

night, to note how impressed I am at the sportsmanship, at the fanmanship, the notion that thousands and thousands of Koreans supported their team with such enormous enthusiasm. So on behalf of the Congress, I think just as they wave to their team, we ought to wave to South Korea and express our great respect for their hosting of this game and for their great sports ethic.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think with this resolution we are going to be doing that. We are trying to recognize and commend Korea and Japan in cohosting this event, and I think this international sporting event contributes to enhancing peace and contributes to stability in Asia, and I think that over the next 10 to 20 years we are going to see a transformation in the way Koreans and Japanese relate to each other, and perhaps we will look back at the World Cup and say that this game helped. It may be just a game, but the results can be inspirational, and that is why I urge passage of this resolution.

Mr. Speaker, I have no further speakers requesting time, and I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

I again want to compliment the statements made earlier by my colleague and friend from Iowa (Mr. LEACH) and certainly the gentleman from California (Mr. ROYCE) for bringing this legislation to the floor. I suppose we have a dream some day that soccer will become truly a sport in America as well and I hope to add rugby as well in the coming years for our country. I know we love football. I know we love baseball, but I think soccer and rugby ought to be added as well. Again, let us pass this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I think we have soccer as a sport. The question is will we have to call it football?

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DAN MILLER of Florida). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 394.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2578. An act to amend title 31 of the United States Code to increase the public debt limit.

SENSE OF CONGRESS REGARDING NORTH KOREAN REFUGEES DETAINED IN CHINA

Mr. LEACH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 213) expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution, as amended.

The Clerk read as follows:

H. CON. RES. 213

Whereas the Government of North Korea is controlled by the Korean Workers Party, which does not recognize the right of North Koreans to exercise the freedoms of speech, religion, press, assembly, or association;

Whereas the Government of North Korea imposes punishments, including execution, for crimes such as attempted defection, slander of the Korean Workers Party, listening to foreign broadcasts, possessing printed matter that is considered reactionary by the Korean Workers Party, and holding prohibited religious beliefs;

Whereas genuine religious freedom does not exist in North Korea and reports of executions, torture, and imprisonment of religious persons in the country continue to emerge;

Whereas the Government of North Korea holds an estimated 200,000 political prisoners in camps that its State Security Agency manages through the use of forced labor, beatings, torture, and executions, in which many prisoners also die from disease, starvation, and exposure;

Whereas at least 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea;

Whereas the combination of political, social, and religious persecution and the risk of starvation in North Korea is causing many North Koreans to flee to China;

Whereas between 100,000 and 300,000 North Koreans are estimated to be residing in China without the permission of the Government of China;

Whereas in past years some Chinese authorities appear to have tolerated quiet efforts by nongovernmental organizations to assist North Korean refugees in China, and have allowed the departure of limited numbers of North Korean refugees after the advocacy of third countries, whose diplomatic facilities granted these refugees sanctuary;

Whereas the Governments of China and North Korea have begun aggressive campaigns to locate North Koreans who are in China without permission and to forcibly return them to North Korea;

Whereas North Koreans who seek asylum while in China are routinely imprisoned and tortured, and in some cases killed, after they are returned to North Korea;

Whereas the United Nations Convention relating to the Status of Refugees of 1951, as modified by the Protocol relating to the Status of Refugees of 1967, defines a refugee as a

person who, "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country";

Whereas despite China's obligations as a party to the United Nations Convention relating to the Status of Refugees of 1951 and the Protocol relating to the Status of Refugees of 1967, China routinely classifies North Koreans seeking asylum in China as mere "economic migrants" and returns the refugees to North Korea without regard to the serious threat of persecution faced by the refugees after their return;

Whereas the Government of China does not provide North Koreans whose asylum requests are rejected a right to have the rejection reviewed prior to deportation despite the recommendations of the United Nations Convention relating to the Status of Refugees of 1951 and the Protocol relating to the Status of Refugees of 1967 that such a right be granted;

