**Speakers:**

*Mr. KIM Gwang-il (Jeon-geo-ri prison)*

*Ms. KWON Young Hee (discrimination and torture)*

*“Ms. C” (right to food)*

***Mr. KIM Gwang-il***

**Michael Kirby**

Good morning, ladies and gentlemen. I welcome you to the fifth day of the sittings of public hearings of the Commission of Inquiry established by the United Nations to investigate alleged violations of human rights in the Democratic People’s Republic of Korea. I will call forward the next witness, witness number 33, Mr. Kim Kwang Il, who is going to give evidence on aspects of torture, forced labour and malnutrition. Is Mr. Kim Kwang Il present?

Whilst the witness is coming to the [1:00] stage, I will put on the record a number of volumes which were left with the members of the Commission of Inquiry yesterday on the behalf of the Korean War Abducted Family Union, KWAFU. These volumes will become part of our record. The first volume is a pictorial history of Korean War abduction, titled “People of No Return”. That volume will be exhibit S-23 – Seoul document 23 – and I put that as part of the record. Secondly, a volume in the [2:00] English language, “Testimonies of Korean War Abductees’ Families’ Ongoing Tragedy”, that volume will be S-24. A volume entitled “A Review of Korean War Armistice Conference – South Korean Civil Abduction by North Korea” the record of the conference, issued by Korean War Abduction Research Unit, will be S-25.

[3:00] The record of a conference held in October to November 2010 in Seoul: “Conference on the origin and proliferation of North Korean abduction and measures to resolve the issue” will be S-26. A special legal review, titled “KWAR Report 2007, Volume 1 [4:00] Part 4 on whether the legal concept of enforced involuntary disappearances is applicable to South Korean civilians abducted”. That document will be marked S-27.

And the issue of the same report, KWAR Report 2007 volume 2, will be S-28. That includes addresses to the National Press Club [5:00] on prerequisites to the solution to the Korean Peninsula’s issue of human rights and Korean War abductions. So those six documents will be received and will be marked as exhibits of the Commission of Inquiry and they will be placed on the record of the Commission to be read alongside the testimony of the witnesses who gave evidence on behalf of the Korean War Abducted Family Union, KWAFU. We now turn to the testimony of Mr. Kim Kwang Il and Mr. Kim, I understand that there is no problem with the use of your name. You don’t have any protection concerns that would require us to give you a pseudonym or a nickname. You are happy for your own name to be used, is that correct?

**Mr. KIM Kwang Il**

[6:00] Yes, that is correct.

**Michael Kirby**

As with all other witnesses, I would ask you at the outset whether you are prepared to declare that the evidence you will give us today will be the truth.

**Mr. KIM Kwang Il**

Yes.

**Michael Kirby**

Mr. Kim, were you born in North Korea?

**Mr. KIM Kwang Il**

Yes, I was born in North Korea.

**Michael Kirby**

And tell us little about your upbringing and schooling.

**Mr. KIM Kwang Il**

I was born in August 18, 1969. [7:00] I am 48 years old. I went to a 4-year college in Chongjin. When I came to South Korea, I was released from a Kyohwaso. And at that time I worked in number 5059 Kyohwaso.

**Michael Kirby**

And what was your age when you came to South Korea?

**Mr. Kim Kwang Il**

I was 40. I came on the 2nd of February 2009 and I was 40 years old then.

**Michael Kirby**

And what was your attitude towards the government and leaders of North [8:00] Korea when you were growing up?

**Mr. KIM Kwang Il**

I believed in everything they had propagandised, instructed. I was instructed to idolise the North Korean regime and the leaders and so that is what I believed.

**Michael Kirby**

Did you ever hear any criticism of them by either students, teachers, family, or other citizens?

**Mr. KIM Kwang Il**

No, we dared not criticize them.

**Michael Kirby**

What do you mean you dared not? What was your fear?

**Mr. KIM Kwang Il**

[9:00] In North Korea, Kim Il Sung and Kim Jung Il are like gods. They have absolute supreme power. If you in any way criticize them, even once, you are charged with public execution or you are imprisoned. That is what is going to unfold if you criticize the North Korean leaders. You may have reservations or opinions in your heart but you can never express them.

**Michael Kirby**

And I think at a certain point in July 2004, in the middle of 2004, you decided to go to China to sell pine mushrooms. Why did you do that?

**Mr. KIM Kwang Il**

[10:00] I had to get some food so that I could stay alive. That’s why I went to China to sell pine mushrooms. If we were compensated for our work and we were able to buy rice, I wouldn’t have gone, but I illegally crossed the border so that I could get some food to stay alive.

**Michael Kirby**

You had been through the Great Famine in the middle of 1990s. How did that affect you at that time? This is 10 years earlier before you went to China. Do you remember that time?

**Mr. KIM Kwang Il**

It’s as vivid as if it happened [11:00] yesterday. In the 1990s, especially in Hamgyeong region, the famine began in 1994. For example, I saw 4 to 5 people die myself in Hoeryeong. To the best of my knowledge, in one day, 80 people from 20 to 30 *ri* and *dong* died out. So many people died that we couldn’t have enough coffins so we borrowed *chilsungpan* to give them burials. We didn’t have any wood to even give tombstones. That’s how many people died.

**Michael Kirby**

[12:00] And then did things get a bit better after, towards the end of the 1990s?

**Mr. KIM Kwang Il**

I think the Great Famine continued into 1996 and 1997. Things got a little bit better after that but that means that people crossed the border to China. I think in Hoeryeong everybody at least once in their lives had gone out to China. Most people had illegally trafficked things in and out of China and that way we were able to feed ourselves. So the area around the border, people living there were able to feed themselves by going in and out of China.

**Michael Kirby**

And did you know that it was illegal for you to go [13:00] into China according to the law of North Korea?

**Mr. KIM Kwang Il**

Of course I knew. Article 233 in the Criminal Procedure Law says that border crossing is illegal. Not only myself but all North Korean defectors are aware that border crossing is illegal in North Korea, according to the law of North Korea.

**Michael Kirby**

And did you know that if you were caught you would be punished?

**Mr. KIM Kwang Il**

Yes, I was prepared to be punished. If I didn’t die they would send me to prison. I knew that, but I had no option but to cross the border because the government was not feeding us. I had to be responsible for the fate of my family and myself. [14:00] So either I was arrested or I was publicly executed. I knew that.

**Michael Kirby**

You considered that you were obliged to take the risk because of the lack of food for yourself and your family. Is that correct?

**Mr. KIM Kwang Il**

Yes, that is correct.

**Michael Kirby**

And so I think you got safely into China and sold the pine mushrooms but then you came back to North Korea and was it at that stage that you were arrested?

**Mr. KIM Kwang Il**

No, I was not arrested then. I did not expect to be arrested. I was arrested when I was passing by a train station. [15:00] I did not see it coming.

**Michael Kirby**

Was that on your way back home after you had crossed over from China? Or was that sometime after you had got back to North Korea?

**Mr. KIM Kwang Il**

Well, not… like, for example, a couple of days after I came back to North Korea, I was on my way to do my errands. I was passing by the train station and that’s when I was arrested. Not too long after I came back to North Korea.

**Michael Kirby**

And were you told why you were being arrested?

**Mr. KIM Kwang Il**

No, I wasn’t given any reason. Here by the principles of Miranda you are supposed [16:00] to be told why you are being arrested but this didn’t happen in my case.

**Michael Kirby**

What happened after your arrest? Where were you taken?

**Mr. KIM Kwang Il**

Well, in North Korea, by law, you are supposed to be given an arrest warrant but you are never given an arrest warrant in North Korea. They just arrest you. And by the law of North Korea, they need to have a case in order to be able to detain you and you need a time period of investigation to find out whether you have actually violated the law or not. But, without all of this due diligence I was arrested, without [17:00] due process of law I was arrested. There was no legal process taken to verify whether I had actually violated any law or not. I was detained right away.

**Michael Kirby**

And I think you then underwent a form of trial.

**Mr. KIM Kwang Il**

Yes. After the preliminary investigation, if they have a case, you are charged with a crime and given a sentence and the police hands you over to the court and the court will give you the date for the trial. The trial for me was [18:00] on September 11 so I was handed over to the court to get my trial.

**Michael Kirby**

Were you kept in custody before the trial between the day of your arrest and the 7th of November, was it?

**Mr. KIM Kwang Il**

11th of September 2004.

**Michael Kirby**

Very well. 11th of September was the date of trial?

**Mr. KIM Kwang Il**

Yes, September 11th was the date of my trial.

**Michael Kirby**

And was that in the prison complex where you were being kept or was that somewhere outside, in a courthouse?

**Mr. Kim Kwang Il**

Hoeryeong [19:00] People’s Court. I was tried in the People’s Court in Hoeryeong City.

**Michael Kirby**

So you were taken in a bus into the court and that’s where you were subjected to the trial?

**Mr. KIM Kwang Il**

No, it would have been a luxury. They handcuffed me and there were three police. They made me march through the street and they had shaved my hair.

**Michael Kirby**

How far did you have to walk in that manner?

**Mr. KIM Kwang Il**

I had to walk for 30 minutes.

**Michael Kirby**

When you came to the People’s Court, describe the procedure that was undertaken, which was the trial that was given to you.

**Mr. KIM Kwang Il**

[20:00] A day before the trial, by formality, an attorney visited me to notify me of the trial and then when I was taken to the People’s Court, there was a very little cell and in front of me there were flags of the DPRK. There was one judge, one prosecutor and one attorney present. Any North Korean… there were two North Korean citizens serving as a jury and that is what it looked like at that time at the People’s Court.

**Michael Kirby**

Were you given [21:00] somebody to speak for you, a lawyer or some other person to be your representative?

**Mr. KIM Kwang Il**

No. Here in South Korea you have an attorney appointed by the country. We have something like that in North Korea but they are there as a formality. They are not there to represent the person being prosecuted. It’s just as a formality.

**Michael Kirby**

But did you have this formality?

**Mr. KIM Kwang Il**

Yes, yes.

**Michael Kirby**

And an opportunity to speak to the person before you were in the courtroom about your case and about any defense you might want to raise in respect of the charge?

**Mr. KIM Kwang Il**

[22:00] Not once. No. They didn’t ask me questions either.

**Michael Kirby**

Did you consider that the procedure that you were going through was fair?

**Mr. KIM Kwang Il**

Fair… it cannot be fair. The only thing that the attorney asked me was if there were any pilots in my family, anybody in the submarine forces, anybody in the special forces. I think what they meant “special forces” were spies in South Korea. And I didn’t have anybody like that in my family. The intention [23:00] of asking this question is that if there is a family member doing those jobs, even if you have committed a homicide, you receive impunity. Those were the only questions asked to me by the attorney.

**Michael Kirby**

What did you then understand was the charge against you?

**Mr. KIM Kwang Il**

I was given the charge of border crossing and smuggling. So that was what I was charged with.

**Michael Kirby**

Were you asked to plead to that charge? Did you have to say guilty or not guilty?

**Mr. KIM Kwang Il**

Well, in North Korea, it’s just [24:00] unimaginable. The judge would not ask that and the judge just simply makes decisions. So let’s just give this person this many years and that person that many years. And the judge would never ask us whether we are guilty or not.

**Michael Kirby**

So, were you then convicted and given a sentence?

**Mr. KIM Kwang Il**

Yes.

**Michael Kirby**

[unclear] Sentence?

**Mr. KIM Kwang Il**

I was sentenced to 6 years.

**Michael Kirby**

In an ordinary prison or a political prisoners’ detention place?

**Mr. KIM Kwang Il**

Well, here in Korea, [25:00] I think I was sentenced to a correction facility.

**Michael Kirby**

[unclear] … taken to that correction facility?

**Mr. KIM Kwang Il**

Well, they give you 10 days to make appeals but in North Korea during those 10 days, nobody really appeals. Well, some do make appeals but then they get longer sentences because they have appealed. So I decided to give up from the very beginning and not to appeal.

**Michael Kirby**

How did you become aware that if you did appeal you would suffer the possibility of an increase in your sentence? Who told you that?

**Mr. KIM Kwang Il**

Well I knew this person who was arrested because of [26:00] human smuggling. He received about 15 years and he said that he sent those women because those women wanted to go to China and he said he did not really sell them so he did not feel that things were fair. So he appealed to the Central Court. He wrote the document for the appeal but that wasn’t sent to the Central Court. There was another trial and he was sentenced to death and he was actually executed when I was staying at the detention house. He was given food and I said “Can you eat the food?” and he said “If I’m going to die, I’m going to eat.”

So he was given 15 years but he appealed and that is why he was given a death sentence. And I think he was given a more serious sentence [27:00] because he was defiant. Because he appealed, he was given a death sentence. So that is setting an example for other criminals not to appeal. That is the implication that is given by the North Korean courts.

**Michael Kirby**

I think ultimately you were taken out to Jeongeori prison, is that correct? Jeongeori?

**Mr. KIM Kwang Il**

Yes.

**Michael Kirby**

You will tell us something about how you were treated in prison but before that I believe that during the police investigation you were subjected to various forms of conduct that you consider to have been wrong, is that [28:00] correct?

**Mr. KIM Kwang Il**

During my time at the so-called pretrial board, I was supposed to write down statements. If I don’t make the statements that the police wanted then they would assault me so that I would write down the things they wanted in my statement.

**Michael Kirby**

What did they want you to say that was not the truth? After all you had crossed into China and you knew that was an offense against Article 233. And therefore you knew that you were liable to a punishment. What additional offence did they want to get from you?

**Mr. KIM Kwang Il**

Well actually, under Article 233, [29:00] the longest you can be given for that crime is from 6 months to 2 years. However, for illegal smuggling, the sentence that can be given is 4 years and a death sentence.

