



# REGAINING LOST GROUND IN THE NORTH KOREAN HUMAN RIGHTS MOVEMENT



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*“The promotion of human dignity is not a distraction from security policy;  
it is a distinct advantage in pursuing that policy.”*



- George W. Bush, 43rd President of the United States

## INTRODUCTION

Six years ago, the world witnessed a groundswell of activity and support after the release of the historic United Nations (UN) Commission of Inquiry (COI) report on North Korean human rights. One of the primary recommendations of this 400-page authoritative report is to bring the North Korean leader, as well as officials in the State Security Department (SSD), Ministry of People’s Security, the Korean People’s Army, the Office of the Public Prosecutor, the judiciary, and the Workers’ Party of Korea before the International Criminal Court for crimes against humanity.<sup>1</sup> The report was widely praised as the most comprehensive account of human rights abuses in North Korea. Both the Human Rights Council and the UN General Assembly passed resolutions commending the COI report and its contents.

Following the COI report, the UN Security Council added North Korea’s human rights abuses to its formal agenda in 2014, 2015, 2016, and 2017.<sup>2</sup> Following a recommendation in the report, the Office of the UN High Commissioner for Human Rights (OHCHR) opened a Seoul field office in June 2015 to better monitor and document the human rights situation in North Korea.<sup>3</sup> A panel of independent experts — including a lawyer from the Supreme Court of Bangladesh and a former member of the UN COI — was created by the UN Human Rights Council (UNHRC) in March 2016 to recommend practical mechanisms for accountability.<sup>4</sup> One of their recommendations led to the creation of the DPRK Accountability Project in March 2017, which strengthened the Seoul OHCHR office’s capacity by adding international criminal-justice experts to develop plans for eventual prosecution of North Korean officials.<sup>5</sup>

These developments led many experts and activists inside and outside of governments to believe that the abuse of human rights in North Korea — an issue that had floundered in the darkness for decades — was finally gaining the attention of the international community. North Korea remains today one of the worst human rights disasters in the modern era. In his 2019 report on the situation of human rights in the DPRK, UN Special Rapporteur Tomás Ojea Quintana commented that “the human rights situation in the Democratic People’s Republic of Korea remains extremely serious.”<sup>6</sup> The North Korean people continue to be subject to a system of control, surveillance, and punishment. The government suppresses all freedoms, including the right to organize and to travel. The only political expressions that are permitted are ones that demonstrate complete fidelity to the state and its leader. Over 120,000 citizens sit in gulags that remain outside of international supervision.

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1 Annex I “Correspondence with the Supreme Leader of the Democratic People’s Republic of Korea and First Secretary of the Workers’ Party of Korea, Kim Jong-un,” in report of the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea, A/HRC/25/63, February 7, 2014.

2 “North Korea: Events of 2018,” Human Rights Watch, <https://www.hrw.org/world-report/2019/country-chapters/north-korea>

3 “New UN office opens in Seoul to monitor human rights issues in DPR Korea,” June 23, 2015, <https://news.un.org/en/story/2015/06/502362-new-un-office-opens-seoul-monitor-human-rights-issues-dpr-korea>

4 “Group of Independent Experts on Accountability pursuant to Human Rights Council Resolution 31/18 on the situation of human rights in the Democratic People’s Republic of Korea,” United Nations Human Rights Office of the High Commissioner, <https://www.ohchr.org/EN/HRBodies/SP/CountriesMandates/KP/Pages/GroupofIndependentExpertsonAccountability.aspx>

5 “UN: New Move on North Korea Crimes,” Human Rights Watch, March 24, 2017, <https://www.hrw.org/news/2017/03/24/un-new-move-north-korea-crimes#>

6 “Report of the Secretary-General on the situation of human rights in the Democratic People’s Republic of Korea,” 74th United Nations General Assembly, August 2, 2019,

These violations of human rights are compounded by serious structural failures that deny North Koreans access to basic food. According to the Food and Agriculture Organization (FAO) in 2019, 10.9 million North Korean people (43 percent of the population) faced severe food shortages after their worst harvest in 10 years (food-crop production was only 4.9 million tons, leading to a food deficit of 1.36 million tons).<sup>7</sup> One in three North Korean children (aged 6 to 23 months) do not receive the minimum acceptable diet, and one in five children suffer from chronic malnutrition.<sup>8</sup> In 2019, the UN Children's Fund (UNICEF) estimated 140,000 North Korean children suffered from under nutrition, and 30,000 of those children faced an increased risk of death.<sup>9</sup>

