok and going there. I think you’ve talked enough about that. Another is your bitter criticism of the North Korean state and your beliefs that the international community should take a hard line on the state because any other strategy has not succeeded. And I understand you are strongly critical of the so called “Sunshine Policy” of the former president Kim Dae Jung. Is that correct?

**Mr. KANG Chol Hwan:**

[3:47:00] Well, I’m not against the Sunshine Policy itself, but I’m against how it was used. I had the opportunity to meet Kim Dae Jung who formulated the Sunshine Policy. When he was the presidential candidate, we had a chance to meet. Kim Dae Jung had experienced imprisonment in South Korea and I asked him that if he was elected as president, I asked him to take a look into the political camp situation in North Korea. Now then Kim Dae Jung promised me that he would address the political camp situation in North Korea. Now, I did not become [3:48:00] involved in his presidential campaign but I promoted about this promise. I told North Korean defectors that he promised me to talk about the political camps in North Korea. Because I had his words, I watched him for over 5 years, but not one single time did he mention about the political camps. But he received the Nobel Peace Prize and after that, we heard about the political camp in North Korea. I was very disappointed in him because he was given this reward, award, because the Sunshine Policy was deemed to have contributed to alleviate the food situation in North Korea.

**Michael Kirby:**

[Unclear] (3:49:00) the evidence of the last witness whom we heard, Mr. Hwang, when he talked about the work of his organization, the Korean Sharing Movement. Did you hear his evidence this afternoon, before you came in, or not? Mr. Hwang.

**Mr. KANG Chol Hwan:**

Yes, yes, I have.

**Michael Kirby:**

He presented the dilemma which Korean nationals and the international community face in terms of not supporting the cruelty that is evident in the evidence which the Commission of Inquiry has received, but also reaching out with humanitarian aid in kindness to innocent citizens in North Korea who need [3:50:00] urgent help and food. Now how do you resolve that dilemma? Between a hard line and a soft line. How do you personally resolve that, given all that you have gone through?

**Mr. KANG Chol Hwan:**

I think there is no reason for people who helped North Koreans to be heartbroken about what happens in North Korea; they don’t have anyone related in North Korea. But North Korean defectors, and I myself, we have families remaining in North Korea. Now North Korean defectors, including myself, we are against any assistance given to North Korea government. Why? The right of the survival of North Korean [3:51:00] people can be addressed if and only if changes occur in the North Korean government. In the past, in the era of Mao Zedong in China, there was a case, because of the forward movement, 20 million farmers died. China opened its door but at the cost of the lives of the people, now Deng Xiaoping warned North Korea that if they did not open and reform itself, they were going to see the same kind of sacrifice made to the people.

If people are permitted to have individual farms, it means the people would be free... giving freedom to [3:52:00] people would be risky to the sustainability of the regime. However, when they stopped giving out rations, they should have told people to find their own ways but they didn’t; they just neglected the people and a lot of people died. Somebody said 300,000 people died. I don’t know how he got the numbers but when I was a journalist... for example, in a village, one tenth died because they didn’t have any food to eat. At least, you should say, 2 million, 3 million starved to death. The North Korea government saw with their own eyes, how people were starving to death. [3:53:00] Changes will come only when there is nobody left alive. Hwang Jang-yop, who used to be the Secretary of the Labour Party, once said that if we provoked North Korea right now, if we took the wrong approach right now, it’s going to instead sustain the North Korean regime. North Korea is not a humanitarian country. Now if you want to give humanitarian assistance, you need to change the system to be able to embrace humanitarianism.

**Michael Kirby:**

[Unclear] (3:53:38) know, do you, that the government of North Korea has said that the type of evidence that you have given about the way you and your family were treated in Yodok is a pack of lies, that the things you have been [3:54:00] saying today to the Commissions of Inquiry is a serious slander on the government of North Korea and the people of North Korea and that you should be ashamed of yourself for coming before a United Nations body and giving such false testimony against it. What do you say in answer to that charge?

**Mr. KANG Chol Hwan:**

Well, Kim Il Sung, Kim Jong Il and Kim Jong Eun of North Korea, shame on them. The socialist... there is no succession of power from father to son, and with the socialist ideology, in that country, they are having the power succeeded to their children. So they should be ashamed. And they not giving enough [3:55:00] rations to their people. And over 3 million people died. They don’t have the right to say what they say to us. They should at least feed the people before they can say anything to us.

**Michael Kirby:**

And do you, despite the accusation that I just told you is the accusation of the North Korea government, do you adhere to the testimony that you have given to the Commission of Inquiry this afternoon?

