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North Korean Human Rights: Recommendations for the Obama Administration and the U.S. Congress

The Honorable Ed Royce

It is a pleasure to be at Heritage, where ideas matter. The Foundation's work on Asia policy is second to none. This afternoon I'd like to offer a few thoughts about human rights in North Korea with some ideas on improving that abysmal situation.

Today's discussion on North Korean human rights coincides with North Korea Freedom Week, but it also comes as the Obama Administration is just getting its Asia lineup set. Last week, the Administration announced Kurt Campbell to succeed Chris Hill as the Assistant Secretary for East Asia. Ambassador Stephen Bosworth has been appointed Special Representative for North Korea Policy, serving in that position on a part-time basis.

Secretary of State Clinton met with Japanese families of North Korean abductees during her first voyage to Asia, yet it remains unclear just how human rights will fit into the Obama Administration's North Korea policy. The position of Special Envoy for North Korean Human Rights Issues remains to be filled. So the time is right for some recommendations.

North Korea Today

Everyone here knows the horrors of the North Korean police state. Perhaps 200,000 are held in a system of political concentration camps—modern-day gulags. Last year, during North Korea Freedom Week, I met Mr. Shin Dong-hyuk, a young man who is the only person known to have successfully escaped from a North Korean prison camp. He showed me his scars from being tortured by fire.

Talking Points

- As North Korea marches on with its missile tests, proliferation, and nuclear program, we have muted ourselves on human rights. Morally, that is indefensible, especially as our policy has failed to modify North Korea's aggressive behavior.
- The mantra from the Obama State Department is "smart power"—the not-so-new idea that all elements of national power should be utilized to influence other countries.
- Broadcasts, cultural exchanges, mobilizing other countries through the International Parliamentarians' Coalition for North Korean Refugees' Human Rights, and deploying our moral authority in a multilateral forum about human rights are certainly in the smart-power quiver.
- In time, we will see whether smart power to this Administration means more of the same dead-end negotiations and blank checks or a realization that human rights and security are linked.

This paper, in its entirety, can be found at:
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No one is surprised that Kim Jong-Il maintains his place on *Parade* magazine's "top ten dictators" and is classified by Reporters Without Borders as a predator of press freedom. Or that last month, North Korea was again named to Freedom House's "Worst of the Worst" list. Year after year, this horror house continues.

Yet the North Korean state may not be as ironclad as it once was. Defectors tell us of a functioning black market and smuggling. Last year, a survey of 300 North Korean refugees described an "explosion of corruption" and an "erosion of the state's ability to control information and an increasing tendency [of North Koreans] to blame the government for their plight." This is good.

Given these fine cracks in the vase, now seems like the time to have a coordinated human rights push on North Korea. Doing so is not only a moral imperative, but it's fundamentally linked to our security.

History of North Korean Human Rights Pushed Aside

Linking human rights and security policy was certainly the intent of Congress when it passed the North Korean Human Rights Act in 2004 and in 2008. But Congress's will was ignored. The State Department insists that they gave no ground on human rights, yet the facts show otherwise.

The first—and so far only—North Korean Human Rights Envoy was ignored, and worse. Secretary of State Condoleezza Rice famously took Ambassador Jay Lefkowitz to the woodshed. After Jay questioned the Administration's approach in the Six-Party Talks, she responded: "He is the human rights envoy.... He doesn't work on the Six-Party Talks. And he certainly has no say what American policy will be in the Six-Party Talks."

Never before do I recall such a public repudiation of another U.S. government official. It is sad that the human rights portfolio was attacked.

Up until the end of the Bush Administration, there was indifference to the North Korean suffering under Kim Jong-Il. In December, when asked about North Korean human rights, Ambassador Chris Hill responded that "Each country, including our own, needs to improve its human rights record."

One commentator correctly called that statement "libel against our country...a kind of moral blindness sometimes confused with diplomatic sophistication." When the gulags are opened one day, Ambassador Hill's statement will be seen by all for what it is: shameful.

Why Human Rights?

Of course, the State Department's concern is that any talk or focus on North Korea's human rights record will distract from negotiations to disarm Pyongyang. But that misses the larger point. North Korea will keep or rid itself of its nuclear weapons based upon a reading of its own interests—not how loudly or softly we protest how it mistreats its people.

Further, a regime's abuse of its own people indicates how it will treat its neighbors and diplomatic agreements. In this respect, the human rights issue is linked to security. History is full of examples of regimes that were oppressing at home and aggressive abroad, and I can't think of too many liberal democracies engaging in counterfeiting, drug running, missile proliferation, and just about any other illegal activity you can think of as North Korea does.

Given the link between security and human rights, many Members of Congress have endorsed pursuing a Helsinki Process for Pyongyang. Lefkowitz endorsed this approach. Key to the Helsinki model was the linkage between security, economic, and human rights issues, with progress on all three as a condition for aid and recognition. Of course, the North Koreans won't like this. Neither did the Soviets. But ultimately, it forced the Soviets to deal with these issues, and the fine cracks in the vase became bigger.

