Thank you. Mr. Chairman and Members of the

Committee, thank you for inviting us here today to discuss the Department

of State’s efforts to implement the North Korean Human

Rights Act of 2004.

As the Department’s representative from the East Asian and Pacific

Affairs Bureau, I will begin by offering an assessment of the

regional context that we face in implementing the act. I will then

turn to my colleagues, Assistant Secretary Arthur Dewey, and Acting

Principal Deputy Assistant Secretary Gretchen Birkle, to discuss

specific aspects of the act’s requirements carried out by the

Department’s Bureaus of Population, Refugees and Migration, and

of Democracy, Human Rights, and Labor.

The three Bureaus have worked closely together since President

Bush signed the act into law in October 2004. Promotion of human

rights has long been a cornerstone of United States foreign policy,

and we have voiced in both bilateral and multilateral fora our concerns

for the very serious human rights situation in North Korea.

Passage of the North Korean Human Rights Act was reenforced

not only to the North Koreans but also to the countries in the region,

that human rights must be a priority, even as we work to resolve

the nuclear threat from the DPRK.

As you know, we face an array of challenges with North Korea.

In particular, there is the issue of the DPRK’s nuclear programs.

The North has for decades been trying to develop nuclear weapons,

and in a February 10th statement this year, they declared that

they are a nuclear-weapons State. Eliminating that nuclear threat

is one of the President’s highest priorities.

As the Special Envoy for the Six-Party Talks, I have particular

interest in and experience with our efforts to stop the development

of North Korea’s nuclear weapons program through the Six-Party

Talks process. If North Korea expects to normalize its relations

with the international community, it must dismantle its nuclear

program as well as improve significantly its dire human rights situation.

I will work closely with the Special Envoy for Human Rights in

North Korea to coordinate our efforts. The U.S. Government has

made clear to the North Koreans in our discussions with them during

the Six-Party Talks that human rights issues must be addressed

as part of any eventual normalization process.

In the February and June 2004 Six-Party plenary sessions, then

Assistant Secretary of State for East Asian and Pacific Affairs,

James Kelly, reiterated United States concerns about North Korea’s

human rights violations. North Korea has since boycotted the

talks, but I have consistently made this point to them in separate

discussions.

The Department of State continues to monitor the status of

human rights in North Korea, and has issued several reports that

outline the most egregious violations. The reporting reveals a Government

that consistently denies its citizens control over their own

lives, and exacts harsh punishment on those who are perceived to

threaten the regime.

North Korea remains one of the most repressive countries in the

world, and stands in stark contrast to the many democratic governments

elsewhere in Asia. According to the *2004 Country Report on*

*Human Rights Practices*, North Korean citizens are denied basic

human rights such as freedom of expression, religion, movement,

assembly and association.

An estimated 150,000 to 200,000 persons are believed to be held

in detention camps in remote areas for political reasons, and defectors

report that many prisoners have been executed or died from

torture, starvation, disease, exposure, or a combination of these

causes. Some reports outline particular horrific violations such as

forced abortions in detention centers and chemical testing on

human subjects.

Effective implementation of the North Korea Human Rights Act

requires close coordination with a number of governments, and we

will continue to face challenges as we work with these governments.

The issue of North Korean refugees is a delicate one for

many of the governments involved. Therefore, we need to be discreet

in order to ensure that existing exit routes for fleeing North

Korean refugees remain intact as we work for more permanent solutions

to the overall refugee plight.

The State Department recognizes that our efforts to date to implement

the act are part of a long determined process. We cannot

expect instant results. We continue to work closely with the Repub-

lic of Korea to establish cooperative measures to fully implement

the act, and believe that such cooperation is essential to satisfy

United States immigration requirements for accepting North Korean

refugees for resettlement into the United States.

We are consulting closely with the ROK Government on this

question and other areas of possible cooperation. We also continue

to discuss this important issue with our counterparts in China, and

in those countries in South East Asia, in addition to the discussions

with the UNHCR.

I will now turn to Assistant Secretary Dewey, Assistant Secretary

for the Population, Refugees and Migration.

Thank you, Mr. Chairman.

No, absolutely, Mr. Chairman, we do raise that.

We make it very clear or we have made it very clear and we continue

to make it very clear to the DPRK representatives at the Six-

Party Talks that human rights issues, the whole question of

human rights in North Korea, are central to the normalization

process, and we would need to not only enter into a very meaningful

dialogue with them, but we would need transparency into this

issue, a process that lends itself to resolution of the issue with

benchmarks, et cetera, as we move toward the normalization process.