There’s also something called a pardon. If given a pardon… I went into the facility in September 2004 but the next year in February, there would be the birthday of Kim Jung Il, so I would have been given a pardon. So if I was given a shorter sentence, I would be able to be released earlier because of this pardon. And I felt really bad for the people who put me in the [30:00] prison. So they were going to sentence me to illegal smuggling. But, I only did that once. I only did that once at the Tumen River. Of course I took part but I was not directly involved in the illegal smuggling; I only crossed the border. And they said that I was involved in the illegal smuggling. The people who investigated did not want me to stay a short time in the prison so the police wanted me to be charged with illegal smuggling but I kept saying I only illegally crossed the border. But the people at the pretrial board insisted [31:00] that I was involved in illegal smuggling. So if I was only charged with illegal border crossing, I would’ve been given two years, but they wanted me to admit to illegal smuggling and they wanted to give me 6 years. In that process I was beaten up.

**Michael Kirby**

And have you seen a book called “Evidence Jeongeori Prison” which contains a number of sketches, which relate to punishment and violence against people in custody? Do they relate to the way you were treated in the investigation stage or to how you how were subsequently treated when you were taken to the Jeongeori prison?

**Mr. KIM Kwang Il**

[32:00] Well, not just similar. I actually got worse treatment than the pictures that are shown in the book.

**Michael Kirby**

They were trying to accuse you of a more serious offence than that which you were prepared to agree to? Why?

**Mr. KIM Kwang Il**

Well, it’s kind of difficult to explain. I’m from a bad class because my father studied at Tokyo University and he came to North Korea in 1958. I belonged to the so-called hostile class. So my dad was considered [33:00] an intelligent person or a learned, educated person but he had to work in the mines. He died working in the mines. And children of a person like my father can never succeed. Even if I’m capable and if I’m well able, people might recognize my capabilities, but the state would not. So that is the kind of family background that I came from.

My wife was high in the North Korean army and her brother is a loyal soldier. Many people in Korean human rights society know about my brother-in-law because he is a major in the army, in the Bowibu, in Hoeryeong City. If you work in the Bowibu, then you are [34:00] given a private car and that’s truly the sign of a privileged class. The other brother-in-law works for the National Security Agency and another works for the police. And there’s another cousin of my wife who is quite high. So my wife comes from a really good class. But if she marries me, her brothers would not be able to be promoted. But we loved each other so we got married but there were consequences. Because of me, my wife’s family could not make their way in the society so we had to be separated so that my wife’s family could be better off in the North Korean society. And that had a lot of impact on me.

**Michael Kirby**

This class system as [35:00] it existed – it seems to be contrary to the principles of equality that are sometimes attributed to the communist ideology. How did that survive in a country like North Korea, that you were condemned because of your unfavorable class?

**Mr. KIM Kwang Il**

Well, in North Korea, they say there are no classes but that’s not true. They may say there are no classes but there are. And Kim Il Sung said that people’s nature doesn’t change. That’s what Kim Il Sung said. After the liberation in 1945, landlords and [36:00] anybody who had an affiliation to Japan were punished because these people would want to have their own properties back and they thought these people would fight against the regime. So that’s why the Kim Il Sung regime oppressed the landlords and the people affiliated with Japan. And Kim Il Sung only allowed people into the core class that would have loyalty to Kim Il Sung’s rules so he put these people in the administration and in the government. They were given privileges.

And then they have the basic class and that would be people who would do what they are told to do. So there would be the core class, and then there would be the basic class, and people like me would belong to the hostile class. And that’s the class that would have to be oppressed. [37:00] So, officially there are no classes but internally if you look at North Korean society, there are three different classes: core, basic, and hostile. So that’s what the class system is in North Korea. And that’s why which class you come from is very important. If you came from a bad class, you could not be promoted and Kim Il Sung believed that people’s nature doesn’t change. So that is why that they thought that your class was your nature. And they drew those clear lines and those clear lines are those three classes.

**Michael Kirby**

[38:00] How do you find conditions in which you were detained? Describe them.

**Mr. KIM Kwang Il**

I went into the Kyohwaso in September 21. This was the first thing that I saw: there it said that “if you run, you die” – that’s what it said there. If you run away you are going to be shot to death. That’s what I saw on the first day of my entry into the edification center. And I actually saw people carrying dead bodies on a carriage. Let me tell you a story that happened at the detention house first.

**Michael Kirby**

[39:00] Images of drawings, which appear in a book called “Eyewitness: A Litany of North Korean Crimes Against Humanity, Prima-facie Evidence, Jeongeori Prison”, volume 1, published by the North Korea Human Rights The Third Way. And there are being shown to us on screen. I hold a hard copy print version of the book. I will mark the hard copy print version of the book exhibit S-29. Yes, proceed.

**Mr. KIM Kwang Il**

There is this torture that happens before you come to the prison camp. [40:00] At the detention center, we are on our knees and there is a glass and we are supposed to be in the same position until the glass is filled. We are supposed to think there’s an imaginary motorcycle and we are supposed to be in this position as if we are riding the motorcycle. And for this, we pose as if we are airplanes ourselves. We are flying. And if we stand like this there’s no way that you can hold that position for a long time. You are bound to fall forward. Everybody in the detention center goes through this kind of this torture.

**Michael Kirby**

What is the point of the torture? Does it [41:00] have any purpose except to instruct you?

**Mr. KIM Kwang Il**

If you gave the statement that the people wanted to hear, you are okay but if you didn’t give the right statement, you are beaten up and you are instructed to receive a correctional training, meaning torture. And if you did anything to cause disorder in the detention centre, you would be tortured.

We get up at 5 in the morning. We are supposed to sit and be on our knees, our heads on the floor and stay in that position until it’s 10 pm. By law [42:00] usually we are supposed to be in one position for 5 minutes and then take a break but sometimes you are made to be in the same position as long as 10 hours. If we try to move because we feel exhausted, then we would be beaten again.

**Michael Kirby**

How long did you last doing this motorcycle or aeroplane torture?

**Mr. KIM Kwang Il**

As for me I think I was able to be in that position for maybe about 20 minutes. I was in that motorcycle position and I was told to be in that motorcycle position until my sweat would fill that one glass, [43:00] that glass in front of me. You will never imagine what that’s like.

**Michael Kirby**

Yes. What followed that?

**Mr. KIM Kwang Il**

After the torture we are bound to stay in that position until the jailer feels that you have been tortured enough. So the torture goes on until the time has come to the satisfaction of the jailer. This is the pigeon torture. This is a very strange word in Korea and to you. Your hands are bound back and if they tie you like this, your chest [44:00] comes out forward and in this position you are tortured.

**Michael Kirby**

Feet are on the ground but your hands are tied behind your back?

**Mr. KIM Kwang Il**

Yes, that is correct.

**Michael Kirby**

And I see that one of the persons shown is vomiting.

**Mr. KIM Kwang Il**

Yes, he’s vomiting.

**Michael Kirby**

And is there any administration or punishment in this position or is the position itself the punishment? Any beatings?

**Mr. KIM Kwang Il**

This position itself is the torture. And additionally you are beaten up as well. [45:00] If you did not give the right statement during the preliminary hearing, you get this kind of torture. You are beaten up, which leads to vomiting because you feel very uncomfortable inside. Sometimes you would vomit blood.

**Michael Kirby**

What followed that?

**Mr. KIM Kwang Il**

You collapsed. You collapsed. You lose your consciousness and if you collapsed, they made you lay down in a jail in the detention center.

**Michael Kirby**

I think I saw this form of torture in images at the Seodaemun prison camp. It was said that this was a torture that was inflicted during the colonial period by the Japanese colonial force. [46:00] Is that your understanding or is it just something that is traditional in the Korean Peninsula in history?

**Mr. KIM Kwang Il**

Well you said that you have been to the Seodaemun jail. When I was in North Korea I heard that the Seodaemun prison was opened. Seodaemun jail was very infamous for being very harsh. When I got to South Korea, the first place I went to was the Seodaemun jail. I’ve been to every kind of jail in Korea. Now the one difference with the North Korea jail was this torture called “the coffin torture”. When I did an interview with [47:00] this American radio, I dared to say that at least Seodaemun jail was worse than the Jeongeori jail. What happened in Jeongeori prison was very vicious, was devilish. It was worse than Seodaemun in that sense but at least I’m sorry to say at Jeongeori we did not use any torture instruments that were used in the Japanese colonial period. So the fact that they used something that was done during the Japanese colonial period, I’m sorry that it happened at Seodaemun jail. In that way what happened at Seodaemun jail is very regrettable. The fact that they used something that remained [48:00] from the Japanese colonial period.

**Michael Kirby**

What other punishments were inflicted on you? How long did this course of treatment last?

**Mr. KIM Kwang Il**

Before the trial the people who did the preliminary hearing told me that I did not deserve going to the prison camp but that I had no choice. So I knew that I didn’t deserve it and I knew that my crimes only deserved, for example, 6 months of detention. And these tortures were not given specifically for the crimes that I committed – everybody received these kinds of tortures. [49:00] And there are so many accidents and diseases going on in the jail and we starved. If anybody died in prison in South Korea, it makes headlines but I want to ask if in South Korea there are people who starve to death, who die of sickness in jail. In North Korea, chronic malnutrition, starvation, accidents are business as usual in camps. Based on my personal experience when I was in the detention center for 11 days, 8 people died.

**Michael Kirby**

Yes, you were there for 11 days. Are there any other punishments you want to [50:00] show to us that you suffered?

**Mr. KIM Kwang Il**

This is the picture of the detention center. This is what happens inside. Everybody suffers from malnutrition. The person standing is, I think is, the guard. People whose height is over 170 meters can never come out of the correctional camp walking out, because the taller you are the more possibility there is to suffer from malnutrition. In the jail they determine whether you are physically weak or not [51:00] by stripping you naked and they see how your butt cheeks are. If your butt cheeks are apart and loose, the guards see if their fists can fit in between the butt cheeks. And that’s how they determine if you are weak or not. The person standing up receives ‘class 1 weakness’, the one standing to sideways is ‘2nd class’, and the third person is ‘3rd class’. So if you are determined to be weak like them, you will never make it out of this camp.

**Michael Kirby**

[unclear] Is it just an inevitable consequence of the punishments you received? Do you consider [52:00] that this is a deliberate policy that people will not make out of the camp or is it simply the consequence of type of treatment that you received?

**Mr. KIM Kwang Il**

In the detention center, most people became very weak. The food they gave us was less than 80 grams per meal but if you did something wrong, if you slipped up, they would give you less. By law you are supposed to be given 100 grams but we did not get enough and they fed us some things that not even the pigs would eat, like for example, rotten cucumber. Boiled rotten cucumber was given to eat. [53:00] And if we refused to eat that we would be punished.

Sometimes we would be punished by being given less than 50 grams. 6 months after being in these detention camps you would not be able to stay alive. Before you go to these prison camps, you are given physical fitness tests to see if you will be able to endure what goes on in that camp. Everybody almost passes that physical fitness but sometimes they would fail the test. Nonetheless they would enter the political camps. So with chronic malnutrition, torture, starvation and diseases, you are bound to easily fall to [54:00] class 1 weakness. If none of your family visits you, meaning you are neglected, you will fall to class 2 and class 3. So it only takes about 15 minutes for somebody very weak to be classified as class 3 weakness. This picture – because we starved so much and did not have enough to eat, we would find snakes in street. I know this sounds terrible to you. How do you eat a snake in the street? But for us the first one to find it was the person who got to eat it. Everybody raced to catch those snakes and that’s because we were so starved.

We slept like this in the training camp. The [55:00] capacity of this prison was 800 people but when I was there, there were 2400 of us. Sometimes they would have up to 4000 people, which means in one room there were over 60, 70 people in a cell that could only be occupied by 14, 17 people. Sometimes there were up to 170 people. For example those who worked in auto repairs so you can’t lie on your back, you have to lie on your sideways. Your feet would be on top of somebody’s head and somebody’s feet would be on top of your head. Sometimes people would sleep standing up [56:00] and you would take turns lying down and standing up. In that kind of environment sometimes you are so exhausted that you want to give up, end your own life. And sometimes because it’s so intense inside, the inmates may abuse each other and that’s how weak we were. Should an accident happen we would easily die. That’s why we had guards among us to see if anybody was so weak that they would decide to commit suicide.

In summer when it’s suffocating we slept naked and if you sleep naked you get serious [57:00] hygiene problems. To put it literally, we lived in a hole of human defecation. So if somebody got sick, it would just spread out throughout the cell immediately. In North Korea there’s a fever disease; if that breaks out in a cell it would spread immediately and result in massive death. In North Korea if you get sick in these camps, there’s nothing you can do. There are medics and there are paramedics in these jails but they don’t have any medicine so if you have a contagious disease that breaks out, [58:00] for example, if you are lucky enough to get any shots or medicine that your family members bring when they visit you, you are lucky. But there were over 500 people and there is no way that the medic could give you shots to prevent any contagious diseases. If something like this happened here in South Korea you would be punished for it but my camp, if you caught one you are unfortunate and if you were able to get well then you would be lucky. So when we had this high fever we didn’t have anything to eat and at the [59:00] time I had clothes that I had bought from China and it was quite decent. Now I refused to give those clothes to this person who brought the food to us. I’m sorry, I’m getting very emotional right now.

**Michael Kirby**

Glass of water. Just take it easily, in your own time. What is your answer to the statement by the government of Democratic People’s Republic of Korea that there are no camps of this kind in North Korea? And that those who say there are are guilty of a serious slander [1:00:00] against the regime? Do you understand what slander is? A false and damaging statement. What do you say when you hear that the government of North Korea says that there are no camps of the kind you are describing, that this is totally false and that to say this is to be guilty of a serious slander, a false statement?

