



## NO FENCE

Association for the Abolition of Concentration Camps in North Korea

<http://nofence.netlive.ne.jp/english/>

### **Democratic People's Republic of Korea (DPRK) Submission to the UN Universal Periodic Review 19<sup>th</sup> Session of the UPR Working Group of the Human Rights Council April-May 2014**

#### **Concentration Camps in the DPRK**

##### **I. Introduction**

1. **No Fence in North Korea** ("NO FENCE") is a Japanese not-for-profit organization established in Tokyo on April 13, 2008. It carries out activities to promote the world's awareness of concentration camps in the DPRK, aiming for the abolition of the camps as soon as possible, and to help save the prisoners confined there.
2. In the concentration camps isolated with barbed wire, allegedly, as many as 200,000 people are arbitrarily confined without being treated as human beings. The situation at the concentration camps, or what may be called the "hell on Earth" left in the 21<sup>st</sup> century, has been gradually revealed by people who have miraculously escaped from the camps and country.
3. The existence of the DPRK's prison camps has been proven by a number of accounts of those who have experienced the life there and satellite pictures<sup>1</sup> providing the evidence. The DPRK government, however, continues to deny the existence of such prison camps, and did not accept 50 of 167 items of advice submitted by various countries in the previous UPR addressed to the DPRK, including "release without delay political prisoners", "concern about extrajudicial executions carried out in public", "abolish the collective punishment of families", and "take immediate action to cease the practice of forced labor".

##### **II. Developments since the previous review**

4. In 2010, the DPRK government enacted the Women's Rights Protection Act and Children's Rights Guarantee Act<sup>2</sup> in the country and, on July 3, 2013, signed the UN Convention on the Rights of Persons with Disabilities.
5. Numerous crimes subject to the DPRK's criminal law (last revised in 2009) are yet still "political crimes" in essence. Among them, the maximum penalty for Article 59 "Plots against National Sovereignty", Article 60 "Terrorism", Article 62 "Treason", Article 64 "Damage or Destruction", and Article 67 "Perfidy against the People" is capital punishment.
6. The above provisions for "political crimes" may well be susceptible to arbitrary interpretations and rulings. The existence of political prisoners,<sup>3</sup> therefore, apparently serves as the evidence that the civil and political rights, including the right to freedom of opinion and expression, and the economic,

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<sup>1</sup> Amnesty International, "New satellite images show blurring of political prison camp and villages in North Korea" (ASA 24/004/2013), 7 March 2013.

([http://www.amnesty.org/en/library/asset/ASA24/004/2013/en/f9ab5c28-b32e-4dd4-81f7-a25370cb95d6/asa240042013\\_en.pdf](http://www.amnesty.org/en/library/asset/ASA24/004/2013/en/f9ab5c28-b32e-4dd4-81f7-a25370cb95d6/asa240042013_en.pdf)). See also *Hidden Gulag* by David Hawk in 2003 and *Hidden Gulag Second Edition* in 2012.

<sup>2</sup> The Women's Rights Protection Act and Children's Rights Guarantee Act are found on <http://www.unikorea.go.kr/CmsWeb/viewPage.req?idx=PG0000000111> but only in the Korean language.

<sup>3</sup> In the past, the DPRK authorities revealed to an Amnesty International delegation visiting the DPRK that "some 240 people" were imprisoned on the charge of committing "anti-state activities" and admitted the existence of political prisoners. Amnesty International, "Human Rights Violations behind Closed Doors" (ASA/24/12/95), 1 December 1995.

social, and cultural rights of political dissenters and ordinary citizens of DPRK are seriously violated.

### III. Promotion and protection of human rights on the ground

#### a. Implementation of international human rights

7. The DPRK is a party to the International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women, and Convention on the Rights of the Child. Despite its consequent obligation to comply with these covenants, however, the DPRK fails to fulfill the obligation to periodically report the performance of its duties.<sup>4</sup> Further, the state party's reports on the performance of its obligations that have been submitted thus far appear more like propaganda for the regime, in which "facts" inconvenient for the regime are intentionally omitted.
8. On August 21, 1997, the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted for the first time the resolution<sup>5</sup> on the situation of human rights in the DPRK. The DPRK subsequently made a unilateral statement<sup>6</sup> that the nation opposed and rejected the resolution and announced its withdrawal from the ICCPR. Because this withdrawal did not meet the approved,<sup>7</sup> the DPRK government submitted the second periodic report of the Democratic People's Republic of Korea on its implementation of the ICCPR. This report, however, states that it covers the period from 1984 to 1997 (the year in which the DPRK demanded its withdrawal).<sup>8</sup> The UPR National Report submitted by the DPRK in August 2009 also fails to indicate its membership in the ICCPR.<sup>9</sup>

