

THE BROOKINGS INSTITUTION
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**U.S. POLICY TOWARD NORTH KOREA:
THE HUMAN RIGHTS AND SECURITY LINKAGE**

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ANDERSON COURT REPORTING
706 Duke Street, Suite 100 Alexandria, VA 22314
Phone (703) 519-7180 Fax (703) 519-7190

PARTICIPANTS:

Moderator:

RICHARD BUSH
Senior Fellow and Director, Center for East Asia Policy Studies
The Brookings Institution

Speaker:

AMBASSADOR ROBERT KING
Special Envoy for North Korean Human Rights Issues
U.S. Department of State

Discussant:

JONATHAN POLLACK
Interim SK-Korea Foundation Chair in Korean Studies
Senior Fellow, Center for East Asia Policy Studies
The Brookings Institution

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P R O C E E D I N G S

MR. BUSH: Good afternoon, ladies and gentleman. Thank you very much for coming. It's my great pleasure to welcome you to today's program on U.S. policy towards North Korea, the human rights and security linkage. You know, five-ten years ago nobody would have thought to have a topic like that, where you are linking human rights and security, but the world has changed. And we're very privileged to have as our speaker today Ambassador Robert R. King, who is the Special Envoy for North Korean human rights issues in the Department of State. He serves under Ambassador Sung Kim and has the lead on human rights and humanitarian affairs. He's had this job since November 2009. Bob and I met on Capitol Hill where we both worked on the staff of the House Foreign Affairs Committee. Neither of us wants to think how long we've known each other or how many hours we spent in room 2172 of the Rayburn House Office Building, which is the Foreign Affairs Committee's main hearing room, but it was a lot. Actually Bob worked on Capitol Hill and the Foreign Affairs Committee in a variety of important positions for more than twice as long as I did. I fled to the executive branch and he labored on until November 2009 when he was made Special Envoy.

I think at that point he was the right person at the right time for the right job because at that point a momentum began to build for making human rights not an ancillary part of our policy but a central part of our policy in dealing with North Korea. And that was right and proper to do. He was the right person because his congressional career gave him instant credibility in focusing on human rights and humanitarian affairs. He worked for most of his time on the Hill for the late Congressman Tom Lantos, who was a champion of human rights everywhere, including North Korea. And so no one would think that Bob King took this position just because he needed a job, he took this position because that was his mission.

It happens that last Friday the UN Security Council had a meeting on human rights in North Korea, for which it was immediately castigated by the North Koreans. I suspect that five or ten years ago the UN Security Council did not have meetings on the human rights situation in North Korea. And the fact that it

is doing so now is a result of the continuous efforts of people like Bob King, and we're lucky to have him here today. Please join me in welcoming him. (Applause)

MR. KING: When Richard said we've known each other for a long time I was glad that he didn't give the number of years. We count in decade, not in years. It's also interesting to go back to the Hill and sit at the witness table. It gives you a different perspective on the role of Congress, though I feel very much at home. The House Foreign Affairs Committee still has the same carpets and drapes that I picked out when I was the staff director. That's most important things that staff directors do these days.

Anyway, it's a great pleasure to be here. I'm grateful for Richard's invitation to talk about some of the things that we've been trying to do in terms of dealing with North Korea's human rights. One of the things that I think is particularly important in the context of this getting together today is how vibrant the think tank community is in Washington. You know, some people think of the think tank community as a place where government employees go when they don't have a job, but at the same time the think tank community in Washington is a really good system because you have a lot of very bright people who look at issues and think about issues and talk about them and write about them. And it provides a lot of the thinking that doesn't take place in the administration because people are too busy going to meetings. And so I think it is a very helpful process to have think tanks like Brookings and others that give us an opportunity to think about some of these issues.

As Richard said I've now for a little over seven years had the privilege of serving as the Special Envoy for North Korea human rights. In just a couple of weeks, probably about 10 days before 12:00 noon on the 20th of January I will again turn into a pumpkin and retire. This is what happens with all political appointees and I'm in some ways looking forward to it.

Over the last couple of weeks there seems to be a sense of urgency because I've been participating in discussions, official and unofficial all over the world, from Tokyo to Seoul to New York, Dallas, Washington. And these occasions have given me an opportunity to think about the issue of human rights

in North Korea and how this relates to the serious security situation in North Korea, and think about what kind of progress we have and have not made in terms of dealing with the (audio interruption).

Human rights are the basic and fundamental rights of individuals simply because they are human, because they exist. Unfortunately, North Korea denies these rights that most countries in the world have agreed are essential rights that all ought to have. The report of the Commission of Inquiry of the United Nations concluded that systematic, widespread, gross human rights violations have been and are being committed by the DPRK. In many instances the violations found entailed crimes against humanity based on state policies. North Korea violates virtually all of the fundamental rights that we've identified in the Universal Declaration of Human Rights and other documents, freedom of expression, freedom of religion, peaceful assembly, association movement, government authorities engage in extrajudicial killings, enslavement, torture, prolonged arbitrary detention. The Commission of Inquiry concluded that North Korea and its human rights record does not have any parallel in the contemporary world.

As Richard mentioned, the UN Security Council has now focused on North Korea's human rights in three sessions, beginning in 2014. The most recent held just last Friday was again another effort to look at the question of North Korea and also to look at the issue of what North Korea's record on human rights says about the security concerns that we have with North Korea. Samantha Powers last Friday said when governments flagrantly violate the human rights of their own people they almost always show similar disdain for the international norms that help ensure our shared security. Some have argued that we press human rights with North Korea because it gives us an additional lever to encourage the North Koreans to do the right things in terms of security threats. I would argue that we should press North Korea on its human rights record even if it posed no security threat to the United States or to its neighbors in Northeast Asia.

For Americans our shared values of democracy, human rights, rule of law, are probably the most important thing that defines us, that identifies us, that makes us Americans. It's not our shared ethnicity because it isn't there, it's not a shared language because in a lot of cases it's not there, it's the ideals and

the values that we share that make us Americans more than anything else we do. And so when we look at human rights and North Korea and the rest of the world these are important values that we need to emphasize and that we're committed to dealing with.