**Mr. KANG Chol Hwan:**

Yes, of course I do. I just told my own experience. So, let us go visit there; let us see: Kaechon, Hoeryong, Chongjin. They have these prisons, they have Kyo-hwa-so, or Kwan-li-so. They can just show us, we can just go and visit them. But they don’t let us in, and they deny that these camps exist. They just say so with words. [3:56:00] It’s difficult to believe them, but we have satellite pictures. We have confirmed the existence; this is not deniable. If they really want to say that these camps don’t exist, why don’t they just let us have access? I think they are just lying. They are deceitful. They like things that are good for them. If anything goes against their benefit and interest, they say it’s all a lie. North Korea has lied about everything; it has lied about nuclear weapons, it said it’s never going to make it but they made it. And about the missiles, they also lied about them. None of the things they have done are true or truthful. So, I don’t think they have the right to say that what we are saying is slander, that what we are saying is perjury. If what we said is not true, they can just prove it to us.

**Michael Kirby:**

Yes, thank you very much, Mr. Kang. I’ll [3:57:00] ask my colleagues if they have any questions.

**Marzuki Darusman:**

Thank you, Mr. Chairman. I just want to go into your present preoccupation with the media. What is the position of media with regards to these issues, the political prisons? Because I think that’s the centrepiece of this whole business, looking at North Korea, and I sense that it’s a struggle on its own to persuade the public of the existence of the existence of these camps. What is the strategy and how does it relate to your Korea strategy centre?

**Mr. KANG Chol Hwan:**

[3:58:00] When it comes to human rights issues in North Korea, of course these camps play a very important role because they are the sites, the spots, of anti-humanitarian acts. But there are so many places and so many ways that human rights have been violated in North Korea. Even in Korea, we have conservatives, we have liberals... well, usually, in a capitalist country, the liberals are more interested in human rights. But it seems that Korean liberals are very different; I find this very difficult to understand. It seems that, I don’t know why the Korean liberals are against looking into the human rights issues. I don’t know why. [3:59:00] They live with us here in Korea, they may not know about the human rights circumstances. That’s why they are not saying anything about it at all. And I’m sure that even you have some difficulty understanding these circumstances.

And whether it, I think that the North Korean intelligence agency has done a lot of work in South Korea. And North Korea leaders used to say that they have a lot of friends in South Korea. Now I understand what that means; here in South Korea there are some people who are just out of their heads. And maybe it’s because of the work by the North Korean regime and it seems that here, the liberals in South Korea actually follow or... the North Korea regime and ideology. If we talk [4:00:00] about the prisoner camps, the liberals say, don’t say that; we don’t want to go to war with North Korea. I don’t know why they say that. We’re just saying that such camps should be dismantled. It’s as if the liberals are saying that if we mention anything about the political prison camps, that we are provoking North Korea. We are not provoking North Korea, we’re just saying something natural: these places need to be dismantled.

And we need to link the political prison camps with the food aid. We could ask North Korea to dismantle political prison camps in return for the food. And the liberals are against this. They say we shouldn’t say anything about that. I mean, I think we should at least try to say it, we should at least try to say it once and see how North Korea reacts to this. And well, there are many South Koreans and liberals and of course, and I think the process [4:01:00] by which South Korea has become a democratic country is very good and I believe the liberals have played a very important role in achieving democracy in South Korea. However, the liberals, I think made a big mistake. They have supported the North Korea regime I believe, and many North Koreans are angry at the South Korea liberals because the liberals, because of their misunderstanding, because of their belief or trust in the North Korea regime, they have made mistakes. And I think there are so many here in the South, liberals, who intentionally obstruct us. I think that in 2010, the South Korean government, Ryo Moo Hyun government, actually abstained in voting. [4:02:00] I don’t know how they could do this, how could they abstain from voting that dealt with the human rights issues in North Korea. I just don’t understand how they could do this.

So, there are so many things that have gone wrong. Even if we promote, even if we try to spread the truth, many don’t believe us, those who are so ideologically rigid, I think we need to give them up and I think we need to convey the truth, the real truth, to growing children. I’m not trying make up a story, we’re just trying to convey the truths as they are. And so we are focused on education. We are trying to get closer to the Korean public and trying to let as many people as possible know about the truth in the North.