**Mr. KIM Kwang Il**

North Korea admits that there are general jails and denies the existence of political camps but there is this authority called Boikwan that has absolute control. They decide what sentence you will be given and they pick [1:01:00] people; they determine if you are hostile to their regime or not and they classify you according to their own logic. My brother-in-law is in charge of classifying people according to the level of their offence. So North Korea denies that there are political camps in North Korea.

If I may continue I think there was this soy sauce that I received. I exchanged soy sauce. If I was discovered for having traded soy sauce I would have been killed but I shared that soy sauce [unclear] that helped me to survive. People said I was in a hole of dung but I was able to survive.

And Jeongeori [1:02:00] facility is on a high mountain. On the Korean Peninsula, the highest mountain is Baekdu Mountain. Jeongeori is near Kwanmobong, which is the second highest mountain in North Korea. So in that high-altitude area or high mountain, we would do logging. The slope, people say that they would not walk any slope that is more than 35 degrees. That’s because we have been walking up or down this steep slope. When you’re pulling the logs and because of the slope, if it has been snowing, people could be killed or crushed by the logs. People’s legs would be just broken. That was something that was quite common. [1:03:00] At Jeongeori there are so many accidents. You have to die, I mean they would only call something an accident when people died. If you just had your fingers cut off, legs cut off, if you didn’t die then that’s not treated as an accident. At Jeongeori, people are pulling the logs, pushing the logs, there are no machines, no tools to help us.

**Michael Kirby**

What are the logs used for?

**Mr. KIM Kwang Il**

They were used to make furniture. They would be used for other purposes. Furniture and others.

**Michael Kirby**

Tell us what you want to say but I want you to listen to my question and answer the questions on the point that I want you to talk about. The government of North Korea had [1:04:00] said that your testimony is effectively a shocking lie and exaggeration and that you are simply slandering the state of North Korea. How would you answer that? They say you are telling falsehoods here.

**Mr. KIM Kwang Il**

I’m not lying to you. I’m telling you the truth as it is. I’m sure the North Korea government will say what it says. They say they don’t have political prison camps. They would not believe or accept what I say. But I can tell you for sure what I’m telling you is the truth.

**Michael Kirby**

[unclear] … exactly where your camp was, the one you received punishment that you have been describing to us? [1:05:00] Could you say exactly…

**Mr. KIM Kwang Il**

I actually found the location of where I was on Google.

**Michael Kirby**

Is it near a town in North Korea?

**Mr. KIM Kwang Il**

There is this place called Jeongeori. This would be at the end or at the edge of Hoeryeong City. You will have to go in a small path. You will have to walk about 4 km then that’s when we get to the entrance of the camp.

**Michael Kirby**

In all of the topography of North Korea, how did you find it? Did you have some help to find your particular camp?

**Mr. KIM Kwang Il**

No, no, nobody helped. [1:06:00] When I was in North Korea, I was able to use the computer a little but there was no internet. So when I first came to South Korea, first I went to look at Seodaemun prison. When I was able to use the computer the first thing that I found on the computer on the internet was Jeongeori. I was able to quite easily find or locate Jeongeori.

**Michael Kirby**

Can you point out any of the features? Can you describe where it was that you were admitted and dealt with the pigeon torture and the aeroplane and motorbike torture? Where are they? Where is that place on the image from the international satellite that you are showing to us now?

**Mr. KIM Kwang Il**

They don’t have a special place for torture [1:07:00] at Jeongeori. They don’t have such a place but they have what’s called... Well the torture that I received was at the pretrial board. The pretrial board where I was tortured was within the Hoeryeong City. But I can also describe to you where I was assaulted and beaten in Jeongeori camp. But what I described to you so far has taken place at the pretrial board. This is the main office, headquarters. And they also have office 1 and office 2. Those buildings would be in the middle of the mountains. If you walk up 4 km, [1:08:00] you will have office 4 or building 4. So they have…

**Michael Kirby**

[unclear] … where you would sleep in the conditions that you have just described. Where did prisoners sleep, as you assert?

**Mr. KIM Kwang Il**

This is the main gate or the central gate where the cursor is. So through the main gate, this is the cafeteria. These are the pig pens, where the pigs are raised. This is the warehouse where the coals are kept. And these would be the places where people could take rest. And these are workplaces. And these are different rest places. This is [1:09:00] where the camp guards would check you to make sure that you don’t have anything that you’re bringing into the camp. And in this building, they have a sanitation office where they do the physical exam. So, the physical exam is to check whether you have anything in your butt. After that physical examination, you come out of this building and then you go into this building and the first slot is the class for the new inmates. So you’ll receive correctional instructions about daily routines and instructions in that area for 20 days. After 20 days you go to the neighbor class. And then that neighbor class, you are there for 10 days. Then you receive [1:10:00] different instructions from different departments of the camp. And the instructions you receive are different depending on the charges and sentences that you have received. So you stay there for 10 days and then you are assigned to your class. In this building only the first class would stay in the headquarters building. But I was in the second office or second building, which would be about 1.5 km. We call this “Kwa”, this could be described as ‘group’ or ‘class’ and there were about 500 of us.

If I could explain more, here this is the wooden class or the wooden group. This is the group for “those who were falling behind”. What this means is that these are people who receive additional punishment [1:11:00] because they have committed additional crimes while they were in the camp. So that is the building for them. Here in the headquarters building they have a detention house. So people who have committed crimes in the camp will be sent to the detention house. And the detention will have a solitary cell. In the solitary cell you are not able to stand or sit. There are about 4 of these cells in this detention house. So if we come back to what we call “those who have fallen behind”, you can be put in this building for about six months and you receive very strict punishment.

**Michael Kirby**

You are pointing successively to the buildings in the centre of the image and [1:12:00] taking a tour around those buildings, describing the different buildings that are shown in the image and the activities that you say take place there. Now, how many… You lasted 6 years in this regime. Did you serve your full sentence or did you get some remission for good behaviour? Or did you serve 6 years?

**Mr. KIM Kwang Il**

I was given a 6 year sentence but I was once granted a special pardon to celebrate the establishment of the party so they reduced the sentence to 4 years and then I got another special pardon but by that time I had [1:13:00] only about 20 days left. So the second pardon didn’t mean anything to me but for the first pardon, my sentence was reduced by 3 years and by the time I received another pardon I had only 20 days left until I completed my sentence.

**Michael Kirby**

How long did you serve in this prison?

**Mr. KIM Kwang Il**

2 years and 5 months.

**Michael Kirby**

During that time did you see many people die, or some people die?

**Mr. KIM Kwang Il**

So many people died.

**Michael Kirby**

What proportion of the prison population… [1:14:00] how many people did you actually see die or dead, approximately? Was it 10, 20?

**Mr. KIM Kwang Il**

I can’t believe you are asking me this question. It was over 100. There are so many dead bodies. I can’t believe you are asking this question. People who slept next to me in one cell, because of high fever, 8 people died. The first day I was there, there were 4 or 5 cars.

**Michael Kirby**

I am asking you this question because the government of North Korea says that what you are saying is a total falsehood. You said you saw 100 dead bodies. Where were the bodies taken? [1:15:00] On the map, on the image, show us the place where they were taken.

**Mr. KIM Kwang Il**

It’s not in the map. There is a Bulmang mountain away from this area. This is Hadong, this is Jungdong. And here, this is Sangdong. From the left road, from Sangdong if you go two kilometers, there is this mountain and there is a cave. There is a pot where we put the dead bodies.

**Michael Kirby**

What happens when they are put there? Did you [1:16:00] actually transport the dead bodies to the place on the mountain? You yourself?

**Mr. KIM Kwang Il**

If somebody died in our cell, the people who were strong enough would take the bodies.

**Michael Kirby**

Do you know what happened to the bodies when you took them and unloaded them from truck on the side of mountain? Were they buried or were they burned? What was the practice, do you know?

**Mr. KIM Kwang Il**

We didn’t carry them with a truck. This is a wrong picture.

**Michael Kirby**

[1:17:00] So how would you carry them?

**Mr. KIM Kwang Il**

By cart. We didn’t carry one or two dead bodies. We piled the bodies until there were enough to carry four to five bodies. Even if they rot in the heat in the summer we don’t carry them. So sometimes the bodies would decay and the mice would eat the bodies. We carry them by a cart that is as big as a truck. So sometimes we would have to take a break in between and we would get to the Bulmang Mountain. We would put these bodies into this pot. We would light a fire. It’s not [1:18:00] like we… it’s like burning rubbish, burning garbage and if you see inside the pot you would see the bones that have not been burned and sometimes you get the powders of these bones. We would take them to the fields and use them as fertilizer.

**Michael Kirby**

And this is also part of the duties the fellow prisoners have to perform?

**Mr. KIM Kwang Il**

Yes. Yes. Inmates died… [unclear]. Because we saw so many people die, we became so used to it. I’m [1:19:00] sorry to say that we became so used to it that we didn’t feel anything. In North Korea, sometimes people on the verge of dying would ask for something to eat. Or when somebody died we would strip them naked and we would wear the clothes. Those alive have to go on, those dead, I’m sorry, but they’re dead, but we become used to this.

**Michael Kirby**

Thank you, Mr. Kim. When I asked you questions I didn’t mean any disrespect to you. Please believe that. I was simply putting to you what this Commission of Inquiry has heard from the government [1:20:00] of North Korea that they dispute the testimony that you and others have given to us. And it is therefore important that I tell you what they say so that you can have a chance to answer them. Do you understand that?

**Mr. Kim Kwang Il**

Yes, yes, I understand.

**Michael Kirby**

Well I’m sure there are many more things you can tell us but we have two more witnesses who have to leave before a certain time, so we will need to take them pretty quickly but my colleagues might have some questions of you and then you will be excused. We are very appreciative of your coming to help us today.

**Marzuki Darusman**

[1:21:00] Thank you, Mr. Chairman. Just one question. This concerns the drawings, Mr. Kim. There was one picture that didn’t apply when you answered the question earlier on transporting the bodies, the dead bodies, the corpses, to a specific area for disposal, quote-unquote, if I may use that term. [1:22:00] This was the picture of the truck. There was a picture there, yeah, this one. You said that this was wrong and that the corpses were transported with carts. Is that correct?

**Mr. KIM Kwang Il**

Yes, by carts, by carts, it wasn’t trucks. But it was a cart that had a huge capacity.

**Michael Kirby**

You say that this would be true in other camps?

**Mr. KIM Kwang Il**

I [1:23:00] don’t know exactly what happened in other camps so I cannot testify about other camps but I can guess that something similar would have happened in other camps.

**Michael Kirby**

Can I just follow that up to inquire – this is described as “Chon-go-ri” prison. Your incarceration was in a prison which in our papers is described as “Jeon-geo-ri” [ph], but is that the same place? Difference in spelling, the same name? Could the interpreters help us with this? Is ”Chon-go-ri” another way of spelling ”Jeon-geo-ri”?

**Mr. KIM Kwang Il**

[1:24:00] Yes, yes, I pointed to that earlier. There was Mr. Kim Sang Hyun. I asked him why it was spelled “Chongori”, with a “ch”. In Google, Jeongeori is spelled as “J-E-O-N”. Mr. Kim is a learned man and we had a debate about this and why in relation to “Jeongeori”, one was spelled with a “J” on Google but the other one was spelled with a “ch”. So I don’t know why the spellings are different. I don’t know English enough to debate this but I was told that for foreigners they were more used to “ch”, “Chongori”.

**Michael Kirby**

Westerners have [1:25:00] always had problems spelling the sounds of every other language, especially English speaking people. They just cannot work it out so don’t worry about it. It’s the fault of the Westerners, not of the Koreans.

**Marzuki Darusman**

If I may just redirect you again, Mr. Kim, to the question. The pictures that you were showing us on the screen, do they come from the same book?

**Mr. Kim Kwang Il**

Yes, that’s the English version. There is the Korean version that came out earlier that was translated to English. I think that in the English version, they have smaller pictures.

**Marzuki Darusman**

Now these pictures depict the real conditions and situations you have experienced, is that correct?

**Mr. KIM Kwang Il**

[1:26:00] Yes, well, they are similar, but the reality is more horrific than that. It is more graphic and more horrific than what you are seeing in the pictures.

**Marzuki Darusman**

Now, who would have been able to draw these pictures? Are they pictures drawn by former prisoners alone or together, amongst few prisoners?

**Mr. KIM Kwang Il**

I have written a collection, a memoir of what I have experienced. I’m not a political prisoner [1:27:00] but I had to get the stories out about the violation of human rights. Violation cases… I thought it was my mandate and that is why I wrote word for word, a collection, a memoir. Mr Kim Sang Hyun wanted to publish a publication based on my memoir but what we worked on was a collection of pictures. These pictures were drawn by this one man and it was a very vivid sketch and I think there were two South Koreans to pick scenes to come up [1:28:00] with the sketches. Mr Kim said that these pictures were drawn based on my memoir but I don’t think the pictures are accurate, meaning that it’s more graphic and horrible in reality.

**Marzuki Darusman**

Right, so these pictures were drawn by professional artists, not by former prisoners?

**Mr. KIM Kwang Il**

One had experienced a 15 year sentence in the camp and he came up with the raw sketches. And I think later they asked, they paid professional people to draw the sketches.

I’m not proud of this, I’m not saying this out of [1:29:00] bragging but these pictures are based on my memoirs. Your human rights being violated, it’s not something to be proud of, but I wanted to get the stories out from the regime. I did not go to China because I wanted to go to China. The North Korean system, under the system the law says the state is responsible for the lives of people. But they couldn’t take care of us so we got out of North Korea and we were charged as criminals. For example, if the father is not able to bring the bread to the table, the family would have no choice but to leave the household. And that’s what I wrote about in my memoir. And my memoir was [1:30:00] rewarded for its candid storytelling and that is why Mr. Kim Sang Han proposed to do something more about my memoir. The human rights violation cases in North Korea are seen as an impediment for the regime. And Kwanliso and political camps, Kyohwaso, the existence of these facilities is denied by North Korea. Even in such a country, people and the regime must know that the international community will not tolerate any more human rights violations and I have very high aspirations that the United Nations will play a role [1:31:00] in this.