I doubt that this is "Plan A" for the Obama Administration. A part-time Special Envoy for North Korea doesn't signal a willingness to confront Pyongyang in a meaningful way. It tells me they are looking to simply keep the lid on North Korea for as long as possible, hoping it doesn't get worse.

But why not shake up negotiations? The human rights plank is untested. Several versions of the 1994 Agreed Framework model have failed to produce results. Injecting human rights can't make the Six-Party Talks go any worse than they are now.

After all, this morning we read that North Korea is threatening more nuclear and missile tests.

Special Envoy for North Korean Human Rights

Members of Congress thought they were bolstering human rights policy with the establishment of the Special Envoy for Human Rights in North Korea. It didn't help that this was a part-time job; but, regardless, instead of bolstering the link between human rights and security, in some sense it furthered the divide.

This was evidenced by what Chairman John Kerry had to say on the subject last week during consideration of Chris Hill's nomination to be Ambassador to Iraq:

Those are two totally different portfolios. Mr. Lefkowitz was responsible for human rights, but what was being negotiated was the nuclear component.... The problem is that the talks with North Korea never got beyond the issue of nuclear disarmament. It never got to the broader, more general issues before them.

Chairman Kerry wasn't complaining. Lefkowitz's title made it easier for him to be pushed to a corner. Congress should carefully consider the future role of this position and conduct oversight on its implementation. Do our efforts to highlight human rights in fact sideline them?

Bringing Allies to the Human Rights Cause

We face a stiff challenge in confronting the human rights abuses. To put it bluntly, there is widespread indifference. There is much less interest in the plight of North Koreans compared to other human rights causes around the world.

Despite being declared an "Asian Darfur," the crisis in North Korea has not received the attention that Sudan has—an effort I have also been involved in. There is a widespread movement to choke Khartoum of financing, which keeps that regime afloat to wage genocide. Yet efforts to similarly suffocate Pyongyang pale in comparison—despite evidence that nothing has had a greater impact on the North Korean regime than financial pressure. The targeting of Banco Delta Asia set off

a ripple effect where banks across the region refused to do business with the Dear Leader.

It is essential that we rally as many allies as possible to this cause. While the previous Roh Administration in South Korea maintained a "sunshine" policy that actually kept North Korean human rights issues in the dark, President Lee Myung-bak has done better at insisting on a reciprocal relationship with North Korea. No longer is Seoul on the sidelines for votes at the U.N. on North Korea's human rights record. Yet Mr. Shin has only sold 500 copies of his memoir in South Korea. Many just don't want to confront this real-life horror movie.

South Korea has provided little assistance to the growing number of private defector-run radios being run out of Seoul. These independent broadcasters, many operating with the support of the National Endowment for Democracy, must transmit their material from land far away from North Korea, as does U.S.-backed Radio Free Asia.

Also objectionable, the government of Japan prohibits independent medium-wave transmissions from its territory to the Korean Peninsula, despite requests from the U.S. government. It is baffling to me that our ally Japan will not permit its territory to be used for radio broadcasts aimed at getting as much information into North Korea as possible, given its concern about abductees. Tokyo has no excuse.

Another area where our allies might be useful is citizen exchanges. The U.S. and North Korea have no formal set of exchanges in place. They may come in time, but until then, it would be useful for countries—particularly those not involved in the Six-Party Talks—to engage at the student, athlete, and artist levels: exchanges that are at the people-to-people level, not government-controlled ploys. I understand that many European nations have some type of educational exchanges with North Korea. Over time, they may prove useful in changing attitudes among the North Korean elite.

Another way in which we attempt to mobilize governments around the world is through the International Parliamentarians' Coalition for North Korean Refugees' Human Rights, of which I am a co-chair. This group contains members from over 30 parliaments from around the world that are work-

ing to press their governments to press further on North Korean human rights.

Human Rights as “Smart Power”

The mantra from the Obama State Department is “smart power”—the not-so-new idea that all elements of national power should be utilized to influence other countries. I think all of the ideas that I have raised, such as broadcasts and cultural exchanges—and most certainly the idea of sitting down with one’s enemy to talk in a multilateral forum about human rights, deploying our moral authority—are in the smart-power quiver. In time, we will see whether smart power to this Administration means more of the same dead-end negotiations and blank checks or a realization that human rights and security are linked.

North Korea is marching on with its missile tests, proliferation, and nuclear program. We have muted ourselves on human rights. Morally, that is indefensible, especially as our policy has achieved nothing in terms of modifying North Korea’s

aggressive behavior. Why we would continue down the same track of concessions for broken promises, I don’t know.

Last week marked Holocaust Remembrance Day. My father was part of the allied forces who liberated Dachau. His experiences have had a profound impact on my worldview. High school students he has lectured about World War II often ask why the world was so asleep to Hitler’s concentration camps. Of course, the world was only slowly learning about the depth of what was occurring in camps like Dachau.

But with respect to North Korea, we don’t have such an excuse.

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