#### b. Cooperation with human rights mechanisms

9. Since June 2007, the DPRK government has been sending letters or note verbale<sup>10</sup> every year to the President of the UN Human Rights Council, indicating rejection of the "Special Rapporteur" and the "resolution" on the establishment of mandate of the "Special Rapporteur". The letters or note verbale also express the DPRK's rejection of the UN Resolution on the Human Rights Situation in the Democratic People's Republic of Korea, claiming the unfairness of the resolution. The DPRK has yet, however, to make any efforts to clear the concern or suspicion associated with its human rights situation, including the existence of concentration camps.
10. Not only NO FENCE, but a number of international human rights NGOs along with the UN and national governments have been deeply concerned about the prison camps in the DPRK. Political Penal-labor Colonies (*Kwanliso*, literally translated as "managed places", but substantially different) given serial numbers are controlled by Bureau No. 7, known as "*Nongjangjido*guk",<sup>11</sup> of the State Security Department of the DPRK. These Political Penal-labor Colonies have been revealed as being prison camps in the testimonies of refugees from the DPRK. Additionally, the exact locations of these Political Penal-labor Colonies have been identified using satellite images. The DPRK government nevertheless refuses to admit the existence of the prison camps. Moreover,

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<sup>4</sup> The due date for the third periodic report on the implementation of the ICCPR was Jan 1, 2004, for the second report on the CEDAW was Mar 27, 2006, and for the third report on the ICESCR was Jun 30, 2008.

<sup>5</sup> E/CN.4/SUB.2/RES/1997/3

<sup>6</sup> E/CN.4/Sub.2/1997/43

<sup>7</sup> The withdrawal of the DPRK was not approved for the reason that "the Covenant does not contain a withdrawal provision" and "the Secretary-General is of the opinion that a withdrawal from the Covenant would not appear possible unless all States Parties to the Covenant agree with such a withdrawal". The above notification of withdrawal and the aide-mémoire were duly circulated to all States Parties under cover of C.N.467.1997.TREATIES-10 of 12 November 1997.

<sup>8</sup> CCPR/C/PRK/2000/2, para. 2.

<sup>9</sup> A/HRC/WG.6/6/PRK/1, para. 27.

<sup>10</sup> Letters dated 8 June 2007 (A/HRC/5/G/5), 30 January 2008 (A/HRC/7/G/3), 29 January 2009 (A/HRC/10/G/6), 21 January 2010 (A/HRC/13/G/7), 19 January 2011 (A/HRC/16/G/2), 1 February 2012 (A/HRC/19/G/1) and 28 January 2013 (A/HRC/22/G/4).

<sup>11</sup> While the other name (fictitious name) of Bureau No. 7 of the State Security Department had been known as "*Nongjangjido*guk" in the past, the information obtained by NO FENCE in October 2012 from Kim Seong-Chul (alias), who was a former official of the central agency of the DPRK, indicates that the name had to be changed to maintain secrecy and began to be called "*Mokjangjido*guk" from around year 2000.

it has not responded to the communication from the Special Rapporteur on extrajudicial, summary or arbitrary executions concerning the “labor camps for political prisoners” dated March 10, 2012.<sup>12</sup>

#### IV. Concentration camps and human rights situation in the DPRK

11. Generally, the following six have been clearly identified as the locations of alleged political prison camps in the DPRK based on the testimonies of relevant parties and aerial and satellite photographs.<sup>13</sup>

*Kwanliso* No. 14 at Kaechon (39°34'15.96"N, 126°3'20.44"E),  
*Kwanliso* No. 15 at Yodok (39°40'31.54"N, 126°51'0.11"E),  
*Kwanliso* No. 16 at Hwasong (41°18'49.48"N, 129°20'30.05"E),  
*Kwanliso* No. 18 at Bukchang (39°33'47.57"N, 126°4'35.34"E),  
*Kwanliso* No. 22 at Hoeryong (42°32'17.64"N, 129°56'5.52"E),  
and *Kwanliso* No. 25 at Susong in Chongjin (41°49'57.15"N, 129°43'47.20"E).

Note 1: The latitude and longitude are based on NO FENCE's own research.

Note 2: According to research by NO FENCE regarding Camp No. 22, the prisoners were transferred to Camp No. 16 from March till June in 2012. Thereafter, Camp No. 22 was virtually closed. Some inmates of Camp No. 18 were transported to a new prison camp opened up in an area adjacent to Camp No. 14 in or around November 2007. Subsequently, Camp No. 18 was converted into a coal mine area.<sup>14</sup>