For those who choose to defect in search of better living conditions, many, particularly women, become vulnerable to smuggling, forced marriage, and sex trafficking.<sup>10</sup> Others risk being repatriated to North Korea to face torture and ill treatment under arbitrary detention and imprisonment. Chinese authorities continue to violate the principle of non-refoulement specified in international human rights and refugee laws. Another worrisome trend is the steady decline in the number of North Korean defectors who enter South Korea. According to data published by the Ministry of Unification of the Republic of Korea (ROK), the number of North Koreans defecting to South Korea has decreased in the past four years, from 1,418 in 2016 to an estimated 1,047 in 2019.<sup>11</sup>

With the COI and the momentum it generated, the world could point to concrete actions and a degree of international momentum to help the people of North Korea.

## WE HAVE LOST GROUND

In the past three years, however, the momentum to bring human dignity to the citizens of North Korea has lost ground:

- ★ In 2018, the UN Security Council failed to renew a debate on North Korean human rights abuses in its chambers for the first time since the release of the COI report in 2014.
- ★ In 2019, in an effort to put the issue back on the agenda, the UN Security Council could not achieve the nine-vote minimum to do so.
- ★ The U.S. administration's focus on summit denuclearization diplomacy has obscured any interest in taking up the human rights issue. Three meetings of the two leaders have failed to produce a single statement or commitment to improving the lives of the North Korean people.
- ★ The number of North Korean refugees coming to the United States under the 2004 North Korean Human Rights Act dwindled to zero in 2019.
- ★ The South Korean government has slashed budgets for supporting human rights work, including ending nearly 20 years of funding for the Association of North Korean Defectors in December 2017 and a 92 percent budget cut for the North Korean Human Rights Foundation in 2018.<sup>12</sup>
- ★ The South Korean government also did not cosponsor a UN General Assembly resolution on the human rights situation in North Korea, something they have done annually since 2008.

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7 "10 million people in North Korea face imminent food shortages after worst harvest in ten years," Food and Agricultural Organization of the United Nations, May 3, 2019, <http://www.fao.org/emergencies/fao-in-action/stories/stories-detail/en/c/1192514/>

8 "Democratic People's Republic of Korea: Needs and priorities 2019," Food and Agricultural Organization of the United Nations, February 11, 2019, <http://www.fao.org/3/CA3266EN/ca3266en.pdf>

9 "UNICEF DPR Korea Country Office Annual Report for 2018," United Nations Children's Fund, May 2019, p. 1, <https://dprkorea.un.org/en/11277-unicef-dpr-korea-country-office-annual-report-2018>

10 "Report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea," 74th United Nations General Assembly, August 2, 2019, <https://undocs.org/a/74/275/rev.1>

11 "Policy on North Korean Defectors," Ministry of Unification, [https://www.unikorea.go.kr/eng\\_unikorea/relations/statistics/defectors/](https://www.unikorea.go.kr/eng_unikorea/relations/statistics/defectors/)

12 Jeongmin Kim, "As North and South Korea cosy up, human rights groups struggle for cash," Reuters, June 27, 2018, <https://www.reuters.com/article/us-northkorea-southkorea-rights/as-north-and-south-korea-cosy-up-human-rights-groups-struggle-for-cash-idUSKBN1JN00N>; "South Korea slashes North Korea human rights budget, raises regime aid," Deutsche Welle, September 3, 2018, <https://www.dw.com/en/south-korea-slashes-north-korea-human-rights-budget-raises-regime-aid/a-45331031>



## *Changes in the United States*

The lost ground in the human rights movement relates to the drop-off in political support and enthusiasm on the part of the United States and South Korea, two UN member states that had played critical roles in the past.

The United States administration under Donald J. Trump started its term with an interest in highlighting North Korea's human rights abuses. As former Obama Administration Special Envoy for North Korean Human Rights Issues Robert King testified, almost 10 percent of the President's first State of the Union speech in January 2018 was devoted to North Korea with a significant portion focused on human rights. The President said, "No regime has oppressed its own citizens more totally or brutally than the cruel dictatorship in North Korea."<sup>13</sup> The president invited North Korean defector Ji Seong-ho to the speech and met with North Korean escapees in the White House. He notably relisted North Korea on the List of State Sponsors of Terrorism and befriended the parents of Otto Warmbier, a University of Virginia college student who was detained, sentenced to prison, and eventually, lapsed into a fatal coma while in North Korean custody. The United States also has quietly provided small grants to sustain the activities of some of the NGOs that suffered funding cuts on the South Korean side.