Whereas people attempting to assist North Korean refugees inside China face danger because of their efforts, including Chun Ki Won, a South Korean citizen detained inside China since December 2001, and the Reverend Kim Dong Shik, a United States permanent resident allegedly abducted by North Korean agents inside China in January 2000; and

Whereas the Government of China recently has permitted some North Koreans who have managed to enter foreign diplomatic compounds to travel to South Korea via third countries, but has forcibly repatriated to North Korea many others captured inside China: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) encourages the Government of China to honor its obligations under the United Nations Convention relating to the Status of Refugees of 1951, as modified by the Protocol relating to the Status of Refugees of 1967, by—

(A) halting the forced repatriation of North Koreans who face a well-founded fear of persecution if they are returned to North Korea;

(B) making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing refugees with a reasonable opportunity to request asylum;

(C) providing North Korean refugees residing in China with safe asylum;

(D) allowing the United Nations High Commissioner for Refugees to have access to all North Korean refugees residing in China; and

(E) cooperating with the United Nations High Commissioner for Refugees in efforts to resettle North Korean refugees residing in China to other countries;

(2) encourages the Secretary of State—

(A) to work with the Government of China toward the fulfillment of its obligations described in paragraph (1); and

(B) to work with concerned governments in the region toward the protection of North Korean refugees residing in China;

(3) encourages the United Nations High Commissioner for Refugees to facilitate the resettlement of the North Korean refugees residing in China in other countries;

(4) encourages the Secretary of State to begin efforts toward the drafting, introduction, and passage of a resolution concerning human rights in North Korea at the 59th Session of the United Nations Commission on Human Rights in March 2003;

(5) urges the Government of China to release Mr. Chun Ki Won; and

(6) urges the Governments of the United States, South Korea, and China to seek a full accounting from the Government of North Korea regarding the whereabouts and condition of the Reverend Kim Dong Shik.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 213, a resolution expressing the sense of Congress regarding the plight of North Korean refugees. In this regard, I would like to acknowledge the leadership of three Members of the House who have been instrumental to bring this resolution to the floor: The principal sponsor of the resolution, the gentleman from California (Mr. ROYCE), the chairman of the U.S.-South Korean Inter-parliamentary Exchange, the gentleman from Illinois (Mr. KIRK), who traveled to North Korea as a staffer for the Committee on International Relations and who recently chaired a Congressional Human Rights Caucus briefing on the subject and, of course, the gentleman from American Samoa (Mr. FALEOMAVAEGA), the ranking member of the Subcommittee on East Asia and the Pacific.

The subcommittee has become increasingly concerned about a trio of increasingly significant humanitarian and foreign policy issues that have arisen as a direct consequence of North Korea's inhumane and failed system of governance, all of which have important implications for the United States and the international community: Refugees, acute food shortages and human rights. This May the subcommittee held an extensive hearing on the subject, including testimony from experts in the field as well as from several North Korean defectors, survivors of some of the most challenging rigors of the human condition.

Consideration of this resolution is particularly timely, given the recent dramatic increase of North Korean asylum bids through Western embassies in Beijing. It also takes place against the sensitive diplomatic backdrop of renewed North-South dialogue, tentative steps toward reengagement between Tokyo and Pyongyang, and the planned resumption of high-level dialogue between the United States and North Korea. Congress hopes and expects that

North Korea will seize the opportunity to demonstrate its sincerity through negotiations and begin to alleviate the concerns of the world community.

As we have all come to understand, the world has increasingly become aware that North Korea has been at the center of one of the greatest human rights tragedies in recent decades. Beginning in the mid-1990s, economic collapse and natural disasters combined to produce famine conditions that have claimed as many as 2 million lives, perhaps as many as 10 percent of the population. The food crisis, compounded by repression and mismanagement, led many thousands of North Koreans to cross into China, primarily into Jilin and Liaoning Provinces. Estimates of the number of North Koreans illegally inside China range from official estimates of 10,000 to 30,000, to unofficial estimates of 100,000 to 300,000. Similarly, the flow of North Korean defectors making their way to Seoul also has increased dramatically in recent years.