##### a. Arbitrary detention and restrictions on the right to freedom of movement and residence

12. Sometimes in the DPRK, a family or group of people who have been cautioned or monitored by the State Security Department suddenly disappears. Kang Chol-Hwan, who gave testimony at a meeting held in Tokyo in May 2010, stated that he and his family were imprisoned at Yodok concentration camp in 1977. In the camp, a village had been built to confine approximately 5,000 of only the North Koreans who had lived in Japan and their children born to them in the DPRK like Kang himself and their families. He was told that they (former North Korean residents in Japan) had been gathered in one of the villages in the prison camp around 1975 because they would talk about their life in Japan and have an “adverse effect” on other prisoners from within the DPRK.
13. Kim Hye-Sook, a refugee from the DPRK, testified at the meeting organized by NO FENCE in December 2010 that she was imprisoned at Political Penal-labor Colony (*Kwanliso*) No. 18 at the age of 13. She was accused of guilt by association with his paternal grandfather whom he had never met, who went missing during the Korean War (1950-53) and was suspected of defecting to South Korea.
14. At the testimony meeting held in Tokyo in April 2011, Lee Sang-Bong, who had engaged in the demolition of the Political Penal-labor Colony (*Kwanliso* No. 11 with approximately 38,000 inmates) located at the foot of Kwanmo Peak in Kyung Sung, North Hamgyong Province, in March 1990, testified about the housing environment of the “prisoners”. According to Lee, each dwelling of the prisoners was “a narrow space with about 2.5 meter-long, 1.5 meter-wide, and 80 centimeter-deep rectangular pit dug in the ground like a grave in which one person would lie down to live”.

##### b. Right to food

15. Kim Hye-Sook, who had been imprisoned at the Bukchang concentration camp for 26 years, spoke at the testimony meeting held by NO FENCE in December 2010 that the rations were gradually reduced from April 1994 and the food situation seriously deteriorated. She testified about the condition inside the Political Penal-labor Colony at the time as follows:  
*“We were given little food and didn't even have the strength to go to the coal mines to work. But we would be **caught and punished** if we were crouching at home, so we would try to*

<sup>12</sup> A/HRC/23/47/Add.5, para. 32.

<sup>13</sup> Amnesty International, “North Korea: Political Prison Camps” (ASA 24/001/2011), 3 May 2011. (<http://www.amnesty.org/en/library/asset/ASA24/001/2011/en/2671e54f-1cd1-46c1-96f1-6a463efa6f65/asa240012011en.pdf>). See also A/66/322, para. 60.

<sup>14</sup> Based on some media reports, however, Camp No. 22 has been closed. And Camp No. 18 has been dismantled according to some sources. David Hawk, *North Korea's Hidden Gulag: Interpreting Reports of Changes in the Prison Camps*(HRNK, 27 August 2013).

***go to work because we didn't want to be hurt, even if we had to crawl or use a stick to walk. Then, some of us would fall and die on our way to the coal mines. In the beginning I was afraid of the corpses of those who had fallen dead, but I no longer had a fear after seeing so many of them and instead, I would just step over the bodies. "***

16. The above testimony of Kim Hye-Sook suggests that the number of prisoners who starved to death increased around 2005. According to her, in the Political Penal-labor Colony, **a woman arrested for killing her 16-year-old son and selling his body as pork and another woman who had killed and eaten her 9-year-old daughter were sent to detention facilities called "forced-labor facility (ro-dong-gyo-yang-so, literally translated as "labor education center", but substantially different)" within the Political Penal-labor Colony.**
17. Ahn Myung-Chul, who was invited to Tokyo for an interview by NO FENCE in December 2012, had worked as a security guard at Political Penal-labor Colony (*Kwanliso*) No. 22 until 1994 and was aware of the reality of this prison. Approximately 50,000 prisoners were confined at Political Penal-labor Colony No. 22 when he was working there. According to the information he obtained from an intelligence agent in this area of the DPRK in 2012, however, **the amount of food moved out from this prison camp had substantially increased since around 2010, resulting in a large number of deaths from starvation. The number of prisoners consequently declined to approximately 20,000 by 2012 and the Center was, in effect, closed down as a prison camp. The prisoners were not released subsequently but divided and moved to Yodok No. 15 and Hwasong No. 16.** Residents near cooperative farms and coal mines in the surrounding areas were moved to these prison camps. Demolition of the core facilities such as detention cells and torture chambers of prison camp No. 22 was confirmed also from satellite photographs provided by DigitalGlobe Inc.<sup>15</sup>