However, as President Trump prioritized a series of unprecedented summit meetings with the North Korean leader, all designed to achieve a denuclearization agreement that would reduce the homeland security threat to the United States, the focus on human rights dissipated as it was deemed distracting at best and disruptive at worst to the core nuclear diplomacy.

The absence of U.S. support has been evident in subtle but significant ways. In 2019, the UN Security Council could not achieve the nine-vote minimum to put the issue back on the agenda. The United States, which was the potential ninth vote, pulled back on its support in the eleventh hour, presumably in an effort not to complicate the president's self-professed affinity for the North Korea leader in the context of ongoing summit diplomacy.<sup>14</sup>

In another important indicator, the Trump Administration's March 6, 2017 Executive Order 13780 (the "travel ban") does not provide an exemption for North Korea, effectively banning any refugees from the country. The number of North Korean refugees coming to the United States under the 2004 North Korean Human Rights Act has dwindled to zero in 2019. While this downturn stems from a number of factors, including Sino-North Korean collusion to tighten border control, the numbers reflected a downward trend with six refugees in 2018, and only one in 2017.<sup>15</sup> By contrast, the highest number admitted in a year was in 2008, when 38 were admitted. A total of 220 North Korean refugees have come to the United States since the program first began in 2006, when nine resettled here.<sup>16</sup> As the only country outside of South Korea that passed legislation mandating a refugee-resettlement program, the United States had led by example. The current absence of U.S. leadership — manifest in the three-year vacancy of the Congressionally mandated point position for North Korean human rights abuses — has resulted in a silent but significant crisis.

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13 Cited in Robert King, "North Korea Policy, One Year After Hanoi," Testimony delivered before the Senate Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, February 25, 2020.

14 Edward Wong and Choe Sang-hun, "Trump Officials Block U.N. Meeting on Human Rights Abuses in North Korea," *The New York Times*, December 9, 2019, <https://www.nytimes.com/2019/12/09/world/asia/north-korea-trump.html>

15 "No N. Korean defectors admitted to U.S. last year: State Department data," *Yonhap News Agency*, January 7, 2020, <https://en.yna.co.kr/view/AEN20200107007600325>

16 Refugee Processing Center, "Arrivals by State and Nationality," U.S. Department of State, Bureau of Population, Refugees, and Migration, [https://reports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt\\_WebArrivalsReports/Map%20-%20Arrivals%20by%20State%20and%20Nationality](https://reports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/Map%20-%20Arrivals%20by%20State%20and%20Nationality)

## NORTH KOREAN REFUGEES ADMITTED TO THE UNITED STATES SINCE ENACTMENT OF THE 2004 NORTH KOREA HUMAN RIGHTS ACT

2006	9
2007	28
2008	38
2009	18
2010	17
2011	16
2012	23
2013	14
2014	15
2015	14
2016	19
2017	1
2018	6
2019	0
2020*	2
<b>Total</b>	<b>220</b>

\* The 2020 figure is only for a partial year.  
Source<sup>17</sup>

### *Changes in South Korea*

The Moon Jae-in Administration has been conspicuously silent on the human rights situation in North Korea. Despite President Moon's four summit meetings in the past two years with Kim Jong-un, the topic of human rights has not come up once.

In November 2019, the ROK government forcibly repatriated back to North Korea for the first time North Korean fishermen captured in South Korean waters. The two fishermen, who allegedly killed 16 crew members to escape, had professed their desires to defect but human rights activists feared their repatriation will likely mean their death upon return. The South Korean repatriation was done secretly (until a press leak) and in violation of Korea's own constitution which grants citizenship to defectors. The two escapees were not given access to attorneys or due process. During the same month, the ROK also did not cosponsor a UN General Assembly resolution on the human rights situation in North Korea, something they have done annually since 2008. The Moon government's actions were roundly criticized by human rights groups in a December 2019 joint letter and also by UN Special Rapporteur Quintana on the human rights violations of North Korea.<sup>18</sup>

<sup>17</sup> Refugee Processing Center, "Arrivals by State and Nationality," U.S. Department of State, Bureau of Population, Refugees, and Migration, [https://reports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt\\_WebArrivalsReports/Map%20-%20Arrivals%20by%20State%20and%20Nationality](https://reports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/Map%20-%20Arrivals%20by%20State%20and%20Nationality)