**Michael Kirby:**

Well, Mr. Kang, you are the [4:03:00] last witness we hear publically in Seoul, in the Republic of Korea. We will however be having contact with other people and communication and consultation and we will be here for a few more days. But the public hearings have been a very important outreach. In a way, I’ve been disappointed that more members of the Korean media have not been here during the public hearings because this is about their country and this is going to be a important archive in years to come. And I think it is going to be source of sadness that more people, especially young people, in the media have not been here to cover it but we will be the eyes and ears and voice to the international community.

We will form our conclusions, we will try to be fair to the government of the Democratic People’s Republic [4:04:00] of Korea, but we will speak with clarity, vigor and truthfulness in expressing our conclusions. Thank you for your help to us. Through you I thank all the other witness who have come forward. Our secretariat has seen more than a hundred people in preparing for these public hearings. We ourselves have heard almost fifty people when you count the numbers who have come forward and the people who we have seen separately. And we will be seeing even more before we depart. So you are not reproached, and we are grateful to you for your assistance and for your spirit and we thank you for coming along today and we thank you for your assistance to the Commission of Inquiry and discharging its mandate from the human rights council. Thank you very [4:05:00] much.

**Mr. KANG Chol Hwan:**

Thank you.

**Michael Kirby:**

May I also thank other people. The air conditioning is turned off, the place has become well… I won’t say it’s a camp of the kind that we have been told exists in some of the places in North Korea, but it has not been pleasant later in the day. But, you have all stayed the course and you cannot be reproached. You must be praised and thanked for staying the course and watching the testimony and hearing the public affirmation of the mandate of Commission of Inquiry and the evidence that has been given on all of the headings in that inquiry of the last week.

So I thank you all because your presence is a living proof of the transparency which the Commission of Inquiry dedicated itself to in conducting these public hearings. We will be going to Japan [4:06:00] next week and we will be having public hearings also in Japan. We will also be conducting our mission to Thailand and subsequently to United Kingdom and to the United States of America. I have on behalf of the Commission of Inquiry to give, on the 16th of September, an oral update on where our inquiry stands to the Commission of Human Rights. On the 28th of October, I have to an oral update on behalf of my colleagues who will be there with me to the General Assembly of the United Nations.

The report of the Commission of Inquiry has to be given to the Human Rights Commission at the latest by March 2014. That means effectively we have to write a report by the end of 2013 so that the report [4:07:00] can be translated into the United Nations languages. But apart from the report, which we will endeavour to make as interesting and as accurate as the testimonies we have received, we hope to that we will be able to include clips in our report which capture some of the testimony, the oral testimony because it is important that the world community which has asked for this report should hear and see Koreans speaking directly to them as they have spoken directly and with their differences to the Commission of Inquiry. And we have already raised this with the president of the Human Rights Council and I hope that’s going to be possible. And even if it isn’t possible we are hoping that the transcript, the record of the [4:08:00] oral testimony that we have heard will ultimately go online and will be available to the world community so that people throughout the world will be able to look, listen, reflect, ponder, think as human beings do, seek rational explanations for what they hear and seek appropriate, just and human rights-respecting solutions to the problems that have been presented these last five days.

So I‘d like finally to say, as I have said every evening, to the interpreters, what a magnificent job the interpreters have done. I would ask you all to join with me in applause to the interpreters who have really helped to bridge the [unclear] (4:08:50) that exists otherwise. I would also be grateful if one of [4:09:00] the interpreters would stay because we have raised with the minister whether it would be possible to get the English language translation of what has been said as well as the Korean language translation, Korean language original, so that can be available for immediate access by us in writing our report and in having a transcript prepared from it of the English language testimony, because so excellent has been the interpretation and so nuanced and so speedy and so arduous have been their labors that I would be grateful if that can be made available. I would be grateful if one of them could tell me something about the technology, which I will try to understand so that I can pursue that with the [4:10:00] minister when I see him next week.

I’d like to thank the Ministry of Foreign Affairs which has actually helped this Commission of Inquiry in kind by the provision of the interpretation. They have been very careful not to overstep the mark, not to interfere in any way with the performance of our duties but just to assist us in a logistic way which otherwise might have made it difficult for us to conduct these public hearings. And with those few words, I thank you all once again. I thank Mr. Kang, the last of the witnesses, and I declare these public hearings of the Commission of Inquiry on a pledge to human rights abuses in the Democratic People’s Republic of Korea in Seoul in August 2013 closed.

[ph]: indicates transcribed text that has been typed as it sounds (phonetic).

[Unclear]: indicates parts that were inaudible.

[Multiple Speakers]: more than one speaker is speaking at once and no exact transcription is possible.