The Subcommittee will come to order. On behalf of

the Subcommittee I am please to convene this hearing jointly with

Chairman Smith, a longstanding champion of human rights and

refugee protection, and one of the forces behind the North Korea

Human Rights Act. Mr. Smith will be with us shortly.

We greatly appreciate Assistant Secretary Dewey, Ambassador

DeTrani, and Ms. Birkle making themselves available today, and

we look forward to their testimony, and to our panel of NGO experts.

The record established during the past 3 years amply demonstrates

the dire circumstances facing the people of North Korea.

Inside that country they suffer at the hands of a totalitarian dynasty

that permits no dissent and brutally curtails freedom of

speech, press, religion and assembly. The many thousands of North

Korea hiding outside of North Korea, particularly women and girls,

are uniquely vulnerable and exploited, especially inside China.

Since the collapse of the centralized agricultural system in the

1990s, more than 2 million North Koreans are estimated to have

died of starvation. Congressional concern about these crises culminated

the enactment last October of the North Korean Human

Rights Act of 2004, which is now U.S. Public Law 108–333.

We welcome the international attention these issues have garnered

since the passage of the act. Most recently, 2 weeks ago in

Geneva, the United Nations Commission on Human Rights passed

its second resolution on North Korea in as many years. Although

these issues did not figure prominently in public discourse a mere

few years ago, it is no longer philosophically or morally plausible

for any nation to remain silent in the face of the documented privations

and deprivations being suffered today by the people of North

Korea.

For the benefit of our friends overseas, I would like to reaffirm

that the motivations for the North Korean Rights Act were and are

solely humanitarian, not geo-strategic. The law is not a pretext for

hidden strategy to provoke North Korean collapse, or to seek collateral

advantage in ongoing negotiations.

The promotion of human rights and refugee protections for North

Koreans is not a partisan issue in the United States. It is embraced

by Members with divergent views about how best to address the

strategic challenges posed by North Korea. Put simply, while each

of us as individuals may not be, the North Korean Rights Act is

agnostic about regime change, but emphatic about behavior change.

We genuinely hope for the opportunity to recognize improvements

in the future.

I also want to emphasize that one of the primary aims of the act

is humanitarian burden-sharing, particularly in terms of refugee

assistance and resettlement. In recent weeks, South Korean officials

have asked me whether the United States is serious about assisting

in the resettlement of North Korean refugees. Comparing

our past inaction to South Korean investment in resettling more

than 6,000 North Koreans, I can understand their skepticism. But

in light of the act, I trust that the consistent answer of U.S. officials

confronted with similar questions must now be an emphatic

‘‘Yes.’’ That decision has been made.

The issue at hand is the challenging question of how to give it

effect. Because South Korean cooperation will be important to our

own efforts to assist North Korean refugees, the United States cannot

afford any misunderstandings regarding our desire to assist

with these exigencies.

In conclusion, it must be understood that the Congress did not

intend the North Korean Human Rights Act as a rhetorical exercise.

The law was enacted to promote respect for human rights,

transparency in the delivery of humanitarian aid, and protection

for North Korean refugees. It granted considerable discretion to Executive

Branch agencies in pursuing those ends.

Our task this afternoon is to discern how that discretion has

been exercised to date, and what the prospects are for progress in

the future. With that in mind, I look forward to the testimony of

our witnesses.

At this point, do you want to go next, Chris? Let me turn to

Chairman Smith, and then we will go to Mr. Faleomavaega.

Thank you, Chris.

Mr. Faleomavaega.

Would you please stand? Thank you.

Thank you, Mr. Faleomavaega.

Mr. Payne, do you wish to make a statement?

Thank you, Mr. Payne.

Does anyone else seek recognition? Mr. Chabot.

Thank you very much, Steve, for the thoughtful comment.

Yes, Mr. Tancredo.

Does anyone else wish to be recognized at this time?

Mr. Boozman? Mr. Wilson. Okay, thank you.

Well, at this point let me recognize our distinguished panel. The

Honorable Arthur E. ‘‘Gene’’ Dewey is Assistant Secretary in the

Bureau of Population, Refugees and Migration. In addition to his

service in the State Department, he served with the U.N. as the

Assistant Secretary-General and as Deputy High Commissioner for

Refugees. A graduate of West Point and Princeton, Mr. Dewey

served two combat aviation terms in Vietnam.

The Honorable Joseph E. DeTrani serves with the United States

Department of State as a U.S. Special Envoy for the Six-Party

Talks. During his previous career with the CIA, he served as Executive

Assistant to Director William Casey and as Director of European

Operations, and as Director of Public Affairs, and Director of

East Asia Operations, among other positions.

Ms. Gretchen A. Birkle is Assistant Principal Deputy Assistant

Secretary in the Bureau of Democracy, Human Rights and Labor.

Previously Ms. Birkle served as Deputy Director of the Eurasia Division

of International Republican Institute, and on the legislative

staff of Senator Spector of Pennsylvania.

We welcome each of you. And unless you have a different arrangement,

I will begin in the order that I commented, but do you

prefer another order? It is up to you.

Fair enough.

Perfect. Ambassador DeTrani, you are very welcome,

and we appreciate your good work, and we appreciate your presence.

And I might say, without objection all of your statements will be

placed in the record, and if you would care to summarize it at any

point, you are welcome to do that. Ambassador.

Secretary Dewey.

Thank you, Secretary Dewey.