There are some who argue that we should soft pedal human rights if we can make progress, or if we think we can make progress on the nuclear issue or on security issues. Again, I would argue that there is a link between human rights and security of a country that is willing to oppress its own people, has even fewer qualms about using force against its neighbors. A regime that puts the welfare and well being of its own people well below its acquisition of nuclear weapons will not hesitate to use those nuclear weapons against others. A country that will spend millions and millions of dollars to conduct nuclear tests two days after a devastating flood impoverished and destroyed the homes and the food supply of a significant portion of its people will have no problem taking military actions that produce great suffering against other countries. A country that first rebuilds border fenders and guard posts along its flood damaged frontier in order to prevent its citizens from travelling freely across the border to find food and seek employment to rebuild their homes and feed themselves is a regime that has no problem using its military forces to intimidate its neighbors. The bottom line is the country that gives priority to the welfare and human rights of its own people is far more likely to be a country that is a responsible and productive member of the international community and one that is not a security threat to its neighbors.

As I finish my tenure at the State Department I've been thinking about what the human rights situation today is in North Korea relative to where we were in the fall of 2008 when I first began. I want to make clear that I'm not claiming any responsibility for the progress that's taken place. I think we need to keep in mind that this is an effort that involves many countries and people across the world and many NGOs who played a very important role in terms of (audio interruption) made some progress in some areas, we've not made progress in other areas. I would argue first of all that the profile of DPRK human rights has been raised considerably. The UN Commission of Inquiry, which Richard mentioned and which I have mentioned, has focused attention on North Korea's human rights violations. The international stature of the Commission of Inquiry -- Michael Kirby, Marzuki Darusman, Sonja Biserko these three people, one a

former Justice of the Australian High Court, one former Prosecutor General of Indonesia, one an NGO leader who was willing to criticize her own countrymen, had stature and credibility as they carried out their investigation of North Korea. They held public hearings around the world in Seoul, Tokyo, New York, London, and they carefully and thoroughly documented the abuses that they uncovered. They've continued since the disbandment of the Commission of Inquiry to speak out on human rights and they continue to emphasize what the results of their report has found.

This I think has been a particularly important element, but this has continued. The United Nations has adopted resolutions every year -- the Human Rights Council every year since 2003, General Assembly every since 2004. These resolutions continue to call attention to North Korea's human rights violations and they are stronger, not weaker, and they continue to focus on accountability and the importance of identifying the problem makers and dealing with them. As I mentioned, for the third time last week the issue was discussed in the Security Council. It was not a unanimous discussion, they had to have a procedural debate; China, Russia, Venezuela, Egypt, voted against taking the issue up. But because this was not a substantive issue but a (audio interruption), it was able to be discussed in the Security Council.

So I think there's no question that over the last 10 years we have made great progress in terms of raising the level of attention on North Korea's human rights violations.

A second thing that I think is clear is we've gotten the attention of the North Koreans. The North Koreans, whenever anything critical is said, quickly denounce it, impute political motives, and then think that they've taken care of the issue. In the case of the Commission of Inquiry, the increased focus of attention in the last little while, the North Koreans have paid more attention. In 2014, the year the Commission of Inquiry's report appeared, for the first time in 14 years the North Korean Foreign Minister appeared in New York at the High Level Session of the UN General Assembly. Members of the North Korean mission in New York participated in discussions at the Council on foreign relations, first time that they had done that. During the process of the universal periodic review, a process where each country (audio interruption) review of its human rights record in the Human Rights Council in Geneva, the North

Koreans made some notable changes. The first time the North Koreans discussed their human rights record in 2009 the North Koreans received 147 suggestions from other member countries about areas they might look into and areas where they can make progress. This is not unusual. We receive at least that many when we do our own presentation. So North Korea was not singled out. The North Koreans ignored all 147 suggestions and basically acted as if they'd heard nothing. This was a severe violation of UN protocol and raised all sorts of questions about the seriousness of North Korea.

The second round of North Korea's Universal Periodic Review in Geneva, five years later in 2014, the North Koreans received 267 suggestions about areas where they might improve. The North Koreans addressed them all. Not only that, they went back and looked at the 147 recommendations they'd received 5 years earlier. The North Koreans were concerned about what was going on and they were concerned that they make efforts to look like they were at least trying to participate internationally.

One of the suggestions that was made in 2009 was that North Korea give attention to some non controversial human rights issues, persons with disabilities, for example. In the period after the first review the North Koreans actually did that. They engaged with a Belgian and I think a European non government organization, they were looking at possibilities, things they might do in terms of moving forward, on dealing with disabilities. They signed, they haven't yet ratified, but they signed the Convention on the Rights of Persons with Disabilities. In 2012 two North Korean athletes participated in the Para Olympics in London. So, I mean, North Korea has made some progress in some very small areas where there are far less political concerns about attention. But it suggests that the North Koreans are concerned. But I think what they're concerned about is their legitimacy. North Korea is always looked at in the context of North Korea and South Korea, both claimed to be the only legitimate government of all Koreans. And it's interesting that when you look at North Korea subject to criticism by the UN Security Council resolution specifically calling on North Korea to make changes, under sanctions imposed by the Security Council, the North Koreans have been concerned about what's been going on.

In comparison, South Korea -- the President of the Human Rights Council this year is a South Korean diplomat. South Korea has served as a member of the Security Council from 2014 to (audio interruption). Interestingly enough North Korea has not had the pleasure of serving in the security council. It also has not been elected to membership on the Human Rights Council, although with some of the members that have been elected, that is not such a surprise.

One of the things that is probably the best indication of relative standing vis a vis (audio interruption) is the fact that the former South Korean Foreign Minister Ban Ki-moon, is completing his 10th year as Secretary General of the United Nations while, as I've mentioned, North Korea is under sanction by the UN Security Council. So I'd say that we've gotten the attention of the North Koreans as we have raised the profile of the human rights situation.