### c. Punishments and other forms of ill-treatment

18. Im Jeong-Su, who gave testimony at a meeting held by NO FENCE in Tokyo in 2008, was imprisoned at Political Penal-labor Colony No. 18 at the age of one year with his father and confined for 22 years while engaging in forced labor from a very young age. Until around 1970, **public execution by frying prisoners in a large pot of heated waste oil** was taking place. One of the executors became mentally ill, however, and gathered the prisoners and demonstrated the killing of his own son in the pot. Subsequently, the pot was replaced in most cases with **execution by shooting. In some cases, the prisoners were executed by stoning or tying to a car with a rope and dragging to death.** Im stated that the security guards at Political Penal-labor Colony No. 18 had conducted training around February every year by **making a special battle formation, which was intended to kill all prisoners in an emergency situation.**
19. Kim Hye-Sook testified in Tokyo in October 2010 that she had heard from a former official who had been sent to the prison camp that Kim Jong-il had talked in 1997 as follows:  
***"We don't want the kind of people who are sent to the Political Penal-labor Colonies. It will be enough to replace each of them with a ton of coal, so work them like beasts of burden."***
20. Lee Sang-Bong, who engaged in the demolition of Political Penal-labor Colony No. 11 in March 1990, witnessed during the demolition work something that appeared to be a cave created halfway up the mountain. The entrance was 2.5 meters high and 3 meters wide, and inside its iron doors, he saw an iron grille a few meters from the entrance and a wider space inside the grille with a width of 9 meters and depth of about 150 meters to the inside. Members of the State Security Department would not tell Lee what the cave was for, saying there was no need for him to know; however, a member of a different working party told him that it was **facilities to stuff the prisoners inside and kill them by blowing up the place in an emergency situation.**
21. Ahn Myoeng-Cheol,<sup>16</sup> who had worked at Political Penal-labor Colony No. 22 until 1994 as a security guard, confessed that the guards were educated that **the prisoners were state enemies planning to destroy the socialist regime and thus, must be treated inhumanely and**

<sup>15</sup> Available at [http://www.hrnk.org/uploads/pdfs/HRNK%20CAMP%202022%20REPORT%20FINAL%20\(1\).pdf](http://www.hrnk.org/uploads/pdfs/HRNK%20CAMP%202022%20REPORT%20FINAL%20(1).pdf).

<sup>16</sup> See paragraph 17.

**ruthlessly**, and he himself arbitrarily assaulted the prisoners. Ahn is currently collecting information on the prison camps at Democracy Network against North Korean Gulag, an organization in South Korea that covers all individuals who have experienced a North Korean prison camp.

22. Lee Yeong-Soo, who was invited to Tokyo for an interview by NO FENCE in February 2013, had engaged in the incubation and breeding of ducks at Dae-suk Ri at Political Penal-labor Colony No. 15 between 1990 and 1994. After his release at the expiration of his prison term, he got a job at the material procurement section of an intelligence agency through the assistance of a former fellow inmate, who was an influential person and had been released before him. He travelled between Pyongyang and Political Penal-labor Colony No. 15 (Yodok) a few times a year between 1994 and 2005 and delivered letters of prisoners in the concentration camp to their relatives in Pyongyang. At the beginning of the 2000s when tension on the Korean Peninsula increased due to the US-South Korea military exercise, the prison guard who responded to Lee on this visit to Yodok told him that **the guards were very busy selecting the prisoners from the Yodok concentration camp to be immediately shot to death in an emergency, which was directly ordered by Kim Jong-il.**
23. According to the testimony obtained by NO FENCE from a former employee at the State Security Department in North Hamgyong Province who has recently moved to South Korea, the office of the provincial State Security Department maintained the management guidelines for Political Penal-labor Colony No. 25 around year 2010, which included the section entitled “measures for emergency management of prisoners“. The instructions include **“collect the prisoners in District 2 and receive instruction from the management”**. The former employee asked his supervising manager what the “instruction from the management” meant, and the reply was, in general, as follows:

***“That ‘instruction’ means to push the button. District 2 is one of the underground mining tunnels and covered with a 6-millimeter-thick steel plate. When you push the button, high voltage current runs through the steel plate and the prisoners packed inside will be electrocuted to death.”***

Political Penal-labor Colony No. 25 is located near urban areas, and shooting or bombing to execute the prisoners would make noises that may make the residents suspicious. Therefore, the guards would electrocute the prisoners using high-voltage current to kill them silently.

## V. Recommendations

- The international community including the UN member states should actively approach the DPRK authorities in order to abolish the concentration camps and respect and protect the human rights of the prisoners while paying attention to the possibility that the DPRK authorities may kill the prisoners instead of releasing them in an attempt to destroy the evidence of the concentration camps.
- The DPRK government should
  - abandon its false claim to deny the existence of the concentration camps,
  - comply with the Standard Minimum Rules for the Treatment of Prisoners under international law for all other confinement facilities and prisoners,<sup>17</sup>
  - conduct detailed investigations on the situations at the prison camps and accept the inspections by the international community,
  - guarantee the inherent right to life recognized in the International Covenant on Civil and Political Rights and civil liberties specified in international human rights law of the current prisoners, and
  - immediately release the political prisoners and/or those arrested based on the guilt-by-association system and abolish the concentration camps.

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<sup>17</sup> This is pointed out also by Mr. Marzuki Darusman, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. A/66/322, para. 61.