Even for those North Koreans able to escape into China, the struggle to survive is far from over. On the shores of the Tumen River, which is all that separates China and North Korea at one point along the border, more hardship and sorrow await, including potential victimization of human traffickers, unsympathetic neighbors, as well as the police.

The PRC's reaction to the influx of North Koreans appears to fluctuate between placid tolerance and bouts of repression. As a matter of principle, Beijing maintains that the North Koreans are economic migrants. In practice, however, local authorities in the past have allowed nongovernment organizations to assist refugees in China, and even turned a blind eye to facilitate their asylum to South Korea through third countries, provided such activities remain low profile. But Beijing also orders periodic crackdowns against refugees and those who assist them.

Repatriated North Korean migrants can expect to face a broad range of maltreatment, which may involve beatings, incarceration, and torture. Others, such as asylum-seekers, known religious believers, and high-profile defectors, risk execution or internment in a labor camp for political prisoners.

The United States can hardly ignore this situation. Our dilemma is how we can make a modest contribution to this circumstance without exacerbating the lamentable plight of North Koreans in northeastern China. In this regard, and at the risk of presumption, I would like to suggest a five-pronged strategy.

First, with regard to North-South relations, we must understand that while attempts to negotiate with North Korea involve an experiment with the bizarre, our unequivocal support for North-South rapprochement and eventual reunification must be maintained as a primary strategic objective in Northeast Asia.

In terms of diplomatic efforts and an effort to forge a more lasting and humane resolution for North Korean refugees, the United States should vigorously pursue bilateral and multilateral discussions on that topic with relevant nations and international organizations, including China, South Korea, Japan, Russia, Mongolia, and the U.N. High Commissioner for Refugees.

The United States should increase humanitarian assistance to North Koreans both outside and inside their country of origin.

In China, we should fully and visibly support the UNHCR in its efforts to gain access to refugees in the northeast of China. Humanitarian assistance to these refugees must be supported.

Outside of China, we should explore the possibility of establishing short to medium-term facilities for North Korean refugees in other countries in the region, such as Mongolia.

Inside North Korea, the United States should maintain and expand its commitment to the World Food Program appeal. In this regard, the WFP has announced that its North Korean program will run out of food in July or August this year unless new pledges are made urgently. World Food Program estimates that some 1.5 million people will not get food because of the shortfall. At the same time, we and other donors should continue strong support for the WFP's efforts to improve its access and food aid monitoring within North Korea.

In addition, Congress and the Executive should be open to supporting innovative, small-scale programs to provide food and other humanitarian assistance through United States nongovernment organizations operating in North Korea.

From a human rights perspective, we must continue to improve our limited knowledge of human rights and humanitarian conditions inside China, and we should consider funding efforts to systematically interview and debrief the increasing number of North Korean refugees and defectors inside South Korea and elsewhere.

From a resettlement perspective, North Korean refugees are currently caught in a legal Catch-22, based on their claim to automatic South Korean citizenship under the Constitution of the Republic of Korea. Yet, except in high-profile cases, North Korean asylum-seekers are not treated as South Korean citizens at South Korea's embassy and consulates inside China, and thus are routinely turned away. In addition to Chinese blockage, other embassies discourage refugees from seeking asylum in their countries because they regard the refugees as citizens of South Korea where they would not face a reasonable fear of persecution. In this circumstance, where asylum claims are regularly thwarted, we have an obligation to discuss with the South Koreans and Chinese ways all interested parties can work to regularize the treatment of North Korean refugees in China.

While the case for pursuing diplomatic approaches in a low-key way may be compelling, the issue itself must be understood as one of the seminal human rights issues of our time.

In this regard we have brought this resolution, and in bringing it I would like to quote the words of President Bush. The President has said, and he has been very succinct in this, that even though he considers North Korea as a country which has starved its people while developing weapons of mass destruction, he has been careful to observe that America has "great sympathy and empathy for the North Korean people. We want them to have food. We want them to have freedom."