A third area where I think we have made some progress over the last (audio interruption) is access to information inside North Korea. As you know, North Korea is one of the most difficult places in the world to get information. It's illegal to own a radio or a television that can be tuned. It's illegal to watch or listen to foreign radio or television broadcasts. The government makes great effort to limit access to information. Several things have happened that have changed the situation in finding access in North Korea. One thing is access to cell phones. Now cell phones in North Korea don't have international connections. You can't make an international call if you're a North Korean citizen and have a North Korean cell phone. But there are somewhere in the neighborhood of four million cell phones in North Korea now. This has only been over the last 10 years when cell phones have been available. North Koreans are able to use their cell phones to talk to other North Koreans. You don't say anything sensitive, you do it very quickly and right at the beginning and then you hang up because those cell phones are being monitored. But information is spread, prices, what's for sale in the market, what is rice selling for. These kinds of things are now much more available than they were before and it's important that people are able to spread information quickly.

Another element that's important is access to foreign information, foreign radio and television. Foreign radio based on interviews that admittedly are non representative samples, but are based on interviews with individuals who have left North Korea or who are outside North Korea indicate that about 30 percent of these people listen to foreign radio broadcasts, about 10 percent listen to American radio broadcasts, Voice of America, Radio Free Asia, about 10 percent listen to Korean language broadcasting from China directed at the Korean population in China, but nonetheless far more open than the information sources that are available inside North Korea, and then probably about 10 percent listen to radio broadcasts from South Korea that are available.

Access to television, particularly South Korean television, is surprisingly good in (audio interruption). The most interesting television are the dramas, the soap operas. And the North Koreans produce incredibly good soap operas. I mean their production values are very high. There are times when I've been in Seoul when I've watched some of the South Korean soap operas and they are well done. I haven't been hooked yet, but North Koreans watch South Korean television, particularly South Korean (audio interruption). Most is made available on USB drives and it's estimated that 90 percent of North Koreans have seen South Korean dramas. Now, you may not think that Seoul looks exactly like what you see on some of these television programs, but the vision you get of South Korea is very different than what you get in terms of the official North Korean (audio interruption).

There's increased availability of travel for North Koreans to China. Travel to China is not free and open for anyone, but there are enough people that get out that information does get back and forth. There was an interesting video that was produced by one of the NGOs, LINK, Liberty in North Korea, talking about how North Korean young people are affected by the way South Koreans talk, what they wear, and what they do, because those things are available to be seen on the dramas that they're able to watch. And you can see these changes that have been taking place in North Korea.

Another area that we have not seen a lot of progress on is with regard to prison camps. Information still indicates that there are between 80 and 120,000 people in political prison camps. There are still

indications that individuals are sent to prison camps for political infractions, particularly senior officials. There are public executions that appear to be taking place. In fact, Greg Scarlatoiu, the Committee on Human Rights in North Korea published a satellite image of (audio interruption). Very damning public execution on the outskirts of Pyongyang, it was about two years ago. And the information suggests that this is the case.

There are signs that Kim Jong-un is using prison camps, execution, and putting family members in prison as a way of keeping officials in line. I don't know for sure, but there are some indications that, for example, the Deputy Chief of Mission of the Embassy in London, who recently defected, and another official in Vladivostok who recently (audio interruption), may have been people who left because of concern about what might happen in terms of being disciplined by the North (audio interruption).

Another change that has taken place that probably is quite important is the availability of private markets. Increasingly, in North Korean private markets or markets where buy and sell at prices that are established by the market, have become increasingly important in terms of a source of food and other things for North Koreans. South Koreans have estimated that there are probably 450,000 official markets and probably over 800, if you include what they refer to as alley markets, all handling issues with regard to sale of food products, clothing and in some cases some luxury goods. It's a source of information because when you go to the market you talk with people and you can talk about what's going on. Actions of the market have encouraged independence and action outside the sphere under strict government control. It also is a source of revenue to the regime. Estimates recently suggest as much as \$200,000 a day in terms of (audio interruption) government, which suggests an important source of funding for the (audio interruption).

One of the issues that was particularly important in terms of motivating the adoption of the North Korean Human Rights Act in the United States, concerned for defectors, for refugees from North Korea who were leaving and wanted to get away from the regime. The number of refugees who have left North Korea and gone to South Korea over the last two decades passed 30,000 last (audio interruption). During that same time -- well, not -- during the last 12 years in the United States we've had 209 North Koreans who have

come to the United States and been granted refugee asylum. The numbers have declined of those going to South Korea. 2011 there were 2,900 refugees who went from North Korea and were settled in South Korea. Last year the number was down to 1,300. This year it's up a little bit higher, but it's still difficult. The reasons for the decline suggest that borders are more tightly watched in North Korea. As I mentioned, guard towers in the flooded areas along the border, fences were replaced, (audio interruption). There's been fewer economic problems in some ways in North Korea. It is possible in North Korea to get by more easily now than it was in the '90 and the early part of the 2000s. (Audio interruption) are willing to work in the market and take -- as an entrepreneur.

North Koreans have also engaged in a publicity campaign to highlight the problems of refugees in South Korea, and this has led some people to decide not to make the decision. Nonetheless, the numbers leaving is still fairly high and still fairly significant.

Another area where we have not made a lot of progress is in terms of assistance to North Korea. American NGOs, NGOs from other countries have been engaged and involved with North Korea beginning primarily at the time of the famine in the mid-'90s. There are a number of American NGOs that continue to be involved in North Korea with humanitarian projects, assistance with medical help, and education, training, technical assistance, that kind of (audio interruption). On the other hand, North Korea is not what you call a sympathetic recipient. North Korea is a country that's gotten a lot of negative publicity lately and the result is that NGOs are having increasing difficulty in terms of raising money to carry out their humanitarian activities. Furthermore, the demand for assistance in other parts of the world, particularly the Middle East and places like Syria, in Africa, have been very difficult and the result is their more demand for assistance elsewhere that makes it difficult to justify providing assistance to North Koreans.

