

## **ACTIVITIES OF THE SPECIAL ENVOY ON HUMAN RIGHTS IN NORTH KOREA**

This report is submitted pursuant to section 107 (d) of the North Korean Human Rights Act of 2004 (P.L. 108-333) (the “Act”), which requires the Special Envoy on Human Rights in North Korea to submit annual reports for five years following enactment on the activities undertaken under section 107 (c). The Special Envoy has engaged in a broad range of activities to promote improved respect for the fundamental human rights, including religious freedom, of the people of North Korea. The Act authorizes the Special Envoy to: engage in discussions with North Korean officials regarding human rights; support international efforts to promote human rights and political freedoms in North Korea, including coordination and dialogue between the U.S. and the UN, the EU, North Korea and other countries in Northeast Asia; consult with non-governmental organizations that have attempted to address human rights in North Korea; make recommendations regarding funding of activities authorized in section 102 of the Act; review strategies for improving protection of human rights in North Korea, including technical training and exchange programs; and, develop an action plan for supporting implementation of UN Commission on Human Rights Resolution 2004/13. This report also discusses the Special Envoy’s activities in support of titles II and III of the Act--assisting North Koreans in need and protecting North Korean refugees, respectively.

The human rights situation in the Democratic People’s Republic of Korea (DPRK or North Korea) is deplorable. For a detailed description of the serious human rights concerns please see the *Country Reports on Human Rights Practices*, the *Report on International Religious Freedom* and the *Report on Trafficking in Persons*. These Department of State reports can be found at [www.state.gov](http://www.state.gov).

It is the policy of the United States to encourage reform and promote adherence by the North Korean Government to internationally accepted human rights standards and norms.

On August 19, 2005, the President appointed Jay Lefkowitz as the Special Envoy on Human Rights in North Korea. Since his appointment, Special Envoy Lefkowitz has taken numerous actions to: 1) build international consensus for improved human rights in North Korea, 2) work

to reduce suffering through effective humanitarian assistance, 3) expand resettlement options for North Korean refugees, 4) increase North Korean access to outside information, and 5) support genuine political and economic opening in North Korea.

### *Building International Consensus for Improved Human Rights in North Korea*

In keeping with Administration policy, a priority for the Special Envoy is to broaden international awareness of and concern for addressing the issue of North Korean human rights. Pursuant to his section 107 duties and responsibilities, the Special Envoy has supported international efforts to promote human rights and political freedoms in North Korea, including through coordination and dialogue between the United States and the UN, the European Union, and countries in Asia, as detailed below. The Special Envoy has also consulted with non-governmental organizations that have attempted to address human rights in North Korea.

#### **UN Engagement**

At the 60<sup>th</sup> UN General Assembly, the U.S. co-sponsored the first General Assembly resolution condemning the North Korean regime's poor human rights record. The resolution called on the North Korean Government to fulfill its obligations under the human rights instruments to which it is a party. It also called for free access to the country for humanitarian organizations to monitor the distribution of food and other aid, and for free access to North Korea by the UN Special Rapporteur on the situation of human rights in the DPRK. The resolution was adopted by a vote of 88 in favor, 21 against, and 60 abstentions.

On March 31, 2006, Special Envoy Lefkowitz met with UN Secretary General Kofi Annan to discuss the importance of increased UN engagement regarding North Korea. The Special Envoy encouraged the UN to press China to abide by its international obligations under the 1951 Convention relating to the Status of Refugees and its 1967 protocol. Special Envoy Lefkowitz also encouraged the expansion of existing UN programs that operate in North Korea or assist North Koreans in the surrounding region.

Consistent with his mandate to support the implementation of the UN Commission on Human Rights resolution 2004/13, he will continue to

support calls for the DPRK government to accept the mandate of the UN Special Rapporteur and encourage the Rapporteur's visit to North Korea to examine the human rights situation. He also will continue to urge the DPRK Government to comply fully with its international human rights obligations, as specified by the UN Commission on Human Rights resolution 2004/13 and other reports. Additionally, the Special Envoy is coordinating with other bureaus within the Department to develop strong follow-up action and monitoring in the successor body to the Commission on Human Rights, the UN Human Rights Council.

### **Foreign Governments**

Special Envoy Lefkowitz has met with numerous officials of the Republic of Korea (ROK or South Korea), including the Vice Foreign Minister. He engaged the Ministry of Foreign Affairs and Trade as well as the Ministry of Unification during his December 2005 trip to Seoul. In these meetings, he pressed the ROK to use its leverage with the DPRK to encourage human rights reform.

In addition, the Special Envoy met with the ROK Ambassador to the U.S. to discuss North Korean human rights, refugee issues, and inter-Korean engagement projects. Special Envoy Lefkowitz has used public and private venues to praise the ROK's efforts to resettle North Korean refugees, while encouraging further investigation and transparency with regard to economic cooperation between the two Koreas. He has stressed the importance of monitoring food aid to ensure it reaches its intended beneficiaries. In particular, Special Envoy Lefkowitz has repeatedly raised concerns about the inter-Korean Kaesong Industrial Complex and has urged the ROK to allow an independent party, such as the International Labor Organization, to inspect and assess the facility.