This timely resolution appropriately expresses this sympathy and concern from the people's House to the North Korean people. We urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, as a cosponsor of H. Con. Res. 213, I am honored to speak on behalf of this legislation which focuses on the tragic plight of tens, if not hundreds, of thousands of North Korean citizens who have sought safety and refuge in the People's Republic of China.

I deeply commend the primary authors of the legislation, the gentleman from California (Mr. ROYCE) and the gentleman from California (Mr. BECERRA,) and also the gentleman from Illinois (Mr. KIRK) for his tremendous help on this legislation.

Their hard work is just another example of the tremendous leadership they have demonstrated in chairing the U.S.-Republic of Korea Interparliamentary Exchange. I would be remiss if I did not also commend the gentleman from Iowa (Mr. LEACH), the chairman of the Subcommittee on East Asia and the Pacific of the Committee on International Relations, with whom I have the distinct pleasure to serve as the subcommittee's ranking Democrat, for the attention he has focused on the North Korean humanitarian refugees' crisis.

Our subcommittee recently held hearings on this troubling issue, and has contributed significantly to the final text of H. Con. Res. 213. I thank the chairman and ranking member of our Committee on International Relations, the gentleman from Illinois (Mr. HYDE), and the gentleman from California (Mr. LANTOS), for their vital leadership and support in moving this measure for consideration on the floor.

Mr. Speaker, many have advocated the citizens of North Korea are perhaps the least free of all the people living on this planet. Suffering from the past 5 decades under one of the world's most ruthless totalitarian regimes, the people of North Korea have been denied

the most basic of human rights, have been isolated from one another, and have been cut off from the rest of the world by their government.

□ 1715

As assistant Secretary of State for Democracy, Human Rights and Labor, Mr. Lorne Craner has recently testified regarding North Korea: "The reports that make it out of North Korea paint a shocking, often horrifying, picture of brutality, oppression, injustice and deprivation. Individual rights are considered subversive to the rights of the State and the Party, with no freedom of expression, assembly or belief. The regime uses extreme suppression and a pervasive surveillance network to intimidate and instill fear in the population. It maintains control through terror, threat of severe punishment and the manipulation of privileges."

Mr. Speaker, due to the DPRKs disastrous agricultural and economic policies, which have been compounded by natural disasters, the North Korean people have been made to suffer through a brutal famine that has killed well over a million, perhaps up to 3 million, of their fellow citizens and left a generation of their children physically and mentally stunted.

I recall recently a statement made by the Senator from Hawaii, Senator INOUE, on his recent visit to North Korea, and the most unusual thing that he observed when he visited the capital of Pyongyang, there were no birds. He did not hear one bird noise ever in the whole area. It is just really, really terrible to consider this observation.

Given these terrible conditions in North Korea, Mr. Speaker, it is not surprising that over 100,000 refugees, the vast majority of them women and children, have fled their homeland for northeast China. As many of us know, the plight of these North Korean refugees has received intense international attention recently, with several high-profile incidents where North Koreans have sought refuge in foreign embassies and consulates in the People's Republic of China. Right now in Beijing, 17 North Koreans languish in the South Korean embassy and two in the Canadian embassy after entering the diplomatic compounds and requesting asylum.

In the past, China has attempted to turn a blind eye to the refugee crisis created by its Communist neighbor and quietly tolerated NGO efforts to assist the North Korean refugee community within its borders. Unfortunately, in response to the recent media attention and heightened international scrutiny, the People's Republic of China has chosen to enforce a crackdown on the refugee community, and they are being sent back en masse to North Korea to face certain imprisonment, torture or even death.

Mr. Speaker, China's actions are highly regrettable and certainly in violation of international rules. The heart of the resolution before us rightfully

urges that the Government of the People's Republic of China should stop the forced repatriation of North Koreans and that China meet its obligations as a signatory to the United Nations Refugee Convention of 1951 and the subsequent 1967 Protocol. To meet these treaty obligations, China should permit the UNHCR access so that an objective determination can be made whether these North Korean refugees have a well-founded fear of persecution before being shipped back en masse as economic migrants.