Furthermore, North Korea is not a particularly sympathetic government to work with. They are tough to deal with and most of the NGOs find themselves frustrated in dealing with the North Koreans, but fortunately many of the NGOs are willing to continue in their efforts to do that. I've gone on way too long

and I'm really interested in hearing your questions and concerns about what we might do in terms of dealing with this problem of North Korea and with its human rights record. So I'm looking forward to your comments. Thank you very much for the invitation. (Applause)

MR. BUSH: Before we turn to the audience for questions and comments I'd like to invite my colleague, Jonathan Pollack, who is the interim holder of our SK-Korea Foundation Chair in Korean Studies to offer some observations of his own. Jonathan?

MR. POLLACK: Thank you, Richard, and thanks very, very much to Ambassador King for being with us today. I think as the comments we've already heard thus far remind us that there has been a quiet but persistent and quite significant transformation of the attention paid to issues related to human rights in North Korea that coincides, accidentally or otherwise, with Bob's tenure at the State Department. It is not as if these issues were unknown before, but they simply failed to garner the kind of attention that they clearly warrant. And it's to the credit not only of Ambassador King and his colleagues, the Commission of Inquiry that's been alluded to, the role of various NGOs, that there's been a great deal of consciousness raising, shall we say, in recent years.

As I listened to Bob's remarks, a few things struck me. And I don't know whether there is a document out of state that says here are our objectives in this policy. I mean some of them seem self evident from the point of view of anything that can improve the lives and circumstances under which the citizens of North Korea are, shall we say, governed. But two or three things struck me. A first task, obviously, is simply to document the magnitude of this issue. And Bob in fact alluded to the fact that there is now, you know, access to information coming out of the North, which is demonstrably different. That's driven in part by changes in technology and the like. However much we might think of North Korea as being impermeable, it's not. And that's enabling us to have a much richer and fuller sense of the lives of citizens in North Korea. Whether we do that because we can follow them from Google Earth or because of information that seeps out in a variety of other ways, but we are far better informed as a consequence of that.

The second, obviously, is to publicize it, to expose this in a variety of forms, even as in essence we are the outside looking in, because after all despite your best efforts I believe Bob, you have not ventured into the DPRK in all of your years.

MR. KING: Once.

MR. POLLACK: Once.

MR. KING: 2011. They gave me an American prisoner as a going away present.

MR. POLLACK: Right, right, right. Please, I had forgotten. So you did get in once.

MR. KING: And out.

MR. POLLACK: And out, which may be even more remarkable. (Laughter) But the third objective that comes across to me is, again, how we use the means of leverage or influence that we believe we might have to press the regime, because there's no question but that the publicity given human rights in the North has gotten under the skin of the leadership of the North. It's self evident. You alluded to their sensitivity about the legitimacy and they feel that these actions undermine their legitimacy, the North Koreans often use the word, their dignity, or at least the leaders use that term. But all of these don't suggest a comprehensive breakthrough, but at least at some level the awareness of the magnitude of the problem, and maybe even an ability to measure it in various areas I think is a not insignificant accomplishment.

My questions that I'd like to raise though, are again perpetual ones that to what extent do we or do we not look upon human rights as something that should be paired to questions related to the security situation in the North. Is there a priority that attaches in some areas and less in others? And what would be our ultimate objectives in this process? We've tried very, very hard, and you've tried very, very hard, I should say, to connect some of these dots. Because there are relationships among all these issues. They all reflect

in various ways, if you will, the pathology of this regime, which is unique in its degradation of the rights of its citizens. They're not the only regime that oppresses citizens, but they do it in ways that are so profound and so long-term that we really cannot ignore it.

So my question I guess, Bob, as your tenure winds down, is do you think we've achieved what we set out to do in some sense? What are the ways we think that the ball has been advanced in some sense? And more to the point, and maybe this is -- I hope not -- putting you on the spot too much, we are on the cusp of a remarkable presidential transition and what would your advice or expectations be to the incoming Trump administration about how to view these issues? I mean as we know, Mr. Trump says many, many things, how do we ensure, how do you try to ensure as a torch is presumably passed, that this issue does not fall beyond the wayside? Because it seems to me we are in a position now to know much more and to use that as a means by which the DPRK is not immune to influence from the outside world. Any thoughts you might have in that regard I think all of us would very much welcome.

Finally, let me just say I think on behalf of everyone just simply to acknowledge the yeoman work you have done, the innumerable trips across the pond. I know at other times if you did get in once, and I stand corrected, I won't make that mistake again, but there are certainly other times that you and other officials would like to have gone or sought to get in, but obviously North Korea can decide who gets in and the conditions under which you are able to operate. We all know that, but I think that the very fact that you've been able to persist with all of this highlights -- other than Richard's phone (laughter) -- that this has not been without tangible results even if they fundamentals sadly remain very, very much intact today. So I'll solicit your judgments on these and then maybe we can open this up for questions from the floor.

MR. KING: The first question I'll address is the question about the new administration that's coming in. Not because I have any particular insight, but because there are some thoughts I have on that. First of all, one of the things about our policy on North Korea human rights is that there is a remarkable consistency. It is a bipartisan issue on the Hill, when the Congress was unable to agree on taking up the nomination of

a Supreme Court Justice, when the Congress was not able to agree on a budget, and as I understand it we still haven't gotten that solved yet. At the same time, one of the issues that did come up earlier this year was legislation strengthening the North Korean Human Rights Act and calling for additional sanctions on North Korea, which was considered by both House and the Senate. It passed the Senate by unanimous consent. There wasn't a -- no Senator called for a vote and nobody disagreed. On the House side a vote was called and two House members voted against it. This tells you that when you're looking at North Korea's human rights record there is a remarkable consistency of views from the right to the left. And I think that probably suggests that this reflects the concern of the American people and it's unlikely to lead an administration to head off in a different direction.

