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It is an honor to testify before this Subcommittee which is chaired by two men I greatly admire. I have had the great honor of working with both Congressman Chris Smith and Donald Payne not only on North Korea but also on a number of other issues including our shared desire to see the Sahrawi people of Western Sahara finally achieve self-determination.

In today's testimony I want to make two main points: the first is that North Korea continues to be one of the darkest places on Earth, and we have failed to address the main issue of North Korea which is human rights because we have focused instead on the nuclear issue. This has had tragic results.

Secondly, despite the ongoing human rights tragedy in North Korea, there is great hope because things have changed dramatically in that country. But if we fail to enact the policies that address the human rights conditions and fail to empower those who can advocate for peaceful change in North Korea, then we will most certainly end up prolonging this deadly regime.

While we witness people rising up in repressive societies most recently in North Africa and the Middle East, we wonder why do the North Koreans, who are arguably the most persecuted people in the world, not rise up? It is precisely because they are the most persecuted in the world. In fact, North Koreans are the only people in the world that do not enjoy one single human right that is enshrined in the Universal Declaration of Human Rights, a document adopted in 1948, the same year that Kim Il Sung came to power.

This Declaration was in response to the atrocities committed by the Axis powers during World War II. When the Nazi death camps were liberated by the Allied forces during that war, the international community vowed NEVER AGAIN would we allow these kinds of atrocities to occur.

Yet, today, the political prison camps in North Korea have existed longer than the Soviet gulag the Chinese Laogai or the Nazi death camps. In preparation for regime succession, it is feared that they will expand in numbers as Amnesty International has reported recently.

Your two defector witnesses today are living proof of the horrors of these camps as well as the length of their existence – one was imprisoned in Yoduk in the 1970s while another was imprisoned for 28 years up through the beginning of this decade in Bukchang.

In addition to political prison camps, we have seen millions of North Koreans starve to death despite billions of food aid and economic assistance. North Koreans are not the only ones who suffer from Kim Jong-il's brutal dictatorship but South Korean POWs are still being held in

North Korea, while at least 180,308 captives are being held against their will in North Korea including 80,000 abductees from South Korea and hundreds of others from thirteen countries as recently documented by the Committee for Human Rights in North Korea.

The policy of our government in the past has been to sideline these human rights concerns with the hope of engaging North Korea to give up their nuclear ambitions. For example, former Presidents Bill Clinton and George Bush set out with the best intentions to engage North Korea to give up their nuclear ambitions through Clinton's Agreed Framework and through Bush's Six Party Talks. Both helped provide food aid to North Korea to try to stop the deaths of millions from starvation. Both intentionally sidelined human rights concerns, making them secondary to addressing North Korea's nuclear ambitions.

Despite their efforts, North Korea's nuclear ambitions were never thwarted, their proliferation of their nuclear technology to countries including Iran and Syria continues, and North Korea declared it would never give up its nuclear weapons. Any of the defectors could tell you that Kim Jong-il would never give up his nuclear weapons. He may be an evil dictator but he has brilliantly manipulated the good intentions of both America and South Korea.

My second main point is that there is great hope because things are increasingly changing in that country. Despite Kim Jong-il's best efforts to literally keep North Koreans "in the dark" and isolated from the rest of the world, up to 60 percent of North Koreans have access to some form of information beyond the regime's propaganda. They are no longer isolated and are increasingly learning the reality that the source of their misery is not America or South Korea, but the source of their misery is Kim Jong il and the elites of his regime. North Korean defectors are sending remittances to their families in North Korea, helping them to survive which also demonstrates the prosperity in South Korea. North Korea now has a cell phone system with 500,000 subscribers according to Orascom Telecom and although you cannot call from South Korea, defectors are paying brokers in China to contact their families in North Korea. We also see the defectors getting information into North Korea from DVDs, VCDs, and USBs through China and other creative means such as balloon launches. In fact, North Koreans are keeping up with South Korean soap operas and watching many South Korean as well as Western films especially the elites.

Because North Koreans are getting more information from the outside world, it is more important than ever before to raise these human rights concerns so that they know our concerns are for them. For example, it was brilliant action by the Obama administration to include the Special Envoy for North Korean Human Rights Ambassador Robert King in the delegation that went to North Korea to assess the food situation. This underscored the fact that it is the human rights conditions in North Korea that are causing the starvation in the first place, because of the diversion of aid by the Kim Jong-il regime and his failed policies.

Furthermore, North Koreans are no longer dependent on Kim Jong-il's regime to survive as over 200 private markets are functioning in North Korea and the regime has given up trying to control these markets. Capitalism is saving the North Koreans from experiencing the level of starvation that led to the deaths of millions of innocent men, women and children during the recent famine.

Perhaps, most significantly, Kim Jong-il's unprovoked and brutal attacks on South Korea have awakened South Koreans, as well as former Bush administration officials, to the truth that we must not ignore the human rights of North Koreans for the false promises of this regime to end its nuclear program. Furthermore, South Korean young people are taking up this cause which was so critical to the democratization of the Republic of Korea.