Mr. Speaker, the Chinese Government is at a historic point in its relations with the rest of the world. China has just joined the World Trade Organization, will soon host the Olympic games, and has increasingly played an active role in key international foreign policy matters, including Afghanistan, the global war on terrorism and the India-Pakistan controversy.

China's leaders need to understand that abiding by international agreements, including the United Nations Refugee Convention, is a crucial responsibility that major global powers cannot run away from. To the world, it is abundantly clear that the North Korean refugees in China are not simply fleeing for economic reasons, and it is important for their safety as well as China's reputation that a process be set up to interview the refugees to determine whether they have a well-founded fear of persecution before they are returned to North Korea.

Mr. Speaker, the legislation before us addresses one of the most disturbing humanitarian tragedies now unfolding in the world and rightfully calls upon the People's Republic of China to work with our government, other nations in the region, and the United Nations to find a just and proper resolution of this refugee crisis.

I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LEACH. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from California (Mr. ROYCE), the author of this resolution and the leader in Congress on so many Korean issues.

Mr. ROYCE. Mr. Speaker, I thank Chairman LEACH, and I thank Ranking Member FALEOMAVAEGA for his leadership as well. I also want to thank the gentleman from Illinois (Mr. KIRK). I want to thank him for his rather extraordinary work along the North Korean-Chinese border. To my knowledge, he is one of the few non-North Koreans who has managed to travel into North Korea and because of his extensive interviews of starving men and destitute women and orphaned children across North Korea and in northern China, we know a great deal more about the crisis there.

I chair the U.S.-Republic of Korea Interparliamentary Exchange. Last summer I introduced this resolution on North Korean refugees after learning

about the unimaginable suffering North Korean refugees face in China. I learned this from my Korean counterparts. Sometime after that, we had an opportunity to hear from the gentleman from Illinois. In his testimony, the gentleman from Illinois recorded for our committee the horror that is going on in North Korea. This situation, frankly, is critical right now to the hundreds of thousands of North Koreans that have escaped over the border into China.

North Korea systematically starves its population. It attacks freedom of speech, it suppresses religion, it constrains movement of its citizens, and frankly it gives preferential access to social services based on allegiance to the cult of personality surrounding Kim Jung-Il. There are 43 counties in North Korea. There are a number of counties in North Korea where people are not considered sufficiently loyal, and it is the people in these regions who are being starved. At the same time, any perceived disobedience in North Korea can land the offender and the offender's family in what is called a labor camp.

Last month, three North Korean defectors testified before the Asia Subcommittee. I would like to call my colleagues' attention to the testimony of Ms. Lee Soon-ok, a former North Korean party official who was held for several years inside one of these North Korean labor camps. She described in gruesome detail the condition inside the camp, telling of public executions in which the prisoners would have to stand at attention to watch the execution, and telling of 150 female prisoners being used to test a chemical gas and as a consequence of that test, all 150 lost their lives.

In her testimony, she describes life in a North Korean prison, and I will just use her words. She said, "A prisoner has no right to talk, laugh, sing or look in a mirror. Prisoners must kneel down on the ground and keep their heads down deeply whenever called by a guard. They can say nothing except to answer questions asked. Prisoners have to work as slaves for up to 18 hours a day. Repeated failure to meet the work quotas means a week's time in a punishment cell. A prisoner must give up their human worth." She said that prisoners are even used by their guards for martial arts practice. The guards punch and kick prisoners during martial arts practice. The prisoners fall bleeding at the first blows and remain motionless for a while on the cement floor until they are kicked back into their cells.