**Marzuki Darusman**

Mr. Kim I have to just continue with few questions because you see, it’s not only the North Koreans that don’t believe, or allegedly don’t believe, that this is happening. In many parts of the world, people just cannot imagine that this is happening, you see. And therefore we need to know exactly what is happening there. You said that the pictures don’t actually picture the reality, the real happenings there and that they’re in fact more graphic in reality. How much more graphic is it? Why was that not pictured in the drawings? Was there a deliberate toning down or moderating of the pictures? Was there a discussion about the fact that the reality may not have been [1:32:00] accepted by the public? How did it go?

**Mr. KIM Kwang Il**

Well, I can’t say that there was no discussion. We began with an exhibition. People are attracted to pictures that are glamorous, beautiful pictures. Now we had an exhibition where we had pictures in this bus terminal in Korea. People were so disgusted, so horrified by the pictures that they didn’t come to our exhibition. So the point that we tried to get across was to [1:33:00] picture, to portray the polarization of the classes and we wanted to throw in pictures that would at least give some hope to the people who came to see our pictures. So there was intention of maybe toning down a little bit. There was some discussion about that. I will tell you, yes, yes.

**Marzuki Darusman**

That’s good to hear. Now, are there any records of the real happenings – actions – that took place, apart from these pictures, these more acceptable pictures? Are there any other pictures that would bring out the more graphic, as you say, description of what is really happening there? [1:34:00] For the record, because this needs to be documented, what took place there. Reflecting on your memoirs, with all respect, it was not my intention to cast any doubt upon your memoirs. We need to get to the bottom to this, you see. Would it be possible?

**Mr. Kim Kwang Il**

Yes, there are originals. There are 13 pictures that were initially drawn. I was thinking of bringing them with me but Mr. Kim Sang Ha has the pictures. I don’t have the pictures with me right now but there are 13 sketches, the 13 original sketches are there. And of those 13 sketches, 4 of them, 4 or 5 of those 13 are here [1:35:00] but if I bring the original sketches I don’t think the women in this class would stand those sketches. It would rather shame the women in this room because those sketches, some of them are about sexual violations.

**Marzuki Darusman**

Well, in that case… would you be willing to provide the Commission with the copies of that for our documentation, those 13 sketches?

**Mr. KIM Kwang Il**

Of course, of course, I will hand them to you.

**Marzuki Darusman**

Now you have been telling us a very comprehensive picture of the torture process [1:36:00] there. Is torture being conducted on a daily basis, that’s one question? And is it done in a special section of camp by a special unit or can any guard inflict physical abuse or pain on any prisoner at any time of the day? For whatever reason.

**Mr. KIM Kwang Il**

In the detention center, the torture went on every day, anytime, and the purpose was [1:37:00] to get the right statement that they wanted to hear. At the political prison camp, depending on different kinds of offences, people were given tortures. For example, if you slept in a wrong position, if you snored while you were sleeping, you were tortured. What’s special about the tortures that went on in these political prison camps was that, for example, Do Hyung Tae, he was affiliated with Simhwajo case well-known in South Korea. He had a police background but he was instructed from people in the top to go into this cell where they imprisoned “those who fell behind”. [1:38:00] Now the tortures, the beating that went on in relation to these people were two-fold or three-fold, so there were abuses, physical abuses, targeting specific people.

**Marzuki Darusman**

Was this conducted by a few assigned guards or individuals in the camps? Were you brought to special place when torture was conducted?

**Mr. KIM Kwang Il**

We didn’t have a separate torture cell in North Korea. The place where you were beaten was the location of the torture, we didn’t have a special torture cell. If you did [1:39:00] something wrong in the education, in the Kyohwaso, the officers of the Kyohwaso would punish you or torture you. And if they made up their mind to kill someone, there’s a system in the Kyohwaso where they would put 3 people together to put a surveillance on each other. So if one of the 3 people reported on someone they would target the reported individual to pull logs, to eat less, and gave more severe punishment for a misdemeanor behavior. And in 15 days – if you were targeted, you would die in 15 days. Sometimes the [1:40:00] police would manipulate the situation so that the inmates would intentionally report on each other. If somebody does something wrong, well usually you would think that you would turn a turn a blind eye but sometimes you would give harsher punishment. They would cut your meal into half or one third. And being starved like that you would not be able to withstand intense labor. So Do Hyung Tae was targeted and he died in that way.

In addition there’s a person called Choi Sung Chul. Choi Sung Chul was in charge of the preliminary hearing. He fabricated a spy event that was discovered later and he was [1:41:00] detained. In the detention centre, they shave your hair. When you are that skinny and you are not in a good condition, you shave you hair and you would look ridiculous. Now this person Choi Sung Chul who used to be in charge of preliminary hearing, he was also detained. He did not stand 3 months. He was sent back to cell where they put “those who fell behind”. He did not make it out of that cell. Now these policemen, sometimes they were pressured by authorities on top to keep secrets [1:42:00] and to not expose any stories about what happened in the Kyohwaso. Even if a person was not given a death sentence, in order to prevent any stories from leaking out, they would put you under more severe punishment, labor, they would starve you more so that you would eventually die. Now if you were in that position and you would have the authority to punish these people, you could do it right away. You would have the power to target certain picture [ph] and to kill that picture [ph]. That is the level of violation of human rights that’s going on in North Korea. If they target you, you are dead.

**Marzuki Darusman**

All right, [1:43:00] now. Was there any prisoner that was assigned to supervise others?

**Mr. KIM Kwang Il**

I was one of those. Among the inmates, there were three different types of people, of inmates. Inmates’ families, they would give bribes, they would give kickbacks to the people at the camp as well as the police officers. So they would give, like, televisions, refrigerators, as kickbacks, as bribes. And the police or the people, the jailer, the jailers would help the inmates. So you would be given these [1:44:00] special privileges so that you would be like the supervisors of the inmates, and I was one of those inmates.

So I was able to get more food and there were also the inmates, they were checking on the work progress. And also there was this supervising inmate that would keep an eye on the inmates. Let’s say that there were 10 inmates and there’s one 1 jailer or 1 guard responsible for them, that’s the way it should be. Then there are 3 inmates and there should be at least 1 gun. But there are so many inmates. If there are, like, 60 or 70 inmates, then there would be 20 AK rifles, which means there are 2 rifles and 1 gun. [1:45:00] So, these 3 guards or the 3 jailers would not be able to watch the inmates. That is why they have 3 inmates who are given the role of watching over the other inmates. We were all given numbers and we were called those numbers and if you called out your number late, you would be beaten.

If you are going to work as a supervisor, you have to work really quickly, work on your toes. And these 3 supervisor inmates were subject to guilt by association. If somebody ran away, 1 of these 3 inmates would be punished. So I guess we [1:46:00] were more alert, we kept a closer eye on the inmates than the jailers or guards. So we had 3 inmates that would work as a group, to watch over, to stand guard over the inmates. It’s quite regretful but I was one of those 3 inmates in our group to be serving as one of the inmate supervisors. There are about 8,000 to 9,000 out of 30,000 North Korean defectors, they are from our hometown so I would not be able to lie because they knew about these things.

**Marzuki Darusman**

I just have two questions. Was there any task assigned to the prisoners to plant and [1:47:00] to erect camouflage so the camps can be hidden?

**Mr. KIM Kwang Il**

Because the camp is a legitimate organization, it’s a legal organization just like a prosecutor’s office and police, so there is no need to have inmates to camouflage the camp.

**Marzuki Darusman**

This is the last question Mr Kim, I think it’s important. And this comes back to the very first [1:48:00] statement that you were educated to idolise the Kim family. You went through this ideology education and were totally infused and immersed in that system. Is that correct and is this something that all North Koreans go through?

**Mr. KIM Kwang Il**

Yes, except for little babies who cannot talk, everyone will be taught. As soon as you go into the kindergartens or nurseries you begin to learn to idolise the Kim family. Before you eat your meals you first give your thanks to Kim Il Sung and that’s what we are taught to do in nursery schools. I think I was especially more brainwashed [1:49:00] because I was a good worker, because I was praised quite well. So I had this hope of being able to evade my class and the people that… you know, I would have escaped in 2004. Up until 2004 I was so brainwashed that I would cross the river once in a while but I would never have permanently crossed the river because I had hope one day that North Korea would live well. That’s how deeply brainwashed I was. I’m sure that other North Korean residents are also brainwashed but I think that I was even more brainwashed than the others.

**Marzuki Darusman**

How did you learn to distinguish between right and wrong? You didn’t know any other system but you sensed that the practices were unfair, were wrong, just [1:50:00] wrong, totally wrong. How did you sense that there were right things and there were wrong things?

**Mr. KIM Kwang Il**

So there was the Great Famine or the Arduous March. It only lasted 103 days. After the Arduous March, everyone was able to live quite well. I met about two people who were close to Kim Il Sung so in the mountains they would starve, but they would have… if there was one battle, if they won, then they were quite well off. So there was a rumor after the Arduous March that people would be able to live well. But this Great Famine or Arduous March lasted longer than 103 days. My mom was an [1:51:00] educated woman and she thought this might not come to an end and she told me that things were not as bad during the colonial time because my mom lived in Japan and she lived under the Japanese colonial rule. And she told me that even during the Japanese colonial time things were not as bad.

I was in a way middle-class in terms of pay; we were able to buy corn and things like that. However, with this pay I was given, which was about 2300 won… 1kg of rice was about 1800 won. So I was given 2300 a month but the rice was about 1800 won per kilogram. So that was [1:52:00] not enough to buy food. I realized the need for freedom in 1996 when North Korea gave rations, you know. All I had to do was work because the government was giving me the rice and food. And that’s what I did up until 1996 but the rations stopped in 1996. And people started doing business, committing crimes, people started stealing. And now it was difficult to control the workers. In the past if I skipped work, then I would be taken to the police but if my skipping work was rational, I was forgiven. If you skipped work for 3 days, of course you would have to do forced labor for one week.

But after 1996 everyone did not come to the work because they had to make a [1:53:00] living, because they had to do something outside to make a living. And there was no control over that. If I didn’t come to work nobody was really controlling it. So I realized that nobody was punishing me for not coming to the factory and there was nobody watching over me, what I was doing at the house. So I began to realize what freedom was. So I realized there are some things that I could do on my own. If there was no more food, there will be no more control. At that time they could not have control because of economic difficulties. That’s when I began to realize there is freedom.

North Korea said that the state would be responsible for everything including medicine and education but my child died because of lack of medication. [1:54:00] And, in South Korea… I heard in North Korea that, in South Korea, money was more important than treating the patients. But that was also the case in North Korea. They would give me a list of medications and asked me if I could buy those medications. And they were thinking that I would not be able to buy the medications but if I gave them money, their attitude changed. But of course my son died even though there were some medications. The doctors told me there that they would just give you an injection and ask for money right away. So at that time the state was not looking after the welfare or the health care of the people. And they were not giving us the food and at the same time they were making us work. And [1:55:00] we began to realize that this was wrong. Because if we worked I thought that we should be given food. So that’s when my thoughts began to change slowly and gradually.

And then I realized I was able to distinguish the wrong and right when I went into the detention house. I did not permanently cross the river because that would be treason. But when I was in the detention house, I realized that there was something wrong in North Korea. I’m really sorry that I’m not able to fully explain in more detail what had happened to me.

**Marzuki Darusman**

That was very good, thank you Mr. Kim.

**Sonja Biserko**

North Korea, as you know, is boasting about its human rights record. It means that every person can complain. Would you be able, or any other [1:56:00] prisoner, to engage a lawyer, or file a complaint or reveal the story to media and if yes, what would happen? For such maltreatment, torture in the prison. Because obviously that cannot be in the Penal Code, defined as such, the right to torture people for nothing. Would it be possible? Or were there such cases?

**Mr. KIM Kwang Il**

In North Korea, there’s no such thing as media or press. There’s a controlled media. So the only press that we have is the word of mouth among the people in the neighborhood. There’s no such thing as [1:57:00] the press. And you don’t have the right to an attorney and you don’t get to choose the attorney. There are no 3 branches of government in North Korea. Actually, it’s not 3 different divisions of government, it’s actually 3 integrated forms of government and so the lawyer, prosecutor, and the judge are actually working together to have the defendant admit his crime. So you don’t get to choose an attorney and the attorney is appointed… an attorney actually works for the court. So there’s one person with the position of attorney at the court. And that attorney is just there for the formality and does not do anything.

**Sonja Biserko**

[1:58:00] [unclear] … the police institutions in which [unclear] in complicity apparently with the Kim family and bear the same responsibility for the situation in the country.

**Mr. KIM Kwang Il**

Of course they have to fulfill their responsibilities. But my attorney simply said that, ’My defendant has committed the crime and therefore he deserves to receive the punishment’. That’s all my attorney said.

**Michael Kirby**

When you produced the 13 images of conditions in Jeongeori, otherwise known as Chongori prison, which you [1:59:00] say more accurately portrayed the conditions under which you were imprisoned – that will become exhibit S-30 on the record of the Commission of Inquiry. So would you try to get those 13 sketches to us within the next day or so before we leave Seoul?

**Mr. KIM Kwang Il**

Yes, I will send the pictures to you. I will get a copy of those pictures to you. I can come to you, bring them myself. A lot of people had asked me for those pictures. I think we have already made more than 40 copies to give them to those who asked for them. And the pictures I have, they are the copies of the originals. [2:00:00] I will copy them.