Special Envoy Lefkowitz has actively engaged with officials from the Embassy of Japan in Washington with Parliamentary Secretary and Vice Foreign Minister Akiko Yamanaka. Additionally, he has met and agreed to coordinate with the Japanese Special Envoy on Human Rights, Ambassador Fumiko Saiga. Special Envoy Lefkowitz has consistently included the Japanese abduction issue in his condemnation of North Korean human rights abuses and has met with the families of Japanese abductees. In all of these conversations, Special Envoy Lefkowitz praised the close cooperation between the U.S. and Japan on North Korea and encouraged the Japanese to

broaden their message to include the full spectrum of North Korean human rights abuses.

Special Envoy Lefkowitz has also engaged the British government on the issue of North Korean human rights. He worked closely with the British on the successful UN General Assembly resolution and communicated with British Minister of State for Trade Ian Pearson regarding the resolution. Additionally, he met with the outgoing British Ambassador to Pyongyang.

Special Envoy Lefkowitz has publicly advocated that other governments and the European Union should assist in raising awareness on the deplorable North Korean human rights situation through the appointment of a special envoy or equivalent who might bring further international pressure to bear on the DPRK.

Special Envoy Lefkowitz has also met with officials from the Embassy of the Republic of France in Washington to discuss North Korean human rights.

### **Nongovernmental Organizations**

In keeping with a Congressional mandate, the Department of State provided Freedom House with a \$2 million grant to conduct an international advocacy campaign dedicated to pressuring the North Korean Government to end its abuses. Special Envoy Lefkowitz gave the keynote address at Freedom House's second conference on the issue in Seoul in December 2005. His participation attracted significant media attention and the conference increased the focus on the issue of North Korean human rights in the ROK.

Special Envoy Lefkowitz also has met regularly with various nongovernmental organizations in both one-on-one and roundtable settings. These events have allowed the Special Envoy to hear the concerns of various organizations engaged on North Korea. He has called upon these groups to rally the Korean American community around the human rights issue, while encouraging them to continue their good work.

Pursuant to section 107, the Special Envoy has requested that the Department redirect funds to support activities authorized under section 102 of the Act. In particular, he recommends increasing funds to non-

governmental organizations that broadcast radio programs into North Korea. Other recommendations include improved documentation of human rights abuses and civil society training programs to strengthen the defector community.

### **Public Outreach**

Since his appointment, the Special Envoy has participated in a number of press events and speaking engagements. His statements have appeared in numerous articles and interviews including U.S., European, Japanese and ROK media outlets. He has also participated in conferences and public forums in which he delivered strong statements regarding the DPRK's poor human rights record and China's failure to abide by its international obligations under the 1951 Convention relating to the Status of Refugees and its 1967 protocol. He has also raised questions about the efficacy of the ROK's engagement policy with the DPRK. Some notable speaking engagements include keynote addresses delivered at the second Freedom House conference in Seoul, the Korean Economic Institute Congressional luncheon series, the American Enterprise Institute, and the Asia Society. In April, Special Envoy Lefkowitz wrote an op-ed that appeared in the Asian Edition of the Wall Street Journal, which echoed many of his previous public statements and called for the international community to empower the North Korean population. Additionally, the article called for increased broadcasting, refugee assistance, and monitoring of humanitarian assistance, as well as greater transparency regarding human rights and labor practices at the Kaesong Industrial Complex.

On April 28, 2006, the Special Envoy joined President Bush at a meeting with North Korean defectors and the family of a Japanese abductee. The event underscored the plight of both groups and focused international attention on the North Korean practices and policies that undermine human rights.

#### *Working to Reduce Suffering through Effective Humanitarian Assistance*

Special Envoy Lefkowitz has sought to expand support for organizations willing to assist North Korean asylum seekers and trafficking victims. The Office of the Special Envoy has met with humanitarian organizations operating discreetly in the region to explore best practices and methods for expanding current assistance programs.

Special Envoy Lefkowitz has also encouraged the Department to explore new humanitarian assistance programs. In particular, the Department is seeking to expand efforts, where appropriate, to include North Koreans in programs that assist victims of trafficking.

In addition, he has vigorously advocated that transparency and accountability remain benchmarks in the extension of humanitarian assistance in the DPRK. A primary concern is that food aid should assist the North Korean people, not the DPRK government. The Special Envoy is exploring the development of new programs to assuage the plight of the North Korean people but would be less susceptible to diversion or manipulation by DPRK officials.

For example, Special Envoy Lefkowitz has encouraged UNICEF to expand its program in the DPRK, particularly its efforts to provide much needed vaccinations for children.

Special Envoy Lefkowitz has also been actively engaged in discussions regarding the status of the UN World Food Program in North Korea. Most importantly, he insists that international food aid must reach those most in need and that effective monitoring is a necessary pre-requisite for any assistance provided by U.S. Government-funded entities operating in the DPRK.