<sup>18</sup> For joint letter written and signed by 67 organizations, see "Letter to President Moon Jae-in RE: ROK's stance on human rights in North Korea," December 16, 2019, <https://www.hrw.org/news/2019/12/16/letter-president-moon-jae-re-roks-stance-human-rights-north-korea>; For Special Rapporteur Quintana's remarks, see Christy Lee, "UN Human Rights Expert: Seoul Sent Wrong Message to Pyongyang," VOA News, December 19, 2019, <https://www.voanews.com/east-asia-pacific/un-human-rights-expert-seoul-sent-wrong-message-pyongyang>

In favor of engagement with the North, the Moon Administration has stopped being an advocate for human rights. It has slashed government budgets for supporting human rights work, including ending nearly 20 years of funding for the Association of North Korean Defectors in December 2017 and a 92 percent budget cut for the North Korean Human Rights Foundation in 2018.<sup>19</sup> The government has yet to create one of the four bodies — the North Korean Human Rights Foundation — mandated by the North Korean Human Rights Act (NKHRA) that passed in September 2016. Seoul's support for the three other bodies created by this act has also been spotty.<sup>20</sup> The post for the ROK ambassador-at-large on North Korean human rights has remained vacant since September 2017, when the mandate for the previous ambassador, Lee Jung-hoon, expired.

The ROK government has made it more difficult for North Korean defectors and human rights activists in South Korea to carry out their work. Speaking opportunities such as media appearances and public lectures for defectors have dwindled — the result of what critics feared is an implicit government ban on critical voices.<sup>21</sup> Human rights groups have repeatedly decried the government's increasing interference with activists' press interviews, public-speaking engagements, and advocacy work. Notable incidents include an April 2018 human rights conference involving North Korean defector Thae Yong-ho and interference from National Intelligence Service agents and an April 2018 episode involving South Korean policemen preventing North Korean defector and activist Dr. Lee Min-bok from launching balloons into North Korea — which he had done since 2003 without government interference. In an indication of how bad conditions have become, human rights groups have sent open letters to both President Moon (April 2018) and to UN Special Rapporteur Quintana (February 2019) asking for help.<sup>22</sup>

## REGAINING LOST GROUND

### *Human Rights is an Integral and Unavoidable Component of a Comprehensive North Korea Strategy.*

A deal with North Korea is not possible without an improvement in the human condition. In the past, the United States privileged nuclear negotiations above all else. It became a policy truism to accept that the delicate negotiations would be made too indelicate by raising human rights with Pyongyang. Many negotiators feared that human rights discussions will distract from the main issue of denuclearization or even offend the regime and scuttle the talks.

The United States followed this playbook in the past three summits with Kim Jong-un, but there is zero evidence that avoiding human rights has helped the negotiations in any way. Indeed, despite these summits, the United States is no closer to a denuclearization agreement.

The United States has lost ground in the past three years, but that ground is recoverable. This year — 2020 — represents an opportunity for the United States to refocus its attention on human rights in North Korea. While a denuclearization deal with North Korea is still some distance away, the Trump Administration's North Korea policy and the president's unique summit diplomacy has produced multiple historic face-to-face meetings with the North Korean leader. This unprecedented access provides the United States with opportunities to bring this issue to the person single-handedly responsible for and capable of changing this situation. The United States needs to capitalize on that opportunity and make sure that human rights are on the agenda moving forward.

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19 Jeongmin Kim "As North and South Korea cosy up, human rights groups struggle for cash," Reuters, June 27, 2018, <https://www.reuters.com/article/us-northkorea-southkorea-rights/as-north-and-south-korea-cosy-up-human-rights-groups-struggle-for-cash-idUSKBN1JN00N>; "South Korea slashes North Korea human rights budget, raises regime aid," Deutsche Welle, September 3, 2018, <https://www.dw.com/en/south-korea-slashes-north-korea-human-rights-budget-raises-regime-aid/a-45331031>

20 For an in-depth look at the implementation of NKHRA, see Teodora Gyupchanova, "Three years since its passage, South Korea's North Korea human rights law stalls," NK News, August 7, 2019, <https://www.nknews.org/2019/08/three-years-since-its-passage-south-koreas-north-korea-human-rights-law-stalls/>

21 Edward White and Kang Buseong, "N Korean defectors worry about Seoul's wooing of Kim Jong Un," The Financial Times, September 19, 2019, <https://www.ft.com/content/3acf1336-d9bf-11e9-8f9b-77216ebe1f17>