**Michael Kirby**

And could we also have the memory stick which contains the image of the prison which you were showing to us and which you explained in the course of your evidence? A copy of the memory stick with this satellite image on it?

**Mr. KIM Kwang Il**

Yes.

**Michael Kirby**

Thank you. Well thank you very much Mr. Kim Kwang Il for your testimony. I’m sorry it took quite a time but you had a lot to say. So thank you for coming and you are excused.

**Mr. KIM Kwang Il**

Thank you very much for your interest in the human rights violation situation in North Korea.

***Ms. KWON Young Hee***

**Michael Kirby**

We will now call forward Ms. Kwon Young Hee. [2:01:00] Thank you for coming to the Commission of Inquiry, Ms Kwon Young Hee. And you are accompanied before us by your husband, Park Young Hak. And he is also welcome. I understand that you are going to do most of the talking, Ms Kwon, but if your husband [2:02:00] has anything to say that would throw the light on the matters that you are talking of or assist the Commission, he should also feel free to speak to us. I would ask you if you are prepared to agree that the testimony you will give us will be the truth.

**Ms. KWON Young Hee**

Yes, it will be the truth.

**Michael Kirby**

And Mr. Park, if you give any evidence, will the evidence you give to us be the truth?

**Mr. PARK Young Hak**

Yes.

**Michael Kirby**

Now Ms Kwon, I think you are not a stranger to the [2:03:00] issues which are before the Commission of Inquiry because earlier you made a submission to the United Nations Working Group on Arbitrary Detention. And you did that some time ago. Just tell us about your life in North Korea before you came to South Korea in 2001, about your upbringing, your family background and your employment and attitude towards the regime as you were growing up. Just a bit of background. But don’t tell us anything that might identify family members or anything of that kind, just in general terms about your life.

**Ms. KWON Young Hee**

[2:04:00] Yes, I understand. I was born on August 26, 1971 in Musan. When I was born, my parents were alive, I had 3 brothers and sisters older than I am. I was the youngest of my family. My mother was a doctor, my father was a secretary in the party. When I was born I had no idea about their class but I was born into a good family so we were one happy family.

When I was in school we were supposed to submit this form about our [2:05:00] family background and I learned that my father’s birthplace was South Korea. He explained, my father explained, that he was one of the volunteer troops from South Korea to North Korea. In middle school my eldest sister found out everything about my parents. My father and my mother were both from South Korea. They submitted themselves to the voluntary troops during the Korean War so their records show that they were members of these volunteer troops during the Korean War.

When my elder sister was preparing to go to university, she was a good student in Musan but when she was trying to get recommendations for college, she was denied a recommendation for the Kim Il Sung University. And when [2:06:00] we asked why, the authorities said that we did not have access to those kinds of universities because of the backgrounds of my parents. So my sister could not apply for the Kim Il Sung University; the best she could do was the Chongjin Teachers’ College. My sister felt that her dream had been taken away and she appealed to be sent to the college that she wanted. And when inquired, she was told that our parents were from South Korea and the response she heard was that those family backgrounds blocked her from entering Kim Il Sung University so she had to go to the Teachers’ College.

My brother got a physical fitness test for military service but [2:07:00] he was allocated to railroad-building labor. He did his military service in this railroad building work. But my younger brother, he did not get promoted in the military. My third brother, who is in prison now, he went to the army for military service but he suffered from malnutrition and was discharged in the middle of his sentence. He caused a problem, allegedly caused a problem, and was imprisoned. Because of that my mother was shocked and passed away. And my father also passed away.

My mother was investigated by the Anjunguk, the safety police, and they were expelled [2:08:00] from the party. So only after 6 months after inquiry began, my father passed away. In the past, because of my parents’ background, we got by quite well in North Korea but because of our family, fundamentally our family background... in fact there was surveillance on our family. Every week my father had to get this training, every Friday, because he came from the South. He had to swear that he would be good in North Korea, that he would raise his children right, and should there occur an accident that he would be able to account for it. He suffered from a brain disease. There was blood in his brain [2:09:00] and so he passed away.

My brother when he was discharged from the army because of malnutrition... from 1993 he crossed the border to China to get food. He was involved in trafficking. In 1994 he went to China again at the time Kim Il Sung died. Because of the death of Kim Il Sung there were stricter controls in the border area. He was arrested at this time. They blamed him. They told my brother that he was a political prisoner because he intended to defect from North Korea. We didn’t see this coming. We thought he would be charged for economic crimes.

My mother knew a lot of people in the Bowibu. She had strings there. So she pulled her strings to visit my brother [2:10:00] but through her connections she heard that my brother was not an economic criminal, that he was a political criminal and she was not to disclose any of that to anyone. She was shocked. My mother wished to visit my brother for the last time and she was given the permission to do so. I accompanied my mother there. She was told to just bring clothes and not to disclose the visit to anybody. We saw my brother and he was in a very terrible condition. His face was just not recognizable. We could not talk for long. We just said, take care, farewell. And we came back.

After that, we [2:11:00] learned that when my brother was arrested in China on his way to be forcefully returned to North Korea, the North Korean authorities had brought shoes and clothes for criminals to China. He was dressed like a criminal in China and through the Chil Sung immigration office he was brought to North Korea. They had a truck in Chil Sung immigration office but he was not transported by this truck. He was tied to the back of this truck and he was pulled all the way back to North Korea. He was wearing black shoes at that time, shoes for prisoners. It took 160 ri from Chil Sung immigration office and he was dragged all the way from Chil Sung immigration office [2:12:00] to Musan. I think in South Korea even if you did that to an animal it would have been scandalous but in North Korea if the government was going to do that, then that was what you were going to receive. My mother and I did not witness it but according to my friend who saw that, it was too much even if he had committed an offence. His hands were tied to back of this truck.

**Michael Kirby**

Don’t feel under any pressure. Have a glass of water.

**Ms. KWON Young Hee**

[2:13:00] So he was dragged down 160 ri. And…

**Michael Kirby**

160 ri?

**Ms. KWON Young Hee**

“Ri” is the measurement system used in North Korea to measure distances. One ri is about 0.39 km which is, so… 160 ri would be about 45 km. [2:14:00] By the time he reached Musan, his face was covered with blood, his clothes were all torn. And when he fell, they stopped the truck and rushed him to stand up again. At the time my brother was discharged for malnutrition and he was diabetic. My mother tried to treat his diabetes in the hospital so he was diabetic by the time he went to China. Because he was diabetic he did not get enough food in China. Even when my brother collapsed, the truck would go on and the Bowibu people, when my brother collapsed, would beat my brother up to make him stand up.

Musan is a big city [2:15:00] but they drove him around the Musan city three times so that everybody could see him. He was an example to anybody who dared to commit an offence to the state. Bowibu people were at my house to prevent my mother and I from going out and seeing him. So we were under house arrest while my brother was dragged around Musan City.

**Michael Kirby**

Did you yourself see your brother being dragged around or did someone tell you later, someone reliable?

**Ms. KWON Young Hee**

Yes, in Musan-gun, we had lived a long time and my mother was a doctor so everybody knew about my family, who my parents were and I had a lot of friends in [2:16:00] school in Musan. All of my friends saw this. My friends who eye witnessed this told me about this.

**Michael Kirby**

Did they say anything about how they felt about this form of activity?

**Ms. KWON Young Hee**

They couldn’t have expressed how they felt about it. If they had expressed it to me then that person would have been arrested because expressing their feelings about that event would make them somebody who had related themselves to a man who had committed treason. So we got this information from my friend and when I visited my brother in jail, I was at a loss of words when I saw his face. He didn’t get any medical [2:17:00] treatment. The blood was dry on his face, on the face, the cheeks and the nose. His entire face was covered with blood and the blood had dried up. The wounds were left untreated.

**Michael Kirby**

He was not treated just as an economic criminal who had illegally crossed the border. Why was subjected to this very serious form of punishment, particularly unsuitable to him given his diabetes? Why?

**Ms. KWON Young Hee**

The reason is because my parents originated from South Korea, that was the only reason. And before that somebody we knew in the Bowibu, this person [2:18:00] asked us if we were aware that we were under surveillance all this time. Because of the background of my parents, my brother was blamed for intentionally crossing the border at the time of Kim Il Sung’s death. So to the North Korea state, he was not an economic criminal, he was a political criminal.

**Michael Kirby**

This was because he was not showing appropriate respect and grief for the death of Kim Il Sung, is that the thinking behind the feeling that this was an aggravated circumstance?

**Ms. KWON Young Hee**

My [2:19:00] brother was not aware of the death of Kim Il Sung. He died in July 1994 but my brother went to China in February. So he learned about Kim Il Sung’s death in China. My brother had in mind to come to South Korea so he had no intention to go back to North Korea from China. Later we learned that somebody had reported about my brother going to China to the Bowibu. And the Bowibu made Kim Il Sung’s death as an excuse to turn my brother into a political prisoner. This was directly told by somebody in the Bowibu.

In North Korea, [2:20:00] if the situation got worse and the food crisis got worse, if things got aggravated, what the state said was that they needed a scapegoat to blame for the deterioration. For example they blamed it on the Western world because of the economic sanctions of the states, things got worse. But North Koreans had no knowledge of what went on in the outside world. So if a case like this broke out, it was used as a scapegoat, it was used to set an example of what the consequences would be if one [2:21:00] caused a disorder. So the punishment of one person was used as an instrument to make people obey the state. So you are scapegoated, you are cornered.

When my brother was arrested, I was working very hard so I could join the party. There was an explosion in a factory where we were producing explosives. I did not come home. I took night shifts, working very hard. And that’s when my brother got arrested. My hard work was never recognized by the party and because of my brother, our family was labeled as people who had committed treason. [2:22:00] Every time something like this happened, they put us in morning sessions. And in these morning sessions they would talk about a certain individual. They would say the name of my brother and make a statement as to why he has committed a treason to the country. Those morning sessions would last 6 months. And they also threatened to kill everybody in family. So if you are related to the person allegedly who had committed treason, you wouldn’t be able to show your face. The entire factory has to participate in this session and I was put to sit in the [2:23:00] front line and I was criticized for what my brother had done. And not just in the factory; they would hold these sessions in Musan where my family lived. So I had to receive that kind of treatment and I couldn’t go out of my house because people would be pointing their fingers towards me. They would blame us, they would say that “yes you are a family who has committed treason. Your parents are treasoners and you must be a treasoner too.”

In 1996 another event broke out. My eldest brother disappeared with his daughter. And somebody from the authorities came to me to ask about the whereabouts of my brother. By that time, my [2:24:00] mother had passed away. I had left my house, I was in this boarding house. This official came to see me at the boarding house, asking me about my brother. I was inquired, I said I didn’t know. I asked him to go to my workplace to check where I was for my alibi. I was working at the factory all the time. There was another woman in the boarding house and she reported that my brother had come to see me before he disappeared. According to her, this girl called Hoshie reported to this government official that my brother had visited me for the last time before he disappeared. [2:25:00] Because we were already a family who had committed an offence to the state, Bunjuso… this office is akin to the community office in South Korea.

So one of my brothers was a political criminal and the other brother had disappeared with his daughter. So I was handed over to the Bowibu for a week. I was ordered to write a self-criticism statement of up to 100 pages. I told them I couldn’t because I didn’t know where my brother was and I did not know when he left. And upon that statement, a woman official came to room [2:26:00] and with a wooden club she beat me up for 3 days just because I didn’t know about the whereabouts of my brother. I was beaten. I was beaten here in my head and I got a tumor removed from my limb in South Korea, which was the consequence of this beating. I stayed confined for a week. And one day this person from the Bowibu came to tell me that they had found a body and asked me to identify this body. I was brought to Chil Sung Li. There were 2 bodies. One grown male and one little girl. But these bodies were in the water for such a long time. They were destroyed and there was no way I could [2:27:00] identify them. And if I said that it did not belong to my brother, I thought I was going to be punished again. So I testified that the clothes of the little girl belonged to my niece and I testified that I couldn’t tell whether the body belonged to my brother or not. So I made a false testimony and they put the bodies in the back of this trunk, a car trunk. I asked what they were going to do with the bodies and they told me not to be interested in what was going to be done with the bodies. I asked that I had to at least hold a funeral ritual for them and they told me to hold that [2:28:00] funeral around the Tumen River because they had died trying to cross the river. And I was brought back to confinement and was ordered to write a self-criticism statement again.

I was later released and I went back to the factory to work. And they tried to verify whether I had checked in or not in the factory every day. Some days were missing and because I was with the Bowibu during the days I missed work, I was released.

In November 1997 there was this person from China. [2:29:00] He told me that an aunt had sent him. He brought this package. I told this person to go away because I was under surveillance. This person brought toilet paper, red toilet paper. He told me to use it, to accept it. And he gave me these eye signs to unfold this paper and there was a letter from my brother saying that he was OK in China and that my niece was also in China. It was a letter in fact from my brother. I cried while I was reading that letter. I asked this person about my brother. My brother succeeded in crossing the river and he now lived in Yanji. [2:30:00] There was a telephone number written in the toilet paper. I was asked to memorize it and dispose of this toilet paper.

I remembered the phone number and on the 23rd of December 1997, I asked at the border to let me go to China. And I told these people I was going to come back. There was this broker who told me that if I had once crossed the river, I would not be able to come back because my family were state offenders [2:31:00] and if I crossed the river, that would also be a problem for her. And she asked me… and there was a fortuneteller. This broker woman asked the fortuneteller if I was going to come back as promised. Just in case, I took another person with me as a witness because I thought maybe the broker was going to report on me. And I had no intention of coming back to North Korea. I brought a friend from the factory, asked her to remember this place where I met the broker and the fortuneteller. And told her to report about this house if I didn’t make it to China. And my friend brought a [2:32:00] dog. A puppy at the time cost 50 won and she told me that if I was arrested I should say that I was going to China to sell this puppy. I succeeded in crossing the border. And this lady had already had people on the other side of the border because she was going to sell me over to other people. I told the broker woman that my friend knew about her and so, as promised, with her help I made this phone call to my aunt in China. And because I remember the phone number of my brother, I contacted him and my brother sent a friend to get me.