### *Expanding Resettlement Options for North Korean Refugees*

The Administration strongly supports the Act's provision to promote the availability of U.S. resettlement for North Korean asylum seekers. Consequently, the Special Envoy successfully advocated to put the Act's goal into practice. He has encouraged increased coordination with regional governments to facilitate the resettlement process and to provide for humane treatment of asylum seekers, especially in China. The USG coordinates with other governments as well as international and non-governmental organizations to determine how and where North Koreans seeking third country resettlement can best be helped.

Working closely with the U.S. Embassy in Beijing, the Special Envoy sought information about the plight of Kim Chun Hee, a North Korean victim of trafficking who sought refuge in China. Despite these efforts,

China deported her to North Korea, and her fate is unknown. The White House issued a strong statement about the case and President Bush raised the issue with Chinese President Hu Jintao during Hu's March visit to Washington.

The U.S. Government continues to work with regional governments in Asia to obtain permission to process asylum seekers from their territories. On May 5, 2006, with the cooperative efforts of various governments and international refugee assistance agencies, six North Korean refugees were resettled in the U.S. The Department has proposed a similar process with other governments.

Shortly after their arrival, Special Envoy Lefkowitz met with the first six North Korean refugees resettled in the U.S.

#### *Increasing North Korean Access to Outside Information*

The Special Envoy believes that an increase in the flow of information into North Korea could open new opportunities for political and economic reform in one of the world's most closed societies.

The Special Envoy applauds U.S. efforts to reach North Korean audiences via radio broadcasting through the Voice of America (VOA) and Radio Free Asia (RFA). Special Envoy Lefkowitz has met with the Chairman of the Broadcasting Board of Governors (BBG) to discuss options to expand and modernize these broadcasts to maximize audience reach.

The Special Envoy is reviewing options to enhance independent and U.S. Government broadcasts into the DPRK. He advocates cooperation with NGOs with experience in the development of new programs and formats as essential to this process. In early 2006, the National Endowment for Democracy began a pilot program that will train North Korean defectors and South Korean democracy activists in journalistic and broadcasting standards, and then support broadcasting costs so they can transmit information into North Korea for a period each day on medium wave. The Special Envoy supports this initiative.

#### *Supporting Genuine Political and Economic Opening in North Korea*

The Special Envoy continues to explore, through meetings with NGOs and civil society groups, opportunities and projects that would promote the opening and reform of North Korean society.

Immediately following his December 2005 trip to Seoul, the Special Envoy met with the President and Secretary of State to discuss his trip and next steps for addressing the human rights situation in North Korea.

### **Congressional Outreach**

On April 27, 2006, the Special Envoy testified before the House International Relations Committee Subcommittee on Asia and the Pacific and the Subcommittee on Africa, Global Human Rights and International Operations. In his testimony, he articulated the general human rights situation in North Korea, encouraged a thorough review of labor practices at the Kaesong Industrial Complex, expressed the hope that refugees would soon be resettled in the U.S. and indicated his strong support for broadcasting as a means for reaching the people of North Korea. On May 17, 2006, the Special Envoy briefed a bipartisan group of staff of the Senate Foreign Relations Committee.

In addition, Special Envoy Lefkowitz has held numerous consultations with interested individual Members of Congress from both parties, including Senators Brownback and Feinstein and Representatives Kolbe and Wolf.

### *Next Steps*

Special Envoy Lefkowitz will continue to raise the awareness of the severity of North Korea's human rights abuses and humanitarian issues with the international community, both in multilateral and bilateral fora. He will urge other countries to make concrete, verifiable, and sustained improvements in North Korean human rights a central component of their bilateral relations with the regime.

The Special Envoy will continue to explore ways in which to facilitate further resettlement of North Korean refugees in the U.S.

Pursuant to his duties and responsibilities under section 107 (c) of the Act, at an appropriate time, and when authorized by the President and

Secretary of State, the Special Envoy will seek an opportunity to engage in discussions with North Korean officials regarding human rights.

Also pursuant to his duties and responsibilities under the Act, the Special Envoy advocates the development of opportunities for exchange programs and technical training programs. He has been in discussions with foreign governments regarding their own exchange programs and is exploring the possibility of a U.S. exchange program.

The Special Envoy will continue to work with State Department partners to encourage the UN through its various bodies, including UNGA, UNICEF, WFP, UNDP and others, to press for broad-based expressions of international concern about the human rights situation in North Korea and support for additional programming to assist North Koreans, where appropriate.

In the last ten months, the U.S. government has devoted increased attention and resources to North Korean human rights. As a result, the number of countries engaged in advocacy for North Korean human rights is expanding. North Korean refugees have been admitted to the U.S., and the prospects for expanded programming for broadcasting and democracy development are under consideration. Despite these successes, there is more the U.S. and other nations can and should do to encourage reform and promote adherence by the North Korean Government to internationally accepted human rights standards and norms. The Special Envoy will continue his work to build international consensus for improved human rights in North Korea, reduce suffering through effective humanitarian assistance, expand resettlement options for North Korean refugees, increase North Korean access to outside information, and support genuine political and economic opening in North Korea.