So yes, Mr. Chairman, we have brought this up in our Six-Party

Talks.

Congressman Payne, yes, absolutely appropriate,

and we have put it on the table with our DPRK counterparts during

these talks, that human rights issues in North Korea will be

discussed fully with them given our concern, and we would need

progress in that area, the transparency, the process, the benchmarks,

before we could more forward with the normalization process.

So that has been put on the table, and indeed we will continue

to make that very clear to our counterparts.

Congressman Royce, let me just say the Broadcasting

Board of Governors certainly are the experts. They have

the lead and the responsibility for this so they are certainly much

more expert than I. But let me just say I totally agree with what

you have just said. I mean, the power of VOA and RFA and the

movement now to go from 7 hours to 12 hours of broadcasting, you

get more broadcasting time into the DPRK. And as you said, with

shortwave radio, more North Koreans are listening to those broadcasts,

usually late in the evening when one would imagine it is a

bit safer, between 10 p.m. and 1 a.m. or something in the morning.

So you are absolutely right, and those figures speak to the point

of the hunger for information to come from without, whether it is

VOA or RFA. I really cannot comment on why there is more jamming

of VOA, or RFA rather than VOA, but both are very powerful

tools to getting information into the DPRK, getting information

that is denied to the people.

Sir, on the question of broadcasts into North

Korea, as you have noted, the Broadcasting Board of Governors has

the lead on that, so they are working with the respective governments

and talking about that whole issue itself.

Indeed, when we talk about human rights issues, and we have

a very, very robust dialogue with the governments, we get into all

aspects of it, and certainly I would be comfortable in a close setting

getting into the particulars as it relates——

To any particular country. I would

prefer doing it that way. Thank you.

Well, let me just say, Congressman Watson, that

the South Korean Government, the Republic of Korea, as you know

so well and we all know, receives a number of refugees from the

DPRK on a yearly basis, and they have a very robust program to

acclimate these people, to accommodate them and so forth. So there

is a lot being done in that area, and that is to be commended and

we are very appreciative, and we have a very meaningful dialogue

with them on the North Korean Human Rights Act, and the particulars

involved in that.

Again, I would be much more comfortable in a closed setting

talking about that type of a dialogue with the Republic of Korea

as it relates to the North Korean Human Rights Act and our expectations,

and what we plan to do in implementing the act itself. I

would be more comfortable that way.

Well, Congressman Watson, the feeling now is the

North Koreans continue to say the United States has a hostile policy,

and we address that by saying we want to negotiate, we want

a peaceful resolution. The President has made this clear. The Secretary

of State has made this very clear. We have no preconditions

to come back to the table and negotiate as we all agreed to in the

Six-Party process, and everything is on the table, and certainly we

would be very much open.

So the atmosphere here, there are some harsh words that come

out of Pyongyang with respect to the United States. I cited in my

opening statement their February 10 statement declaring that they

are a nuclear-weapons State. They have had subsequent statements

along those lines which are indeed indicative of some of the

words they say.

But the U.S. has made it very clear, and Secretary of State Rice

has made it very clear that we view the DPRK as a sovereign

State. We have no intention to invade or attack it. We want a

peaceful negotiated resolution to the issue, and we have asked and

continue to ask them to come back to the table in the multilateral

forum hosted by the Chinese, chaired by the Chinese, so that we

can resolve these issues.

We hope that they will seize that opportunity. Certainly it is in

their interest to come back and resolve this issue for their own interests,

certainly in international legitimacy and international reform.

Congressman Smith, on the issue of juche, we still

hear, certainly, the leadership in the DPRK espouses juche, and indeed

that is their policy. The reality is they have food needs, they

have energy needs, and they rely heavily on others to provide some

of the energy and food they need to sustain their population and

the government.

The second point is, we hear a great deal about economic reforms

that are going on in the DPRK. We hear that from many countries

that have a very close relationship or a relationship with the

DPRK. For economic reforms to kick in, they will have to open up.

They will have to work with international financial institutions.

They would have to sort of enter the global marketplace and hopefully

that will complement a philosophy of juche. It would have to

require some change on their part.

That is absolutely correct, Mr. Chairman, absolutely,

and I might add, sir, some of the points made, the reality

is also that the—you know, our very meaningful discussions, and

they are meaningful, is that we talk about the fact that China categorizes

a lot of these refugees as economic migrants, and so forth,

so we have a dialogue on that, and working it.

But there are 30,000 to 50,000, in any particular year, of refugees

in China, and a percentage of them do find their way out to

other countries, and eventually to the ROK.