We took a taxi to Helong (Hwaryong). [2:33:00] Now to avoid… there’s a post... before we went to Helong, and it snowed heavily. We were supposed to be picked up by a taxi but the taxi was gone. So from Helong to Yanji we had to walk. We had no idea about how long it took. We finally arrived at a house where my brother was waiting for me with my niece. So we reunited and I tried to convince my brother that, because of my family history, we should go back to North Korea. If we did not go back, the rest of my siblings would be in trouble.

I tried to convince my brother for 3 days. I told him that if we disappeared then [2:34:00] our remaining siblings would be in trouble. My brother promised me he would but the next night the Chinese public police came to the house and my brother and I were separated. We ran away. My brother told me to meet him at this place at a certain time point if I was not arrested. We ran away. We went our separate ways. When I went to the place that my brother told me, my brother was already there. My brother, because I was trying to convince him to go back to North Korea, had intentionally made the public security come to my house so that I would never think of going back to North Korea.

My [2:35:00] brother came to South Korea by sea. I was in Hukryong province for 4 years before I came to South Korea. My uncles were already here. And now I know that my father was classified as having voluntarily defected to North Korea. I asked my uncle about this and my uncle told me that North Koreans came to my father and asked whether my father was willing to go to the North or not. If he did not agree, they were going to execute my father’s family so he had no choice but to go to the North. We have cleared my father’s name and [2:36:00] from people I knew back in North Korea who are here today I have cleared my father’s name and explained that my father was abducted to North Korea.

4 years ago I was able to get my sister out of North Korea with help of my husband. So my sister is here teaching. I am also teaching, I am teaching children who are defected from North Korea and I also teach after-school classes. I have been providing services for North Korean defectors for 7 years. My sister is teaching and my brother is working very hard. When my siblings found out that I was coming here they told me not to come because we have another brother in North Korea. [2:37:00] My brother works in the Anjunkuk, the safety office in Gangwon Province. But because we disappeared, he had been relocated. We don’t know where he is right now, we’re trying to find out about that. So these are our circumstances and the fact that I have told you, this is... I agreed to come forward to get the stories out about my family and my brother.

**Michael Kirby**

What are the main injustices or wrongs that you feel you have suffered in the story you have just told us?

**Ms. KWON Young Hee**

I guess the worst injustice I suffered in North Korea [2:38:00] is that we were very close to the those people who had served in the military with my father. Those people who served in the military… because we were from South, we were not treated properly. Also the families’ children had no opportunity, no chance, to make better for themselves and there was no place for them to talk to, to appeal to. If they appealed to the North Korean government, they would even get worse treatment. Just because our parents were from the South, if we do commit a crime or commit an offence, we always get [2:39:00] heavier punishments. I think that was one of the most unfair things and that is why one of my brothers cannot be found, one of my brothers was sent to the prison. I had a call from my friend 4 years ago and that call said that my brother had died in the political prisoners’ camp about 4 years ago. But I didn’t see it with my own eyes so I don’t want to believe that.

**Michael Kirby**

Your basic concern relates to the discrimination based on the class system, the disappearance and treatment of your brother and the principle of guilt by association, [2:40:00] which has been visited on you and on your family.

**Ms. KWON Young Hee**

Yes, that’s correct.

**Michael Kirby**

Do you feel that there were some good things about life in the North and did they survive or did they disappear as time went on?

**Ms. KWON Young Hee**

Oh, there were some good things. When I was younger, at that time I did not know about the class system. And my mom was a doctor. So when you are a doctor, you are well off. And my father was a party secretary, so we were economically quite [2:41:00] well off. So there was no problem. So my childhood was good. I thought we had a very happy family. But as I was growing up, because of the classes, my parents’ children – that is us, my siblings and I – had difficulties and I began to realize what the North Korean regime was about. We felt this was unfair but there was nobody we could talk to about this. So that I guess that, in a way, washed away the happy memories I had of my childhood.

**Michael Kirby**

Were there very very close friends who you could trust, with whom you could speak about what you felt was wrong about the regime in the North? Surely there were people with whom you could share your most secret thoughts.

**Ms. KWON Young Hee**

[2:42:00] Nobody can be trusted. Friends cannot be trusted. Even between a man and wife, we had to have secrets. For instance, if I tell everything to my husband, my husband might tell the authorities. So you cannot trust your family members. So therefore it would be even more difficult to trust your friends. Now I have a few friends from North Korea who have come to South Korea. I have met them, I have talked to them. We talk about “what did you think about us, is your life good in North Korea?” and one of my friends said “you had a good childhood but… [unclear]” When I asked, “what did you think about our difficulties?”, my friend said “we really felt bad, we really felt bad [2:43:00] for you, but…”. So my friends felt bad for us but we were not able to talk about it at that time.

**Michael Kirby**

Is there anything you wish to add to the testimony your wife has given, Mr Park? Is there any additional light that you wish to throw on what was said?

**Mr. PARK (husband of Ms. KWON Young Hee)**

I met my wife here in South Korea so I don’t know the details. Well, actually before today I haven’t really heard the details of what she went through [2:44:00] in North Korea. As I was listening to her story, I can realize the difficulties that my wife went through. This is actually the first time I listened to her story.

We lived in different places. I think we led two different lives in North Korea. Even I have difficulty in really understanding, because my family was bad, had a difficult situation to deal with. In my wife’s case, she had a good childhood and she fell into difficult times. So that means it’s quite difficult to trust the North Korean society. We were cheated. We were lied to. In my case, we were in a difficult situation to begin with and then we received some privileges and then because of the political circumstances we [2:45:00] fell into, we had to come to South Korea.

So my story is different to that of my wife. For me, discrimination was something that was always prevalent. I mean, I always knew of discrimination and prejudice, since I was very young. So my situation is very different from my wife. About her brother’s situation, where he was tied to a truck and dragged around the town, I’ve never seen that myself. But I heard of those stories after Kim Il Sung died. I heard of those stories. Because I haven’t seen it with my own eyes, as I listen to my wife’s story and that her older brother was [2:46:00] the one who had actually gone through that terror, I just can’t believe that the North Korean regime would do such a thing. That’s so inhumane, that’s not a country. I think the whole country is a big prison.

**Ms. KWON Young Hee**

My husband’s older brother is Park Sung Hwan and we are sending many leaflets to North Korea. And my husband was asking me whether it’s OK for me to disclose my face because my older brother is still detained in North Korea. And my husband asked me would it be OK for me to attend this testimony. I’m sending those leaflets, the flyers back to [2:47:00] North Korea so that my brother would find his own way to South Korea. And actually one of my friend’s sisters found a leaflet in North Korea and was able to find a way to South Korea. The wives would go into the mountains and pick up the leaflets. On the leaflets we would attach US dollars so people would pick up and look at the flyers. A friend’s sister told us that people actually wait for the leaflets not because of the information in the flyer but because of the US dollar that we have attached to the flyers.

There are these poor, poor people in North Korea [2:48:00] and the family members of the treasoners would not be able to work or do business so I want to send these flyers so they will be able to get the money that we attached to these flyers. Since they can’t work, I just hope they would be able to use this money we’re sending them. And I just want to send these flyers no matter what. I’m sending these flyers so that I can give some information to my brother but also at the same time so I can send them money.

I’m providing education and training to the children of North Korean defectors. And these children ask us why we can’t convey information to the people in North Korea. They want to send letters; because they are [2:49:00] defectors it’s difficult for them to go public but they want to be able to send information to North Korea. That’s how the children that I teach feel. Now I tried to get some help from the church but people don’t want to get involved because this is a political issue. And the children that I teach… the letters they have written have not yet been able to fly to North Korea.

Many North Korean defectors have been hurt. I’ve been here in South Korea for 12 years. Even in South Korea there were some difficulties. I worked as a maid. I worked in restaurants. I’ve done many things here in South Korea. However what I want to do is this. I want to help North Korean defectors to [2:50:00] successfully settle down in South Korea. That’s why I’m volunteering my time with my husband. That’s why I’m trying to provide counseling to North Korean defectors so that they may be able to settle better in South Korean society. I’m trying to persuade them so that they would not go back to North Korea because of any difficulties they endure in South Korea. Sometimes I see some people who are not able to get assimilated into the Korean society. I really feel bad about them. That’s why I’m here giving my testimony to you.

**Michael Kirby**

Thank you for doing that, thank you very much Ms KWON. I am surprised that even between husband and wife you have not talked about your life and the terrible circumstances that you have [2:51:00] been through. Is there an explanation for that? Because there is nothing to stop you from doing that whilst you are living in South Korea, is there?

**Ms. KWON Young Hee**

There’s a reason. Because it’s something I did not even talk about. If I talk about it, just tears would come. My husband would console me. If he had gone through this with me, he would understand. But I met my husband in South Korea. My husband, his life started in North Korea, I guess at the bottom [2:52:00] of the society and things got better for him when he came to South Korea. But in my case, the situation started well off and it got worse. Our circumstances were different, so I thought he would not understand. That’s why I didn’t talk to him. And I just didn’t want to start talking about it. My husband asked me if I really wanted to come and testify today. My husband is somebody I can depend on but I didn’t talk about those things because by talking about them I thought it would hurt me even more. I would just get the painful memories again.

**Michael Kirby**

Then you agreed to talk to the Commission and you asked your husband to come along and sit beside you as you did so?

**Ms. KWON Young Hee**

Yes, that’s correct.

**Michael Kirby**

Thank you very much.

**Marzuki Darusman**

[2:53:00] Thank you, Mr Chairman. Ms KWON, just to clarify, you lived in North Korea, in this city of Musan?

**Ms. KWON Young Hee**

Yes.

**Marzuki Darusman**

Was there any time when… was this from the very beginning? Or did your family live somewhere else before that?

**Ms. KWON Young Hee**

I was born in Musan and I lived in Musan up until I came to South Korea.

**Marzuki Darusman**

And your family, your father and mother had been there since the beginning? In Musan?

**Ms. KWON Young Hee**

No, no, not from the beginning. They lived in South Korea. [2:54:00] They were kidnapped during the Korean War and went to North Korea. When the war broke out my dad served in the 1211th Army. My father, when he was discharged from the army, was sent to Musan to live and my mother who was a doctor who also served in the military, she was sent to Musan to live. They met in Busan. My father’s original birthplace is Wonju, Gangwon province in South Korea. My mother was born in Goseong, South Korea.

**Marzuki Darusman**

When they were in North Korea, they were directed to live in the Musan from beginning? [2:55:00] Now was there any time when you, when your family wanted to relocate to Pyongyang for example?

**Ms KWON Young Hee**

My parents settled down in Musan because they were told to by the state. We have a cousin living in Pyongyang so we would visit her occasionally because we lived a comfortable life and there were opportunities for us to relocate to Pyongyang. We liked Pyongyang and we asked the Bowibu if we could relocate to Pyongyang but we were rejected. We were told that we were confined [2:56:00] to live in Musan.

**Marzuki Darusman**

All right, so that was the first time your family experienced discrimination, that you were prevented, prohibited, from leaving Musan and moving to Pyongyang?

**Ms. KWON Young Hee**

We had no idea about discrimination because we were young but my parents, I thought, felt that it was discrimination. My mother’s family appealed to the authorities to let them go to China but they were denied so we [2:57:00] could not move out of Musan. My siblings and I were too young to understand it was discrimination but my parents felt that it was a form of discrimination.

**Marzuki Darusman**

You were then informed later that it was not possible to move to Pyongyang?

**Ms. KWON Young Hee**

Yes, I learned about the fact that we were not able to relocate to Pyongyang. By the time we learned about the rejection we were old enough to understand that we were discriminated against, because my elder sister against her wish had to apply to this other college and so my siblings suffered from this kind of discrimination.

**Marzuki Darusman**

Were you given the reasons why your parents weren’t able to relocate earlier? [2:58:00] Was it because they were from South Korea or was there any other reason?

**Ms. KWON Young Hee**

No, because my parents did not feel it was right to tell their children that they were from South Korea. They could not explain it and they did not feel comfortable talking about it. Every week, those who had come from South Korea had to attend these training sessions, every week. They were told not to disclose the contents of their instruction, training even to their children. So they could not have told us why.

**Marzuki Darusman**

Ms KWON, you mentioned your mother was a doctor, a [2:59:00] medical doctor and that your father was a party member?

**Ms. KWON Young Hee**

Yes.

**Marzuki Darusman**

Did she study in Pyongyang for her medical profession?

**Ms. KWON Young Hee**

During the Korean War, when she was enlisted in the army, she began as a nurse. After a long period serving as a nurse, after the Korean War, she was sent to this hospital to become a gynaecologist.

**Marzuki Darusman**

Where was she sent to?

**Ms. KWON Young Hee**

[3:00:00] Musan Army Hospital. She was sent to Musan Army Hospital.

**Marzuki Darusman**

Was it possible for someone from South Korea to become a party member?

**Ms. KWON Young Hee**

If you are discharged from the army after the war, they give you work and if you performed well they would select you and nurture you and give you a career path. And that's how [3:01:00] my father was selected to become a member... to join the party, but other people who were with him in the volunteer troops did not have a chance to become a party member.

**Marzuki Darusman**

So in spite of being born in South Korea, of that particular class, as you say the hostile class, your father was allowed to be part of the party and the elite.