So I would expect that concern about the North Korean human rights' situation is going to continue to be an issue that will be dealt with by the incoming administration, whoever the people are that will be dealing with it in the State Department.

The other question in terms of where do we go from here and what do we do, the one thing that I think we need to think of North Korean human rights issue is not something that we're going to solve this week or next. It's the kind of issue that is not going to -- there isn't a silver bullet that's going to take care of the problem. And I think more than anything we've got to be consistent and continuous in our efforts to press the North Koreans on the human rights issue. We've got to continue to do what we've been doing, we've got to continue to build coalitions, to work with others who are concerned about the issue, and continue to press on those.

We're frustrated with some of the problems we find in China's human rights record. On the other hand, when you look at China today it is a very different place than it was two or three or four decades ago. I went to China for the first time in 1979, at the time that they had the campaign for people who were writing messages and pasting them to the wall and everybody was coming down to look at the wall, until the Chinese authorities closed the wall. Yes, there are problems in China, and it's very serious problems with human rights, and we've got to continue to press the Chinese, but we've made progress. And I think

we need to look at North Korea in a long-term prospective as well. We need to continue, we need to keep up the effort, and we need to press because I think time is on our side.

MR. POLLACK: If I could raise one other question, Bob. And you alluded to China, but would you want to characterize the nature of your discussions at all? If you could share them, your interactions with Chinese officials on -- obviously in a declaratory sense, the Chinese don't cooperate very much with us on this. In some measure they are there to, if you will, defend the DPRK, but do you see discernible change in the tenor and tone of our interactions with China on questions -- I mean it's -- because among other things, as more and more information becomes available, it becomes more and more difficult to deny the reality of the problem.

MR. KING: I've had conversations with the Chinese. My conversations with the Chinese have focused on the human rights issues. And one of the things that we have raised with the Chinese of concern about refugees from North Korea who have only one way to get out and that is through China. And we have expressed concern about Chinese efforts to repatriate, re-fold, return these individuals to North Korea because of what will happen when they return to North Korea. We've seen some progress in China, but I'm not sure whether it's because of our importuning the Chinese to be concerned about allowing these individuals to leave North Korea because they're not -- I mean to leave China after they've gotten out of North Korea.

But I think the Chinese have been concerned about their relationship with South Korea. We noticed some particular change in (inaudible) of North Koreans after an incident four years ago I think when twelve North Koreans were returned to a Chinese city on the border and the question was returning them to North Korea. Outside the Chinese embassy in Seoul for a month there were candlelight vigils as people were calling on the Chinese to allow these individuals to come to South Korea if that was their wish. The Chinese finally -- you know, suddenly the issue did not appear in the Chinese newspapers or in the South Korean newspapers. It had been front page and suddenly no stories. A week ago I met with a refugee from North Korea who had gone to South Korea, who was one of those who was in the border city waiting

to be returned. And he has been allowed to go to South Korea quietly and -- but nonetheless was allowed to leave. I think the Chinese are not committed to the principles and the values of human rights that we are, but I think if it's in their interest or in the interest of their relationship with South Korea, I think they are willing to do some things that are positive. And I think that's encouraging. And I would hope that that will continue, but we'll see.

MR. BUSH: I'm going to stand up to field the questions because I can see better. Thank you, Bob, for your presentation, thank you, Jonathan, for your comments. We'll now open it up. When I call on you please wait for the microphone, identify yourself, and pose your question. Keep it short so a number of people can have an opportunity. I saw this gentleman right here on the aisle first.

MR. HURWITZ: Thank you very much for a great presentation. I'm Elliot Hurwitz, a former State Department, World Bank, and intelligence community person. And I would like to hear from anyone on the panel as to what their advice to the incoming administration would be toward policy toward North Korea.

MR. KING: I don't make advice, I don't give advice. (Laughter)

MR. BUSH: Jonathan, do you want to?

MR. POLLACK: Well, you know, this is a, shall we say, intractable problem and I think that if we look at the different components, Bob is obviously identifying one, but in some ways, even if it meant being linked to other questions that we're concerned about with North Korea, there's a separateness to the kind of the cluster of issues that are involved when, for example, you're thinking about North Korea's nuclear weapons development, it's missile testing and so forth. But, you know, I think in some sense the challenge is really to find a way to keep these issues linked where we can, if we can. If ever there were an issue which eludes any kind of significant breakthroughs, it's clearly the North's nuclear weapons development. This is not a problem that has only affected this administration, it goes back multiple administrations.

The question I suppose would be how severe does one judge particular security concerns and what are the methods and the means by which these can be addressed? I know I'm being a bit cryptic. It does seem to me, for example, that President-elect Trump has said very, very different things in almost random comments about North Korea. In one context he even said well I'd sit down and I've have a hamburger with Kim Jong-un. I'm not quite sure why he focused on a hamburger, but nonetheless, on the other hand he's said other things that talks about the brutality of the North. At other times he said it's for China to deal with and that, you know, China should take them out, or words to that effect. These are more random comments than they are some kind of articulated serious, serious strategy.

But I think in all of this we have to begin with the reality that North Korea operates autonomously, that the goal still has to be, in various ways, to move the dial with China, because China has means by which it can shape North Korean behavior, North Korean options, even with if the North Korean regime will resist any sense of being dictated to by China. In this context, I mean Bob already alluded to some concerns about how China looks at its relationship with South Korea in this context.

On the other hand, many, many Chinese look upon North Korea very, very differently today than they did in the past. And the question is do we have a means by which under the next administration the process, sometimes confidential, kept behind closed doors, can advance something to address what is arguably potentially, you know, the first big crisis that a new administration may face following inauguration. The North Koreans have a track record here of doing this. They did it with President Obama twice, upon his election and then his re-election. And I think that there's good reason to believe that they will do it again.