It is estimated that North Korea's prison camp system currently holds about 200,000 people in conditions so brutal that over 400,000 have died in those prisons since 1972. I have heard from North Koreans who say it is rare for a prisoner to survive more than 8 years. Given the repression, given the desperate conditions for those who run afoul of the rules, it is no surprise that

many North Koreans have been willing to risk their lives to cross into the closest country, which is China. Yet as explained, despite the obligations that China has taken as a signatory to the convention relating to the status of refugees of 1951 and the Protocol relating to the status of refugees of 1967, China refuses to recognize North Koreans as refugees. They classify them instead as economic migrants. Chinese and North Korean police have worked in tandem to hunt down North Koreans hiding in China. The Chinese Government forcibly repatriates all captured North Koreans, guaranteeing their imprisonment and torture and sometimes death. China's enthusiasm for enforcing North Korea's policies is unconscionable.

Because China will not allow the U.N. High Commission for Refugees access to North Koreans, defectors have created innovative methods for getting asylum in other countries. Since March, we have had 38 desperate North Koreans who have risked deportation to North Korea by dashing into or climbing the walls of foreign diplomatic missions in order to travel to South Korea via third countries. As a result, the Chinese have stepped up police forces around embassies and cracked down on nongovernmental organizations and church groups.

Some have suggested the treatment of North Koreans in China should be handled quietly behind diplomatic closed doors. Yet it is exactly the media attention that has finally brought this situation to light and generated an international outcry that may force China to relent.

Mr. FALEOMAVAEGA. Mr. Speaker, it is my privilege to yield such time as he may consume to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding the time. I would like to thank him and, of course, the chairman of the committee, the gentleman from Iowa (Mr. LEACH), and certainly, of course, the chairman of the subcommittee in question here, the gentleman from California (Mr. ROYCE), for their leadership. I know that I have had several opportunities working with the gentleman from California (Mr. ROYCE) to try to address some of the issues that affect the Korean peninsula, both South Korea and North Korea, and certainly we can turn to the gentleman from California (Mr. ROYCE) always as a voice and a leader on issues affecting the Korean people.

As two individuals who hail from southern California and with large populations of Americans of Korean descent, I think we both understand the plight of those individuals who are seeking freedom in the Korean peninsula, and we do everything we can to try to address that concern, because whether you are of Korean ancestry or if you happen to hail from this country from generations back, I think we all understand that freedom and democracy are what we would all love to leave as a legacy to our kids.

I, too, rise in support of House Concurrent Resolution 213, regarding North Korean refugees in China. It appears that we continue to see the numbers grow of North Koreans who are fleeing their country, many of whom have ended up in China. Some 312 or so have ended up in South Korea in the last several years, they have defected to South Korea, and we have seen more and more of these incidents occurring where individuals who are fleeing North Korea, in the case of their departure to China, are being returned by China to North Korea without knowing fully well what the consequences might be upon their return.

□ 1730

An estimated 150,000 to 300,000 North Koreans currently are living without status in China. We are aware of the treaty that China has with North Korea which allows China to view these individuals as undocumented immigrants or economic migrants, and, as a result, to send them back to North Korea, and, again, without any consideration for the consequences of that repatriation.

We have to acknowledge that in the case of North Korea, there are massive food shortages in that country. Right now we are told that North Korea cannot feed about one-third of its people, so clearly there are cases for economic migrants who do depart from North Korea.

But the cases that we have seen go far beyond those who are leaving only for economic reasons. We know that there are, in many cases, straight and very clear political reasons for many of these individuals leaving, and in some cases religious persecution as well. Yet, with all of that, the Chinese Government refuses to permit the United Nations High Commissioner for Refugees, UNHCR, to evaluate North Korean refugees in China to determine whether or not they deserve political asylum. Under Chinese law, in fact, anyone aiding a fleeing North Korean is subject to a fine, and there is word that bounties are paid to Chinese citizens who turn in North Koreans to the Chinese authorities.

The purpose of this resolution is two-fold, I believe. First, under both international and humanitarian grounds, we should be calling on China to provide North Koreans whose asylum requests have been rejected with the right to have the rejection reviewed by international authorities prior to deportation of these North Koreans back to their homeland. That is something that they would be obliged to provide to any individual who claims refugee status under the United Nations 1951 convention relating to the status of refugees and as it has been modified in 1967 through the Protocol relating to the status of refugees.