However, despite these amazing changes, North Koreans are still the most suffering people on earth. Nowhere else on Earth can someone be shot for making a long distance phone call or visiting another country, nowhere else on Earth can a child be born and spend their life in a political prison camp. Nowhere else on Earth have millions died in a famine in a so called "industrialized nation" during peacetime. No so called "government" on Earth except North Korea sanctions the abduction of citizens from other nations, holds Korean War POWs, counterfeits money, and trafficks in drugs.

To take advantage of the changes inside the country, the free world including governments, non-governmental organizations and individuals should:

- 1) make human rights central to all negotiations with or about North Korea;
- 2) only provide food when relief organizations can stay and monitor it to the point of consumption otherwise it will most assuredly be diverted to maintain the regime that is causing the starvation in the first place;
- 3) continue to support radio broadcasting especially programs like Radio Free Asia and the independent radio broadcasters like Free North Korea Radio, a defector led station in Seoul;
- 4) empower the defector organizations that are using creative methods to get information into North Korea like Fighters for a Free North Korea and the North Korea People's Liberation Front;
- 5) convince China to end their brutal policy of forced repatriation for North Korean refugees which is prolonging this crisis by giving Kim Jong-il a reason to resist any reforms that would improve the situation in the country so that North Koreans do not want to risk their lives to flee
- 6) support the twelve North Korean defector churches – for example, I have been working to try to connect churches here in the U.S. with these defector churches that have formed in South Korea, These North Korean defector churches, like their South Korean counterparts, are very missions oriented and their number one mission is North Korea. They are not afraid to speak truth into the darkness in that country.
- 7) put the "elites" in this regime on notice that they will be held accountable for their crimes against the North Korean people

We are at a pivotal moment in the history of the Korean peninsula because we are at a cross roads on which way will we choose to move forward? The appeasement of the past that led to millions of deaths or working with the 23,000 North Korean defectors that have successfully fled that country.

One of the most important actions we can take is to empower the North Korean defectors to carry out their work for peaceful change and reunification. Last week, a North Korean assassin was caught – his mission was to kill Park Sang Hak who leads Fighters for a Free North Korea. Both Park and Kim Seung Min, who leads Free North Korea Radio and is at this hearing have been regularly targeted by assassins sent by the Kim Jong-il regime.

What does that tell us? That they are doing the most effective work.

We see signs of increasing discontent inside North Korea similar to the signs in the late totalitarian regimes in Eastern Europe. For example, the regime attempted through several means to shut down the private markets but had to back off because of open opposition. We saw at the end of 2009 amazing breakthroughs in information gathering. Free North Korea Radio had started broadcasting Voices from the People – actually interviews recorded from inside the country that they broadcast back in – a significant achievement as these defectors and their network are an important act of resistance in themselves.

Supporting this free flow of information through radio broadcasting especially by North Korean defectors is the most effective way to reach the North Korean people because the internet is only available to a small regime elite.

Furthermore, there is another defector organization: The North Korean People's Liberation Front which was established last fall. It was formed by former North Korean military, both officers and enlisted soldiers including special forces, cyberwarfare experts, propaganda specialists. This is significant because the only time there was organized opposition against the regime was from the military. Military leaders who had studied in the Soviet Union returned to North Korea with the desire for the country to open up to reform. They operated against the regime from 1989 until 1994. Although they were eventually discovered, and most of them executed, they were able to operate for at least 5 years.

Two significant aspects about the North Korean military: all North Korean males must serve for ten years and the elites are exempt. This means that the North Korean military truly represents the North Korean people.

Remember what happened to Kim Il Sung and Kim Jong il's good friend, Nicolae Ceausescu in Romania. The army turned against this dictator in favor of the people. We saw this happen recently in Egypt.

Just as the North Korean people are realizing that the source of their misery is Kim Jong-il, the North Korean military must also realize their enemy is regime of Kim Jong-il as this regime has killed more North Koreans than were killed during the Korean War.

Furthermore, we must put the "elites" on notice that we will stand with them but only if they oppose this regime. Right now they have absolutely no incentive to oppose Kim Jong il because their entire lives are based on the successful transfer of power to Kim Jong Eun. We must assure them that they would have a stake in the future if North Korea opens up to reform. The elites that have defected know and understand this.

Also, I have been recommending that South Korea convene a tribunal of respected judges to begin the prosecution of those in the regime responsible for the political prison camps, the attacks on South Korea, the misappropriation of food aid and other atrocities.

Because North Koreans are citizens of South Korea under the Korean constitution, they have legal standing in South Korea. There are 23,000 eyewitnesses and defector groups like Free the NK Gulag and South Korean NGOS like the Database Center for North Korea Human Rights and the Korean Institute for National Unification have all the evidence that is needed. Start naming names now and print their names along with their photos or sketches of their faces so that the public will see the faces of those who are committing these atrocities.

It is inevitable that Kim Jong-il's regime will end. It is inevitable that North Korea will open up. And when North Korea opens up, we will be even more horrified and shocked at the atrocities that Kim Il Song and Kim Jong-il have committed against the North Korean people that today are beyond our imagination. We will face the same questions that the world faced when the Allies liberated the Nazi death camps: What did you know and what did you do to help stop our tragic circumstances? The time to act is NOW, so that when unification comes, we can proudly answer that question.

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