Secretary Birkle, please.

Thank you all very much. I appreciate your statement,

Secretary Birkle, that the envoy will be appointed in the

near future.

Which on a congressional time period is a little belated.

The law of the United States says they were to be—there

was an appointment to be done by April 15, but this is government

time. Soon is appreciated.

Let me first ask you, Secretary Dewey: What is the Administration

doing to assist trafficking victims, and have you negotiated or

spoken with the Government of China about a different circumstance

for trafficking victims versus other kinds of refugees? Is

there anything we are doing especially for this class of women and

girls?

Thank you. Let me ask Ambassador DeTrani, not all

subjects are relevant to all conferences, but do you think it is particularly

appropriate or inappropriate place to raise the refugee

issue in the Six-Party context?

I appreciate that, Ambassador.

One final question from me, and that goes to Secretary Dewey.

You have indicated that there are preliminary indications that

countries in the region do not particularly want to cooperate with

the United States on the refugee resettlement issue. Why is that?

Thank you very much, Mr. Dewey.

Mr. Smith.

Mr. Payne.

Mr. Royce.

Thank you very much, Ed.

Ambassador Watson.

Thank you very much.

Mr. Smith.

Well, thank you, Chris.

Before dismissing the panel, let me make a couple quick comments.

One, we are dealing with one of the most profound humanitarian

issues in the world today. We are also dealing with a spectrum of

other issues of profound national security consequence to the

United States, and one has to be very careful about mixing issues.

In this regard, it was referenced earlier that there is a bill that

apparently has been introduced about the Olympic Games in

China, and I would just like to say that there is some frustration

in Congress about the role of China and the refugees, and whether

China is living up to its obligations under the U.N. Refugee Convention.

But as Chairman of the Subcommittee, I will tell you I think it

would be a massive mistake to come out against the Olympic

Games in China. We should be very careful not to mix culture with

politics, and this is one of the most important cultural events in

modern times in Asia, and I look forward to the Chinese putting

on a spectacular Olympic Games. If we were to come out against

them, I have no doubt that the reaction against—the reasoning behind

it would be very profound and would be very disheartening to

the refugee issue. And so I want to be very careful in suggesting

that we not cross that bridge.

Now, am I correct that the United States Department of State

has no stand against the Olympic Games in China; is that correct,

Ambassador?

Well, I would be very hopeful that we can work as

positively and as constructively as we can with China. There are

reports of an increasing number being sent back to North Korea,

and this is a shame, but my only point is at this point that we not

mix issues in counterproductive ways.

Yes, of course.

I appreciate the gentleman, and I would like to say

there is really profound concern on a number of issues that we

share, but I just hope the Olympic Games can stay above politics

is my point.

In any regard, thank you all, and we look forward to the next

panel. Thank you very much.

Panel two will be composed of Ms. Ann Buwalda who is the Director

of Jubilee Campaign USA, an international advocacy group

working to combat religious persecution. She is the founder of Just

Law International, a firm specializing in immigration and, particularly,

asylum and refugee cases.

Mr. Don Choi is the Washington Representative of the Exile

Committee for North Korean Democracy, a native of North Korea.

He spent some of his years of compulsory military service as a prison

guard in that country before fleeing to China, and eventually

South Korea with his mother, a survivor of the North Korean

gulag.

The third witness is Dr. Marcus Noland, a Senior Fellow at the

Institute for International Economics and a Consultant to the

United States Committee for Human Rights in North Korea. He

was formerly a Senior Economist at the Council of Economic Advisors,

an Executive Office of the President, and has held teaching

and research positions at Johns Hopkins University, Tokyo University,

and the Korean Development Institute.

At this point, maybe we will just begin with Ms. Buwalda, and

all of your statements will be placed in the record without objection,

and you may proceed to summarize as you see fit. Ms.

Buwalda.

Thank you, Ms. Buwalda.

Our next witness will be Mr. Daniel Choi.

Thank you, Mr. Choi.

Dr. Noland.

Thank you very much, Dr. Noland.

Mr. Smith?

Thank you, Chris.

Mr. Payne.

Thank you, Mr. Payne.

Let me just conclude with a couple of questions. One to you, Dr.

Noland. In your testimony, you note that economic stresses within

North Korea are leading people to engage in socially disruptive coping

behaviors.

What do you mean, anecdotally, or what is a socially disruptive

coping behavior?

Fair enough. Let me go on. You also say that while

the economic dynamics inside North Korea are increasingly market

driven, their cumulative effect is a political one. What do you mean

by that?

You say their cumulative effective is a political one.

Well, the context of the comments you made were

that the effects of the changes since 2002 have been very significant

in an opening market kind of way, but the political effect is

also very great, and that it could be that some people are more

helped and some people less helped. Can you describe that?

Well, let me just ask Mr. Choi one question here. Mr.

Choi has indicated that there is a fabric of anti-Americanism in the

education of the young and the old. Is that 100 percent accepted

by the people? You have indicated it is a way to hold the Government,

that it is a legitimizing aspect of the Government. Is there

any skepticism within North Korea? Are people saying it is not

true, or is it universally accepted as truth?

Thank you, Mr. Choi.

Thank you very much.

Well, thank you very much. We have one last question

from Mr. Payne.

Thank you all. Your testimony is very appreciated

and we thank you for coming, and thank you, Mr. Translator, for

helping as well.

The Subcommittee is adjourned.