**Ms. KWON Young Hee**

Yes, that is correct. There are a lot of people in the volunteer troops. If you demonstrate your allegiance to the party and if you work hard, they select you. They give you the opportunity to join the party to set an example [3:02:00] as propaganda to other people. That is why my wife’s father was selected. They wanted to make you loyal to the party and that is how my father in law was able to join the party. Regardless, there was continuous surveillance going on.

**Marzuki Darusman**

But, that loyalty was not enough to allow your sister to go to Pyongyang. Was that the case? So, there was discrimination there again.

**Ms. KWON Young Hee**

Yes, his loyalty was not enough.

**Marzuki Darusman**

Were you aware that other families from South Korea had suffered the same treatment, being discriminated against?

**Ms. KWON Young Hee**

[3:03:00] I was very close to these families, one or two families. I used to call them aunties and aunts. But, because my aunties and aunts were from the South, they were members of the volunteer troops, they were denied membership of the party, and even if their children were academically very good, they could not continue on to get a decent higher education. And in those cases, there is no hope for their children to do what they want to do in North Korea.

**Marzuki Darusman**

Alright, thank you. And just one last question. You made a submission to the Working Group on Arbitrary Detention. Have there been any developments on that?

**Ms. KWON Young Hee**

[3:04:00] Yes, I have submitted.

**Marzuki Darusman**

[unclear] … any reaction or any developments so far? When was this made?

**Ms. KWON Young Hee**

About three weeks ago, [3:05:00] three weeks ago, I heard about this COI. I did an interview with the Working Group and I didn’t hear from them afterwards. And, this is the third time I'm meeting someone from the COI.

**Marzuki Darusman**

I'm referring to the Working Group on Arbitrary Detention, the UN Working Group on Arbitrary Detention. We note that you made a submission on behalf of your brother to the Working Group of Arbitrary Detention. When was that and has there been any development there?

**Ms. KWON Young Hee**

[3:06:00] I haven't heard of any new developments. I just heard about this public hearing. Before I came to this public hearing, I did an interview with the Working Group and that was it.

**Marzuki Darusman**

Could I just ask you, when did you make this submission to the Working Group of Arbitrary Detention? When was this? What year?

**Ms. KWON Young Hee**

This year, three weeks ago I submitted my case, and before that I didn't contact the Working Group. … [3:07:00] Two months ago. It was two months ago.

**Sonja Biserko**

There are many South Koreans living in the North, either voluntarily or ex-prisoners of war or those who are abducted. So it’s a rather, let’s say, large community there. Is there any sense of community among these people, especially now once they started to be discriminated? Could you also tell us when exactly these discriminations started because at the beginning, as we can see, your family was allowed to be in this privileged, I would say, environment?

**Ms. KWON Young Hee**

[3:08:00] People from South Korea, we have a meeting and they become very close, like real brothers and sisters. In the past, discrimination against people who have come from South Korea was also very strong and very intact in the past, but when we were young we didn't really feel, detect that. But as we grew, as we became more educated, as we got older, we realized that there was discrimination against us by the state. We learned about this when we were older but when we were young we did not have a feeling of discrimination.

**Sonja Biserko**

You said that these people were very close. Is there any [3:09:00] community organization or something like a ... in a more organized way, that these people function within this South Korean community?

**Ms. KWON Young Hee**

There is no organization, but every week, from the government, they hold these weekly sessions to give training, instruction to people who have come from the South. So this is where they meet, so if you happened to live close to each other, you begin to develop closer ties.

**Sonja Biserko**

[unclear] … organized by the state, not by the South, or just individually if they lived close to each other?

**Ms. KWON Young Hee**

[3:10:00] This is an informal tie, but they met at these training sessions organized by the government, so by attending these instruction sessions… or set-up by the government to sort of monitor people who have come from South Korea… This is where they meet, but they begin to develop ties at these meetings, and this is an informal tie.

**Sonja Biserko**

Thank you.

**Michael Kirby**

You know that the government of North Korea says that statements about North Korea being a classist society and being guilty of real cruelty against [3:11:00] people like your brother, leading to his death, because he was dragged around his hometown, are shocking lies, and that you are telling lies when you give testimony to that effect to us. What is your answer to that charge, that what you have told us today has been a pack of lies?

**Ms. KWON Young Hee**

I think the only way that they can say if they admit to any of things that we say in our testimonies... I don't think they can admit that fact. Even if they violate our rights, even if they do any of the things that we mentioned, they would not be able to admit it.

**Michael Kirby**

Yes, thank you very much, Ms. Kwon. [3:12:00] Thank you also to Mr. Park for coming forward. We are grateful for your testimony. It has been recorded and we will consider it. Thank you both. You may be excused now.

**Ms. KWON Young Hee**

Thank you very much.

***“Ms. C”***

**Michael Kirby**

Memory stick of the Google Earth image of the Jeongeori prison which was referred to in the evidence of the last witness, Mr. Kim Kwang-il, as exhibit S31 in these proceedings.

I call now Ms. C. Ms. C, thank you very much for coming along to this hearing. It is understood that you still have family [3:13:00] in North Korea and that we should not make any reference to circumstances that might cause any protection concerns for them. And, we will refer to you as Ms. C, although the Secretariat has confidential information about your real name and background. Are you happy that we proceed in that way? Thank you for your...

**Ms. C**

Yes, that's correct.

**Michael Kirby**

… your courage in coming forward and helping us. And, I need to ask you if you will declare that the evidence that you will give to this Commission of Inquiry of the United Nations will be the truth.

**Ms. C**

Yes, I can do that.

**Michael Kirby**

And, [3:14:00] in the circumstances it may be best if I let you tell your own story in a way that you feel is not going to disclose anything that might be difficult or embarrassing to your family. Just tell us what has brought you to come before the Commission of Inquiry, when you arrived in South Korea and the matters that you want to bring to our notice.

**Ms. C**

I was born in April 1976 [3:15:00] in Hamgyeong Province. I have an older sister and I have one younger brother and younger sister, so there were four siblings in my family. When I was born, my father was working for a train [ph], a construction company. We were just an ordinary family. Frankly speaking, we were not really well off, but we were getting by. We were okay.

**Michael Kirby**

[unclear] … happened during Great Famine? Have a glass of water and just take it in your own time. We are respectful and grateful to you for [3:16:00] coming forward.

**Ms. C**

Yes, thank you.

**Michael Kirby**

… how the Great Famine which hit North Korea in the middle of 1990s has affected you and your family?

**Ms. C**

Yes. From 1994... from when the so-called Arduous March began in our hometown in 1994, my mom passed away in 1997. I'm sorry, I'm all confused. Okay. And, my father also passed away in 1997. I'm sorry, I'm so confused at the moment. I'm so mixed up, nervous.

**Michael Kirby**

[3:17:00] Just take a big, deep breath and start again.

**Ms. C**

Well, in April 1997 my older sister and my younger sister died of starvation. And, in 1998, my younger brother also died.

**Michael Kirby**

Can you say what town that was in? Or, do you prefer not to say that?

**Ms. C**

Yes, it's okay. [3:18:00] We were living in a place called Buk-kyung-ri, South Hamgyeong Province.

**Michael Kirby**

What were your rations at that time? Where were you getting them from?

**Ms. C**

Up until 1993, we received rations from the ration station in Bupyung-ri, but since 1994 rations just stopped.

**Michael Kirby**

You didn't see any flour or any other grain with the United Nations symbol or indicating that it was foreign food aid? Did you see any of that at that time?

**Ms. C**

[3:19:00] During that time, I didn't see any of that. There were just no rations. We didn't see that.

**Michael Kirby**

Did you see foreign food aid which had been given to North Korea?

**Ms. C**

In the market, I saw some corn that was sold... was corn that was brought in from China and sold, but other than that I didn't see anything else.

**Michael Kirby**

Would you explain the Arduous March? What did that involve? That was in 1994 I think.

**Ms. C**

[3:20:00] My mom died in 1994. Well, at that time we were getting a ration about once a month. But, from 1995, there was no ration at all, and there was no mother. My mom passed away when I was 19 years old. Anyway, from 1995 we went out in the field, we got plants or grasses that we could find in the field. In fact, we were trying to get the roots of the rice, trees. And, my father, because of malnourishment, he passed away early in the morning of the 16th of February 1996. Since then, we were orphans; my mom died and my father died. [3:21:00] So, starvation.

**Michael Kirby**

[unclear] … public or other agencies that you could go to get essential food?

**Ms. C**

No, there was no place where we could ask for help. We could... We were living on the ration system and also we didn't know how to do trading or how to do business. Once the ration stopped, there was nothing we could do. We didn't know what to do. My older sister, she was not a talkative person, so she was not able to find a way. [3:22:00] So, I decided to visit our relatives and we got some corn. And, I would grind the corn into flour and make porridge. And, we would survive on this porridge made with corn.

**Michael Kirby**

And, when did that improve?

**Ms. C**

Well, things didn't get better. This just got worse. I think that my older sister died in April of 199... She went away or she died in April 1997. Just saying, [3:23:00] she would love to have noodle, corn noodle, a bowl of corn noodle. And, my younger sibling who was only 16 years old was saying that it would really be nice just to be able to eat a piece of bread.

**Michael Kirby**

Did that keep him or keep your other sibling and you alive? Was it... How long did this extreme difficulty last?

**Ms. C**

[3:24:00] My sister died in April 1997 and a few days later my youngest sibling died as well. I changed my way of thinking. While before that, I trusted in the state, I didn't know ... Because my parents didn't know how to do business, I blamed my parents. But after my sister and my brother died I would go into a corn field and then just eat the corn. You know, the uncooked corn, just to survive. And then in August 1998… I had another younger sibling. Because there was nothing to [3:25:00] eat, she died in a train. I realized that it was not possible for me to live longer. And, I have an aunt in Dancheon, so I went to Dancheon to my aunt's house to get some food in 1999. So, at the train station in Dancheon, I met a broker and through the broker I was able to come to China. While I was in North Korea, circumstances never improved. They only got worse.

**Michael Kirby**

What did he say in order to attract your interest? What did he say, what sort of words did he give you?

**Ms. C**

Well, the broker told me that there is some place called [3:26:00] Daehongdan. They have a lot of potatoes there. He said that if I go to Daehongdan that I will be able to get at least frozen potatoes and that I could survive on those frozen potatoes. That's why I followed the broker.

**Michael Kirby**

Was he a North Korean national or a Chinese ethnic person or a North Korean of Chinese nationality?

**Ms. C**

No, no, the broker was a North Korean. We got in a car. We went to Musan. So, we got in a car and we went to Musan. [3:27:00] Once we got to Musan, we went to this house. So, me and there were two other women. Including the broker, there were four of us, so we went into that house and we stayed at that house for a few days. And, in the early morning of the 21st of April, we crossed the river. Yes.

**Michael Kirby**

[unclear] has it … it was an offense against the Penal Code for you to depart North Korea?

**Ms. C**

At that time, I didn't know that just crossing the river would take me to China. I thought I was crossing the river to Daehongdan. I realized that I was in [3:28:00] China by crossing the river after I got there.

**Michael Kirby**

And what happened when you got there?

**Ms. C**

So once I got to China, well, it was the Tumen River. I think the house that we went into was the house of the village head. And from there, we went to the city center of Hwaryong and this broker sold us to the Chinese there.

**Michael Kirby**

[unclear] … you knew you were being sold to the Chinese?

**Ms. C**

Well, we didn't know how to speak Chinese at that time. There was [3:29:00] no way for us to ask for help. We just went quietly.

**Michael Kirby**

Who was with you at that time?

**Ms. C**

At that time, there was this lady who was 33 years old, at that time. I think there was another woman who was about 37 years old. I was the youngest of the three women, so when we got to Hwaryong at 10 o'clock that night, I was taken to this Chinese person’s house. I lived there.

**Michael Kirby**

Did this person whose house it was treat you correctly?

**Ms. C**

[3:30:00] Well, we were from ... I don't speak Chinese and he is Chinese and I’m Korean, so it was very difficult initially.

**Michael Kirby**

And, what did you have to do in his house?

**Ms. C**

We were in the mountains, deep in the mountains. So, I had to work in the farm. I had to work in the bean [3:31:00] field.

**Michael Kirby**

Were you given proper food allowances?

**Ms. C**

I was sold to that house. I was not sold as a worker, but in China there were a lot of unmarried men. They were short of women so he bought me to be his wife. So, I wasn't paid. In China, at least I didn't starve but I was very hungry when I was in North Korea.

**Michael Kirby**

So, did he then assume the position of your husband?

**Ms. C**

Yes, he assumed the position of my husband.

**Michael Kirby**

Did he treat you kindly [3:32:00] or not?

**Ms. C**

My husband was 11 years older. He was a heavy drinker and whenever he was drunk he would beat me. There was a lot of beating going on.

**Michael Kirby**

Did he ever later express regret for this? Or did he not?

**Ms. C**

He was a very strong man. He was a man, so he would never say such thing to a woman.

**Michael Kirby**

How long did your relationship [3:33:00] with this man last?

**Ms. C**

10 years.

**Michael Kirby**

Did you have children by this man?

**Ms. C**

Yes, I did.

**Michael Kirby**

Are those children still with him in China, or did they come with you?

**Ms. C**

They are with my husband in China.

**Michael Kirby**

[unclear] ...dren did you have?

**Ms. C**

We had one child.

**Michael Kirby**

After 11 years, how did you return to North Korea? What were the [3:34:00] circumstances?