So I don't say that there's an easy way to manage this, but it's not going to be done by in some sense singularizing the U.S.-North Korea relationship. It has to be done on the basis of a regional strategy. I can't see any other way to do this. I might add, in this context, that the domestic upheaval in South Korea, to say the least, puts another big challenge in the path of coordinated coherent strategy. But even in the midst of all of this turmoil in South Korea, this is where governments have a responsibility to interact in

confidence with one another to make sure that North Korea is not able to exploit this situation for its own advantage. It has been kind of interesting, to say the least, that the North has been conspicuous by its almost total radio silence about what's going on inside South Korea today. Occasionally there have been a few statements, but here again we have entered I think just a very, very delicate time on the Korean Peninsula and I would hope that the new administration avoids any simplistic approaches toward how to deal it.

MR. BUSH: Thank you very much. Bob, did you want to comment on Jonathan's comment or should we take another question? Okay. I saw back in the back.

MR. HANNUM: Ambassador King, thank you very much for your remarks. I'm Jordie Hannum with the Better World Campaign. I'm interested, you talked in your remarks about the Commission of Inquiry report and the impact of that, that Commission of Inquiry report came from the UN Human Rights Council decision and certainly continued U.S. engagement in the Human Rights Council will be something that's debated with the new administration. I'd just be interested in your thoughts about the importance of maintaining engagement in the Council in terms of North Korea, or the impact of withdrawal. Thank you.

MR. KING: One of the things that's been central to what we have done in pressing North Korea on its human rights is doing it through the United Nations. We have worked very closely with the UN, we have had incredibly good cooperation, and I think it has made a major difference in terms of what we've been able to do. This is not the United States on its own out there pressing on North Korea. This is the world community that together agreed that we need to deal with the problem of North Korea and the problem of North Korea human rights.

I assumed my position near the end of the first year of the Obama administration. Two days after I was sworn in I was on a plane to Geneva for the first universal period review of the North Korean government. I was the first person with rank of Ambassador in Geneva because it had taken longer to get some of the

other Ambassadors approved through the Senate, not because they were controversial, but there were other stories. In any case, I had a large number of people who came up to me after I appeared at the session as an American ambassador saying how happy these countries were that the United States was engaging with the UN to deal with these issues. And this was universal. These were people from Africa, people from Asia, ambassadors from Europe, all over, were saying how important it is for the United States to be involved. Because of our involvement through the United Nations, it isn't the United States that's going after North Korea's human rights, it's the world that are going after North Korea. The resolutions that are introduced in Geneva are introduced by the European Union. We support them, we are co-sponsors of the resolution, but it's the European Union and the Japanese who are doing it. In New York it's the Japanese with the support of the European Union that are leading the charge. I can't emphasize enough the value in having the United States active, engaged, and involved in the United Nations in efforts like this effort that we've engaged with North Korea's human rights in Geneva and in New York.

MR. BUSH: Sounds like good advice to me. Another question right here towards the front and then I'll go back there.

SPEAKER: Yeah, hi, my name is Mike Irosha. I'm one of those retired government employees. Question is, did the Chinese public -- are they hearing the human rights stories or is that being censored?

MR. KING: You know, there is some information in China. It's not a big story because there isn't this sort of Chinese hook that makes it urgent. But I think for people who are interested those stories are there, that information is there and it's available.

The people who basically leave North Korea and enter China do so under fairly difficult circumstances. And the only place they have, at least currently, where they're getting out, is Southeast Asia. And these people are crossing 2000 miles of China before they're able to get out. So there is some knowledge of what's going on, but I'm not sure that there's a great deal. There's probably a lot more skepticism, at least

based on some of the comments that I've seen in newspapers, because it's not the focal point of my attention, and that is that there are a lot of Chinese people, including academics, who are very skeptical of North Korea's policies, particularly on nuclear weapons and that kind of thing. Based on what we've seen, the relationship between North Korea and China is certainly not as cozy as it used to be and there are increasing signs that there are unhappy relationships with the Chinese and the North Koreans. The Chinese do have a better ability than we do to deal with the North Koreans, but there are strains in that relationship.

MR. POLLACK: If I could just add to this, that for many Chinese they look upon what they do or do not know about North Korea and they see it as a mirror of their own past, there's a lot of comparisons that can be drawn here. Indeed, to some extent, even for Chinese tourists it's become kind of -- I don't want to call it fashionable or trendy, but to be able to travel into the North because for many Chinese it's like a stroll down memory lane. But my view would be anything that gets outsiders into the North, even on a limited basis, such as through tourism, is much to be encouraged, if only because I think it will enable information to circulate and things to be learned that otherwise would not be known.

MR. BUSH: The woman right there, and then --

SPEAKER: Hi, I'm Leticia Miller; I'm an intern at the Heinrich Böll Foundation. And I was actually in North Korea in September and got to see these private markets firsthand. And one thing that I learned is participating in these private markets can be a form of civil disobedience. So I was wondering, do you think that sort of participation and economic development can be a form of empowerment for civil actors inside North Korea? And a bit more controversially, how effective do you think economic sanctions in North Korea are in that sense? Thank you.

MR. KING: Both very tough questions, in part because we have very limited information in terms of what's going on. We do have indications that the markets are quite vibrant in North Korea, and they're very important in terms of the economy. One of the interesting studies that was done was the

transformation study that was done by Marcus Noland and Stephanie Haggard, looking at increasing dependence of North Koreans on markets for food and for other things. And I think, yeah, it's a very important kind of thing.

In December 2009 there was an effort to revalue the currency. Basically the North Koreans changed the value of the currency largely in an effort to soak up money and apparently in an effort to try and deal with some of the markets. They were not successful. The regime has had to accept the fact that markets are there to stay and they've had to accept them and try to control what they consider to be the negative elements of it. So I'd say, yeah, it's an important thing, it's an important development, it's providing an opening, it's providing things that are available that the government is not providing. Some of it is outside government control. And I think those things are all helpful and useful. The one thing that I would mention is the State Department issues periodically a travel warning about travel to North Korea. And the latest version of that, which we've had in place for a couple of years now, says do not travel to North Korea. And I would remind you that that's good advice. (Laughter)

MR. BUSH: In the back. Is that Court? Court Robinson.