22 For the HRF letter to President Moon Jae-in, see "South Korea Silences North Korean Defectors to Appease Kim Jong-un," April 23, 2018, [https://hrf.org/press\\_posts/south-korea-silences-north-korean-defectors-to-appease-kim-jong-un/](https://hrf.org/press_posts/south-korea-silences-north-korean-defectors-to-appease-kim-jong-un/); for joint letter to Special Rapporteur Quintana, see "Joint Letter to UN Special Rapporteur: Defend the Free Speech of North Korean Defectors and Human Rights Activists in South Korea," February 27, 2019, <http://www.nkfreedom.org/2019/02/27/joint-letter-to-un-special-rapporteur-defend-the-free-speech-of-north-korean-defectors-and-human-rights-activists-in-south-korea/>

## *Congress as a Positive Actor*

On the bright side of the ledger, some new members of the 116th Congress that convened in 2019 have demonstrated interests in human rights, most notably Rep. Tom Malinowski, a former human rights activist who had served as Assistant Secretary for Democracy, Human Rights and Labor during the Obama Administration. Furthermore, Congressional interest and action on North Korean human rights remains strong. Congress unanimously passed and reauthorized the North Korea Human Rights Act (NKHRA) in 2018, reaffirming its commitment that human rights remain a key part of U.S. policy towards North Korea.<sup>23</sup> In late 2019, the Otto Warmbier North Korea Nuclear Sanctions and Enforcement Act was passed as a provision to the FY2020 National Defense Authorization Act (NDAA).<sup>24</sup> The legislation strengthens and expands U.S. sanctions against North Korea and its enablers, including Chinese banks. This builds upon the foundation of sanctions and enforcement mechanisms mandated by significant legislations such as the North Korea Sanctions and Policy Enhancement Act of 2016 (NKSPEA) and the 2017 Countering America's Adversaries Through Sanctions Act (CAATSA) championed by Congress.<sup>25</sup> While the administration might have sidelined human rights in its diplomacy with North Korea, Congress is doing its part to make sure it remains a part of the conversation on North Korea.

## PRINCIPLES

We have lost ground on human rights, but not all is lost. Whether it is in a second term of President Trump or under a new occupant of the White House in 2021, we can gain back some of the lost ground.

Five principles should propel the approach to human rights for the DPRK:

- ★ **Integrating human rights into our strategy is not a choice, but a necessity.** As the only true beacon of human freedom in the world, the United States has a moral obligation to place human rights at the top of its agenda with all partners. Not doing this has already encouraged regimes to take liberties with gross infringements on human dignity (e.g., Uighur prison camps in China).
- ★ **The denuclearization and human rights agendas are inextricably intertwined.** Whether through its forced-labor exports or commerce related to sanctioned entities, revenues gained from human rights abuses help to finance the regime's nuclear-proliferation activities. Furthermore, respect for international norms, such as the nonproliferation efforts of the International Atomic Energy Agency (IAEA), of which the DPRK was a member and which includes 171 countries, and the International Declaration of Human Rights, of which the DPRK is still a member, legitimize and internationalize the commitments the DPRK needs to make. Failure to keep human rights commitments undermines denuclearization commitments.
- ★ **Pragmatism is important in negotiations but always with an eye to core objectives.** Any incentives designed to spur negotiations or reform with the DPRK must never lose sight of preservation of four core human rights standards: 1) transparency in food aid; 2) fiscal transparency; 3) access to North Korean prison camps, and 4) improved access to information in the country.
- ★ **Calling for human rights improvements in North Korea strengthens U.S. leverage in the negotiations.** As North Korea's reaction to the groundswell of international sentiment in 2014 displayed, the regime senses vulnerability on this issue like no other.

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<sup>23</sup> Robert King, "Congress Affirms Concern for North Korea Human Rights: Extends Human Rights Act," Center for Strategic & International Studies, July 12, 2018, <https://www.csis.org/analysis/congress-affirms-concern-north-korea-human-rights-extends-human-rights-act>

<sup>24</sup> "Van Hollen, Toomey, Brown, Portman Applaud North Korea Sanctions in Final NDAA Package," December 18, 2019, <https://www.vanhollen.senate.gov/news/press-releases/van-hollen-toomey-brown-portman-applaud-north-korea-sanctions-in-final-ndaa-package>

<sup>25</sup> For more on the North Korea Sanctions and Policy Enhancement Act (NKSPEA), see <https://www.congress.gov/bill/114th-congress/house-bill/757/text>; For more on the Countering America's Adversaries Through Sanctions Act (CAATSA), see <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/caatsa.aspx>



- ★ **Mainstreaming human rights in our North Korea agenda is politically smart.** Given Congress' unanimous support of recent North Korean human rights legislation, there is little likelihood that Congress will support any US-DPRK agreements coming out of presidential summitry that do not address human rights. Moreover, sanctions lifting will not be possible under U.S. law without certifications on human rights improvements.