**Ms. C**

My husband was sick, so I had to make money, earn money, so that he could get his shots and send our kid to school. I worked in an elderly house for three years, but this lady whom I know asked me to meet her in Yanji. So I met this person in Yanji in 2009, but this person whom I was supposed to meet was late. I was determined not to go back to Korea, and at that time the battery of my cell phone ran out. I could not make a phone call. I didn't want to go outside, it was cold outside. I [3:35:00] went to the second floor of the train station. I called my husband and I was going to use the public phone, but next to me was the police and that's when I got arrested.

**Michael Kirby**

Was that the Chinese police or the Korean police?

**Ms. C**

It was a Chinese police.

**Michael Kirby**

And, what did he do with you?

**Ms. C**

The Chinese policed asked me for my personal identification. I said in Chinese that I did not have any ID. He asked me for my address. I told him my address and he asked me to write it in Chinese. I could read Chinese but I could not write in Chinese [3:36:00] so I had to confess that I was from North Korea. On the spot, he confiscated all of my belongings and I was sent to Domun on the same day.

**Michael Kirby**

You were not allowed to see your husband and your child?

**Ms. C**

No, I was not allowed.

**Michael Kirby**

[unclear] … allow you to contact him by phone before you left?

**Ms. C**

No, no, they didn't allow me to make a phone call.

**Michael Kirby**

And so, what happened after that?

**Ms. C**

At 7:30... Excuse me. At half past 8, I arrived at the Domun border. They [3:37:00] searched my body and I was sent to this cell. There were 24 other people already there in that cell. On the 31st of March 2009, I was sent to Onsung in North Korea.

**Michael Kirby**

And, what happened when you got back to North Korea?

**Ms. C**

On the 31st of March, I was sent to the Bowibu. On June 2nd, I was sent to Chongjin, Chongjin detention center.

**Michael Kirby**

[3:38:00] [unclear] there.

**Ms. C**

In the detention center... in North Korea, you have committed treason if you have tried to defect. So at the detention center they treated us as less than animals. We were sub-human beings.

**Michael Kirby**

What were the conditions under which you were detained?

**Ms. C**

The conditions in the detention center – maybe a little bit better than a jail, but they [3:39:00] gave us corn and this soup that has been cooked for far far too long. We were so malnourished that they were saying that grass would never be able to grow in the places where we had set.

**Michael Kirby**

Did you get enough food?

**Ms. C**

No.

**Michael Kirby**

Did you ever complain about the lack of food, or the insufficiency of food?

**Ms. C**

No, you couldn't complain. You couldn't appeal. I was a criminal.

**Michael Kirby**

What was the ultimate outcome [3:40:00] of your interrogation in the detention center?

**Ms. C**

At the detention center, they don't do interrogation. They just make you work. Interrogation is carried out at the Bowibu or the Bowanbu.

**Michael Kirby**

And the interrogation of yourself by the Bowibu, how was that conducted, earlier?

**Ms. C**

In the Bowibu... in the Onsung Bowibu, I don't know about other Bowibus, but I ... [3:41:00] the gate of the Onsung Bowibu is very small. It is a small hole. And, I had to go into that... through that hole. They asked me what I did in China, how I went to China. I told them that I thought I was going to Daeheungdan and that I had no idea that I was going to China and because of that reason I don't think I was treated too harshly.

**Michael Kirby**

Did you get a sense of the time you had to serve in detention or in prison?

**Ms. C**

No, I did not get any sentence.

**Michael Kirby**

How long were you in official custody before you were released and sent home?

**Ms. C**

At the detention center, I spent [3:42:00] three months. On June 2nd, I was put into the detention center, and on September 22nd I went to Boopyung.

**Michael Kirby**

What did you do there?

**Ms. C**

At the same time, I had hurt my leg so bad that I couldn't walk. So at Boopyung-ri, I worked in this restaurant after my leg healed. I did not have a place to go. And, I was put into an orphanage. I stayed at this... next to this orphanage and I was working in the orchard.

**Michael Kirby**

What were you doing in the orphanage?

**Ms. C**

During the day, [3:43:00] during the day, I worked in the orchard and I would sleep in the orphanage at night. Orchard work was about taking care of the trees, the fruit.

**Michael Kirby**

Did you have as much fruit as you could eat? Was that the rule, or were you restricted in the amount of fruit you could have?

**Ms. C**

We were forbidden to eat fruit, but sometimes I had one or two without the knowledge of the authorities.

**Michael Kirby**

So what happened then? I think you escaped for a second time. Is that correct?

**Ms. C**

Yes, that is correct. I tried to escape for a second time.

**Michael Kirby**

[3:44:00] In February 2012?

**Ms. C**

I left on the 8th of March. I left my house on the 8th of March. I left on the 22nd of the 2nd. I went to Dancheon to my aunt's place and she gave me some money. With that money, I went to the Yalu River. And on the 8th of March, I crossed the Yalu River.

**Michael Kirby**

Were you stopped by the border guards? Or were you allowed to pass into China?

**Ms. C**

[3:45:00] On the 8th of March, in the morning, during daylight, the border guard had left the post, had gone back to the troops, and that was the opportunity I found to cross the border.

**Michael Kirby**

And what did you do on the other side, in China?

**Ms. C**

On the other side of the border, I went to the house where I used to live, to the family, but it was very difficult to live there. The kid was all grown up and my husband was sick. On June 22nd, I went back to the Yandongwon where I used to live. In September, I decided to come to South Korea.

**Michael Kirby**

How did you effect that [3:46:00] intention?

**Ms. C**

From 2004, I heard a lot of people saying to me that I should go to South Korea, but even around 2004 I really did not feel like it. I thought at least... in order to maintain some level of allegiance, I could not cross the border again after I had once gone to China. But afterwards I felt that I could no longer stay in North Korea. And that's why I decided to come to South Korea.

**Michael Kirby**

Have you been treated correctly in your view since you arrived in South Korea?

**Ms. C**

[3:47:00] Well as of today, yes, I have been treated fairly.

**Michael Kirby**

Do you think that the people in South Korea are knowledgeable about the circumstances of life in North Korea?

**Ms. C**

No.

**Michael Kirby**

[unclear] … younger people in South Korea care very much about the circumstances of life in North Korea?

**Ms. C**

I think about 60% of them don’t care. They’re not interested.

**Michael Kirby**

How can you explain that given the circumstances, [3:48:00] particularly of starvation and difficult dealings with authorities? How do you explain that?

**Ms. C**

Young people in South Korea did not go through what we had to suffer. Honestly speaking, I think they are half-hearted when they hear about our testimonies. If we tell them about the stories about our lives, sometimes they would tell us that we were fabricating some of these stories.

**Michael Kirby**

[unclear] That’s something they share with the government of North Korea, who says that stories such as that you have given are a pack of lies. What is your answer to that [3:49:00] assertion?

**Ms. C**

I think that the government of North Korea, they don't want the stories to get out, so they have an excuse to say that. But, despite the testimonies of the North Korean defectors, I think some of these stories, actually, I feel are a little bit exaggerated. I mean, I know I'm a defector myself but sometimes I feel that the stories have been exaggerated in some cases.

**Michael Kirby**

Have you heard about political prisons for political prisoners?

**Ms. C**

[3:50:00] Yes, I have heard a lot about these political camps in North Korea.

**Michael Kirby**

But you yourself never went to or were detained in a political camp?

**Ms. C**

No, I've never been detained in these political camps.

**Michael Kirby**

And, it does seem from what you have told us that the Bowibu and the detention center accepted your statement that you were tricked into the original movement out of North Korea into China. And, they treated you leniently on that basis.

**Ms. C**

Yes, yes, they accepted my story.

**Michael Kirby**

[3:51:00] Thank you.

**Marzuki Darusman**

Ms. C, thank you. You worked at a munitions factory, is it?

**Ms. C**

Yes, I did.

**Marzuki Darusman**

I suppose that that's a very important job. How did you get that job?

**Ms. C**

It was a tank factory.

**Marzuki Darusman**

Well, not everybody gets to do that. How did you get that job? Did you apply?

**Ms. C**

[3:52:00] In 1992, the graduates of my school… if our parents had worked in factories, we were randomly picked to go work in these factories, in ammunitions factories.

**Marzuki Darusman**

Now, did you get paid for that? Did you get a salary, did you get compensation?

**Ms. C**

Yes, I did.

**Marzuki Darusman**

Was it enough to live on?

**Ms. C**

No. At the time… for six months we worked like interns. [3:53:00] We were not paid, as we were apprentices. Our salary at that time I cannot remember. I cannot remember, because we worked like apprentices.

**Marzuki Darusman**

What was the currency? Is it the same currency as South Korea?

**Ms. C**

Won. We were paid in won. I think it was less than 100 won. In 1992, it was less than 100 won.

**Michael Kirby**

[unclear] … per fortnight?

**Ms. C**

[3:54:00] Once a month, we were paid, but sometimes they didn't pay once a month. We weren't paid sometimes.

**Marzuki Darusman**

[unclear] … this was paid when you got a next salary. Was that the case?

**Ms. C**

Yes, it was deferred pay. Sometimes the pay was deferred for as long as six months.

**Marzuki Darusman**

For example, for six months you were paid all the arrears. Was that the case?

**Ms. C**

[3:55:00] No. Sometimes they paid us once in three months, but even if they did it wasn't everything that they paid.

**Marzuki Darusman**

How did you eat if you were not paid?

**Ms. C**

We were in this boarding facility, so there was food that was given in the boarding facility.

**Marzuki Darusman**

What did you do with the money? Did you save it because there was food [3:56:00] already? You didn't have to pay for the food. What did you do with your money?

**Ms. C**

They didn't pay us with money. They gave us these coupons, these tickets. They gave us coupons which represented money but there was nothing we could do with these coupons. And so you would calculate your salary for that day, but they always gave us the coupons months later and they would deduct everything from our salary. And, at the end we would be given like 30 won, less than 30 won for one month’s salary.

**Marzuki Darusman**

30 won for one month’s salary. [3:57:00] Did you save the money?

**Ms. C**

Yes I did. I saved it. Because my parents were still alive, I gave the money to my parents. In 1994, when I left, I hurt my back so I couldn't work and I was in and out of hospital because of my back. And, at that time, I was not able to get enough salary because I was always in and out of hospital.

**Marzuki Darusman**

So there was not enough to save money. It was immediately used for life, for daily life.

**Ms. C**

[3:58:00] Yes, there… at that time in 1992, at least there was free medication so I didn't have to pay for the drugs.

**Marzuki Darusman**

Just one last question. You said that some testimonies may be exaggerated. Did you mention that just now?

**Ms. C**

Yes.

**Marzuki Darusman**

Tell us what could have been exaggerated in the testimonies from people from North Korea.

**Ms. C**

Well, honestly speaking, I think young people, [3:59:00] I think they talk more about what ... about the rumors, instead of their personal experiences. That is, by testifying what they have heard instead of based on their experiences. I think that's how things get exaggerated.

**Marzuki Darusman**

What is not being exaggerated? What is a truth about North Korea in the testimonies that you have heard?

**Ms. C**

For example, the fact that my parents died of starvation. The truth is that in North Korea there is a food crisis and trains have stopped – that's all the [4:00:00] facts. Those are true. That’s the real situation. That’s true.

**Marzuki Darusman**

Thank you.

**Sonja Biserko**

Before defecting to South Korea, you mentioned in the testimonies you gave to the Secretariat that three committed suicide because it was difficult to survive. Does it mean this crisis, obviously food crisis, is still very dire?

**Ms. C**

Yes, in March last year before I defected... from Kimcheck to Haesan I walked 500 ri to visit two houses. Unbelievably, we didn't even have frozen potatoes to [4:01:00] eat. And, Boopyung-ri where I lived, two years ago we were able to at least steal some food, but beginning January the following year we had nothing, nothing to eat. February 21st before I departed, I only had 20 grams of corn and 5 kg of rice. That's all I had with me at that time before I departed.

**Sonja Biserko**

Do you have any plan to bring your child here? Is it possible?

**Ms. C**

[4:02:00] I can bring this child to Korea. I call my child every day. My child is having a vacation right now, but I don't wish to bring my child to Korea. Not yet, not now.

**Sonja Biserko**

Why? Because you are not settled yet properly?

**Ms. C**

So far, I have left Hanawon four months ago. It's only been four months. I haven't settled yet, and my child, he is a Han, Chinese Han. My child doesn't speak Chinese… So I haven't settled yet. [4:03:00] Without being able to speak the Korean language, my child is 14 years old. So in China when my child is maybe in high school I might have second thoughts, but no, not right now. It will be a lot of stress for my child if I brought my child now to South Korea.

**Sonja Biserko**

Would there be any legal obstructions to bringing a juvenile child here to Korea? I'm referring to Chinese legislation.

**Ms. C**

Well, in regards to that, to the best of my knowledge, to bring a Chinese child to South Korea you would need a certificate from the father saying that he gives up the child. But a Han Chinese, [4:04:00] who would give up their child? So if I want to bring my child I would have to persuade my husband to come with the child. I would have to find some way to bring my husband with the child or convince my husband to give up the child.

**Sonja Biserko**

Are there many cases of women like yourself who have children in China, that they brought their children here? Because in North Korea it is forbidden they just ...

**Ms. C**

Yes, a lot have done so.

**Michael Kirby**

Just one last question. When you were with your husband for the 11 years you spent with him and you had your child, were you in any way locked up [4:05:00] or prevented from leaving the family home? Did your husband have control over you to that extent? Or, did you just have a normal life with him and the child in your home in China?

**Ms. C**

No, no. I was free to go in and out of the house.

**Michael Kirby**

Yes, thank you very much. We are very grateful to you Ms. C for coming forward. It's part of a public spirit on your part and we appreciate the candour and honesty you have given your evidence with. So thank you very much. You are excused and it's 10 past 1. The Commission of Inquiry will adjourn now until 5 minutes past 2.

**Ms. C**

[4:06:00] Thank you very much to you, too.

[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.