MR. ROBINSON: Yes, hi, Courtland Robinson, Johns Hopkins Bloomberg School of Public Health Center for Humanitarian Health. Ambassador King, you alluded to the numbers of North Koreans moving to South Korea, 30,000 I think just this last week or so, 209 refugees resettled in the United States. A population you didn't talk about that I know Korean Institute for National Unification has mentioned, about 30,000 children born in China to North Korean mothers and Chinese fathers, variously called orphans, stateless children, undocumented migrants, persons of concern, a whole variety of sort of terminologies that have been used. Could you speak to the potential future of ongoing movement out of North Korea into China and then onwards given the disruptions in the South Korean politics and I might say potentially radical discontinuities from one administration to the next vis a vis U.S. refugee resettlement policy, radical discontinuities potentially? Is there potential for onward movement of North Korean refugees to this country? What's the likelihood of continued open movement? Recognizing South

Korea doesn't call them refugees, they're citizens essentially that simply move from one province to the next as it were, but really also the population in China, what are some directions that you see of a positive nature, perhaps not so positive but movement that might help this population of children find a humanitarian solution, whether that be settlement in place, movement to South Korea, resettlement in the United States, or some other possible alternatives that haven't really even been fully identified? Thank you.

MR. KING: I'm not good at crystal ball gazing and I'm not sure what's likely to happen in terms of refugee policy. Obviously it's an issue of very serious concern because it was one of the main issues in this last campaign. The one thing that seems to be clear is that the small number of North Koreans who have come to the United States is not because we have not welcomed them or because it's been difficult. It is difficult to get in the United States, but it's not that difficult. And I think there are a lot of other factors that are behind the refugee flow to South Korea as opposed to the United States. Most of the refugees that leave North Korea have relatives or friends, or many of them have relatives or friends in South Korea. And the way a lot of the refugee travel is handled these days is through brokers who are paid to bring people from North Korea and bring them to South Korea. These brokers are in part paid for by family members who are in South Korea who are trying to bring other family members there. And so this attraction is not going to change.

The other thing is that when someone makes the decision to go to the United States or go to South Korea after leaving North Korea, there are a lot of factors that play out. They're entitled to citizenship in South Korea once they've established their bona fides and their qualifications. In the United States you're allowed to come here and once you're resettled here you're given five years to become a U.S. citizen. So it's a little different in terms of how welcomed they are here. Yeah, they're welcomed like any other refugee, but in South Korea they get special status.

The other thing that's a concern is that South Korean government policies provide considerable assistance to North Koreans who are coming to South Korea. They're given assistance to help them get established,

they have centers to help them relocate, adjust to life in South Korea, they're given financial assistance to find places to live, they're given healthcare, they're given assistance to take care of children if they have children so they can have help in finding a job. When they come to the United States they come as all refugees do. They're helped resettle here by private volunteer agencies. They are not given a lump sum of funds. The assistance they are given here is somewhat briefer. And so when you have people who are in a refugee detainment center talking about what the South Koreans are doing and what the Americans are doing, it's very clear the South Koreans are more generous.

The other thing that's important to keep in mind is that when these refugees leave North Korea most of them are not English speakers, they all speak Korean. Their choice is to go to a place where the language and the culture are similar to what they've had, or to go to a place that's new and different. Furthermore, the North Koreans have vilified the United States for the last 70 years. One woman who had recently left North Korea, she decided to come to the United States, although she's recently changed her mind and decided not to, she said when I was growing up the end of school -- you know in school we had nothing but stories about how awful the Americans were and how terrible they were and you see this in museums, you see it in movies, they get actors who play Americans and they are always the least attractive of the people in the North Korean movies. She said on the last day of school, the end of the school year, we always had a sports day and we'd have games and you have competitive sports and all this kind of thing. The grand finale is the bonfire where they throw an American soldier and burn him in effigy as sort of a climax at the end. This attitude toward the United States has some effect as well.

So the choice that these people make in terms of going to South Korea as opposed to coming to the United States is probably a much more rational choice based on the information that they had. And I think we need to be careful. I mean our assumption is if we had a choice to go to the United States or any place else in the world we'd all come here. Of course, this is the best place. That isn't where they're starting from. And so I think the reason for that is the opportunities are available here and there are a number who have come, but a lot more have chosen to go to South Korea where it's easier in a lot of ways.

MR. BUSH: Question in the back.

SPEAKER: Hi, I'm Jintaek Lim, Visiting Scholar in Johns Hopkins SAIS. So I've heard from some of those current defectors that they're saying that most of labor workers in the nuclear site in North Korea, actually they're coming from a prison camp. So do you have any report on the matter or do you have any thoughts about that matter? And if it is really true than can you really take advantage of the fact to solve this human rights problem with North Korea? I mean to connect that kind of nuclear threat in with the human rights issues together? Thank you.

MR. KING: We don't have a lot of information about some of the details of what it's like in some of these facilities where nuclear weapons are built and where these kind of things are taken care of. My guess is that the nuclear scientists are people who for whatever reason have made a decision they're with the regime, they've been given benefits. They're the kind of stories you hear about what happens after a successful nuclear test. The nuclear scientists are all given awards and consumer goods and that kind of thing. My sense is that the people who are in prison camps may be used for mining tunnels, but probably not generally other kinds of nuclear related things. We do think that some of the prison camps are located in places where there's coal mining that goes on. A lot of coal mining in North Korea, a major export. And there are indications that prisoners are put in that kind of situations in very difficult circumstances. But in terms of nuclear, my sense is that's a much higher priority.

MR. POLLACK: If I could, I think that the distinction here is not so much those directly involved in the weapons program itself, but rather those involved in the very, very intense physical labor that is required both for the digging of tunnels, other kinds of work that goes on. There's a fair possibility that some of those who work there are exposed to different kinds of safety issues, even possibly radiation leakage and the like. And I think it's fair to assume that many of these people involved in physical labor are deemed expendable because to build and sustain these sites and the test site in particular, is very, very demanding work just from the purely physical point of view. And they keep on digging.