## NEGOTIATIONS

To integrate human rights is to support U.S. objectives as specified in the Singapore Summit declaration. There is a common misperception that including human rights distracts from the main issues or “offends” the North Koreans from participating in negotiations. This is incorrect for three reasons.

- ★ **First, to address human rights is critical to achieving the two leaders' commitment to a peace declaration and a transformed US-DPRK relationship.** It is inconceivable that we could achieve normalized political relations without an improvement in the human condition.
- ★ **Second, to achieve the goal of final and fully verifiable denuclearization requires a more transparent and regime-compliant North Korean system.** The success of a verification protocol for denuclearization would require a more open society than exists in North Korea today. Moreover, improvements in the human condition would make a denuclearization commitment by the DPRK more credible as it would reflect a historic sign of the leadership's commitment to real reform and fully joining the community of nations.
- ★ **Third, to demand human rights improvements is the only realistic way to facilitate the world's economic development and assistance to North Korea.** President Trump has touted the potential for North Korea to become an “economic rocket,” if it commits to denuclearization. However, U.S. companies, aid organizations, and international financial institutions like the World Bank and the International Monetary Fund will not by U.S. law be able to aid, invest, or trade with the North given human rights abuses in the supply chain.

## ACTIONS

Whether it is a second Trump Administration or a new occupant in the White House, the United States must consider concrete, actionable items to mainstream the human rights issue in bilateral relations with Pyongyang.

- ★ **Demand Rights First.** The United States must establish a rights-first approach in future dealings with North Korea, acknowledging that achievement of the normalization, denuclearization, and peace-regime objectives of the 2018 Singapore Summit declaration requires an improvement in human rights.
- ★ **Make a Tangible First Step.** The United States must seek an initial tangible step from its next round of diplomacy (e.g., cooperation on issues of persons with disabilities and other issues which are likely less threatening to the regime) in order to set a new precedent in negotiations and to establish nonnuclear issues for cooperation with the DPRK.
- ★ **Establish a Long-Term Dialogue.** The United States must establish a human rights dialogue as part of any path to normalization of political relations. This dialogue should seek achievement of specific goals as stated in the UN Commission of Inquiry report. This dialogue could also be used to help North Korea remedy violations in the supply chain that would prevent private investment.
- ★ **Appoint a U.S. Human Rights Envoy.** The White House must appoint a Special Envoy for Human Rights as mandated by the Congress, but which has remained unfilled for over three years since the last administration was installed.

- ★ **Resume Humanitarian Assistance.** The United States should remove obstacles it has created to limit private NGO humanitarian assistance, should support UN humanitarian efforts, and should consider providing U.S. government aid when appropriate. Such assistance must meet international standards for verification and monitoring.
- ★ **Set the Bar for Allies and Partners.** The United States must signal to China and the ROK that its engagement with North Korea and achievement of the US-DPRK summit objectives of denuclearization and peace on the Korean Peninsula is not possible without tangible human rights improvements. China must stop refoulement — the practice of sending escapees back to North Korea. South Korea must stop suppressing NGO human rights activities.
- ★ **Set the Broader Playing Field.** The human rights initiative is most effective as a global effort. The United States must re-energize the issue in the United Nations by seeking positive votes in the UN Security Council to debate North Korean human rights issues. The United States should find ways to participate in the DPRK’s Universal Periodic Review in the UN Human Rights Council. The ultimate purpose of these and other actions might be to create a Helsinki-like process addressing North Korea in East Asia.

In the course of denuclearization diplomacy with North Korea over the past three decades, every U.S. administration has said it would not succumb to buying the same horse again. President Trump has broken past policy conventions by engaging in “top-down” summit diplomacy with a country where only one person makes decisions of consequence. The president, or his successor, could live up to advertising of a “very different” policy to North Korea by integrating human rights into the diplomacy in ways that support the goal of final and fully verifiable denuclearization. For American interests, we enhance our own security by protecting the rights of the North Korean people, for even with denuclearization, true peace and reconciliation on the Korean Peninsula is only possible when all in Korea live in freedom.<sup>26</sup>

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<sup>26</sup> See remarks made by President Bush at the Light Through the Darkness Conference, Dallas, TX, November 29, 2016.



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