MR. BUSH: Bob, I'd like to bring you back to the assessment during your talk of what's changed and what's not changed concerning the human rights situation and ask about what we might call, for lack of a better term, the institutions of repression. You talked about the prison camps, and that's one aspect of that, but this just one part of a much larger infrastructure that has its own missions and procedures and power. And have we seen anything in that whole area that would give one hope or cause despair?

MR. KING: Probably despair. (Laughter) Not really good indications that the situation is improving. There are indications that Kim Jong-un has felt the necessity to provide some benefits to the elite. There is a ski resort that's partially for tourism, but partially for the elite. There's the dolphinarium, there's the riding stable, and these kind of things. These are kind of things that are nice to have for the elite because, my guess is, that's one of the ways he has of earning their support. But I think in terms of the usual instruments of repression, the state security service and the various other elements. Indications are that those are still very much in play and that individuals and their stories -- you see a lot of this kind of stuff occasionally in the South Korean press -- some of it probably is accurate, some of it probably is not -- stories about senior officials being sent off to re-education camps and that kind of thing. There are enough indications that that's the case, that's still going on, to lead me to believe that there isn't real progress in these instruments of repression.

MR. BUSH: Okay, thanks. Alan Romberg. In the middle on the aisle.

MR. ROMBERG: Thank you, and thanks for your presentation, Bob, and, Jonathan, for your comments. Alan Romberg, Stimson Center. I agree that in many respects the human rights side and the security side sort of go together. I certainly agree that if the regime's nature were to change that could very well affect all of that. But it also seems to me there are some areas where they could come into conflict. One specific think I have in mind is let's think positively, that actually there is a possible negotiation ahead. I find it very difficult to think that the North Korean regime would be willing to proceed with that if Kim Jong-un still were under the threat of international criminal proceedings. And we might have to make a choice about how to deal with that. And I wondered if you could comment on that, Bob?

MR. KING: I haven't had to make that decision yet. (Laughter) It's a tough one. And, yes, these kinds of choices probably do come up and it may be that there will be such a question that will come up. I hope that we can press on the human rights situation. My argument, you know, I don't think there's any question that the human rights violation that Kim Jong-un has been sanctioned for are real and that he is involved in them and they wouldn't happen if he weren't doing that.

On the other hand, I have argued that in many ways we're better not to focus at the top where of course ultimate responsibility lies, but to focus on people further down the chain who are responsible for these kind of things. Because by focusing on those individuals you may actually change behavior. And if we're identifying people who are prison guards, or if we're identifying people who are prison commanders, they might worry about their future. Kim Jong-un's future is, you know, a much bigger issue. And so I would argue we ought to focus on the underlings so that they understand that they might be held accountable and this might change their behavior.

MR. BUSH: Jonathan?

MR. POLLACK: Could I throw another issue and maybe a question to Bob? As you noted there is now more, if you will, a global coalition with respect to addressing issues of North Korea and its conduct in multiple areas. That includes over the course of the Obama administration a very close working relationship with two different Korean presidents, South Korean presidents, Lee Myung-bak and then Park Geun-hye. President Park is now suspended from her presidential duties and I think it's safe to say that the odds of her being restored, shall we say, to good graces are highly problematic and uncertain. And more than this there's a fair likelihood that there may be a snap election in the Republic of Korea. I mean I did a little speculation on this and something I put on the Brookings website today -- South Korean politics are topsy turvy enough to begin with, but I would have to say there is a not unreasonable prospect that you could see the next Korean president being more, if you will, from the left than from the right, which will create a whole question of its own right about (a) coordination between the United States

and the Republic of Korea, as well as with others, and (b) if it is a president on the left, would that president be inclined to, shall we say, look the other way? There's a certain history here going back to earlier Korean presidents. It's another factor that I think the Trump administration is going to have to weigh as it looks ahead without presuming to know exactly what will come out of this political process. There are no guarantees here. It's going to be potentially a very, very chaotic run for the presidency. But what happens if we get a president in the ROK who is much less inclined to cooperate on these issues?

MR. KING: And this could be definitely a consequence of the political situation there. I would argue that South Korea has gone through some change over the last 10 or 12 years, during the last 2 president's terms. One of the things that I've noticed when I first visited Seoul in January of 2010 -- at least first visit in this position -- I met with members of the National Assembly and the progressives and the conservatives, whatever they were called, were on very different sides on the North Korean human rights issue. Progressives were in favor of providing humanitarian assistance, take it up, deliver it to the border, and let the North Koreans do with it what they will. Conservatives were in a very different position in terms of that.

Four years ago, when the last parliamentary election took place, I met with another group of parliamentarians, including some of the new members of the progressive side, and one of the things that I found is that there had been some shift, at least with younger members, on the progressive side. One woman who was a human rights lawyer had a very different approach in terms of what they ought to do with regard to human rights. The fact that the North [sic] Korean National Assembly was able to put together a North Korea Human Rights Act in March of this year after having legislation introduced repeatedly for the previous 12 years and not being able to adopt legislation, I think there have been some changes in North Korea. There are obviously still significant differences between the progressives and the conservatives, but I think there is a greater recognition that in fact North Korea is a problem in the human rights area. And this is something that needs to be dealt with. The conservatives would deal with it more harshly and strongly than the progressives, but I think even on the progressive side there is a recognition that there are things that need to be done.

MR. BUSH: Thank you very much. I think we're going to bring this to a close. We're just about out of time. I want to thank all of you for coming and for your questions. I'd also like to thank Bob very much for taking his time. You took on for yourself an almost Sisyphean task. I am sure at some point that the Korean Peninsula will be united on good terms and that the people of North Korea will get the kind of government that they deserved a long time ago. But the fact that you have been sort of pushing that rock up the hillside for a while I think will help in the long run. So thanks very much.

MR. KING: Thank you. (Applause)

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