The second purpose is to urge China to allow the UNHCR to have access to all North Korean refugees who reside in China.

I urge my colleagues to support H. Con. Res. 213 to recognize the plight of refugees who are in China from North Korea who are trying to flee political and religious suppression and persecution, and know fully well that we can have a voice in trying to aid these individuals towards democracy and liberty.

I applaud the chairman for this effort to bring this to the floor; I certainly applaud our ranking member for his cooperation and support of this resolution; and mostly I support and want to applaud the gentleman from California (Mr. ROYCE), the chairman of the Subcommittee on East Asian and Pacific Affairs, for his valiant efforts, not just today, but in the past, to aid the Korean peninsula in moving forward toward democracy.

Mr. LEACH. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), the distinguished vice chairman of the committee.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in very strong support of H. Con. Res. 213 regarding the plight of North Korean refugees inside of China. I want to thank the chief sponsor, the gentleman from California (Mr. ROYCE), for introducing this important resolution nearly a year ago, long before this issue had hit the U.S. press. I also want to thank him for accepting language that I suggested that goes into more detail about the human rights situation inside of North Korea, and, most importantly, language that urges the State Department to begin work now and draft and pass a North Korea human rights resolution at next year's session of the U.N. Human Rights Commission in Geneva.

It is amazing to me that such a deplorable situation has received so little attention from the international community. That shameful silence must end.

Mr. Speaker, as has been described by my colleagues, hundreds of thousands of North Koreans are inside China today having fled from starvation and brutal repression inside of North Korea. Although many of them have left in search of food, many of them are genuine refugees. Many more of them, however, have become refugees because of the persecution that they would face if forcibly returned.

North Koreans who attempt to escape to third countries or who have contact with South Korean or missionary groups while in China face execution or imprisonment in labor camps in North Korea. As the front page of yesterday's New York Times pointed out, pregnant women returned to North Korea are forced to undergo abortions or their babies are killed once they are born. I will include that article for the RECORD.

At the ground breaking hearing, Mr. Speaker, convened by the gentleman from Iowa (Chairman LEACH) of the Subcommittee on East Asia and the Pacific last month, we heard from three credible North Korean defectors who described the unbelievable bru-

ality of the Pyongyang regime and the hardships those witnesses endured as refugees inside of China.

Two of the witnesses were rare survivors of North Korea's concentration camps, where nearly 200,000 of their countrymen and women are being held today. These camps are places where prisoners are worked or starved to death, where Christians are killed by torture, where people attempting to escape are publicly shot or dragged to death behind trucks, where newborn babies are killed in front of their mothers, and where prisoners are used as guinea pigs for chemical weapons experiments. The Korean people in the north are suffering unspeakable evil at the hands of Kim Jong Il.

Mr. Speaker, as a party to the U.N. refugee convention, China has bound itself not to return North Koreans who face a well-founded fear of persecution. However, for much of the past year, Chinese authorities have conducted a crackdown against North Korean refugees. They have routinely rounded up many North Koreans and forcibly sent them back to uncertain and sometimes deadly fates. North Korean undercover agents are active inside China helping to capture and return escapees.

Mr. Speaker, I urge strong supports for this resolution.

Mr. Speaker, I include the New York Times article, "Defectors From North Korea Tell of Prison Baby Killings" for the RECORD.

[From the New York Times, June 10, 2002]

DEFECTORS FROM NORTH KOREA TELL OF
PRISON BABY KILLINGS
(By James Brooke)

SEOUL, SOUTH KOREA.—On a cold March day, the bleak monotony of a North Korean prison work detail was broken when a squad of male guards arrived and herded new women prisoners together. One by one, they were asked if they were pregnant.

"They took them away in a car, and then forcibly gave them abortion shots," Song Myung Hak, 33, a former prisoner, recalled in an interview here about the day two years ago when six pregnant prisoners were taken from his work unit in the Shinuiju Provincial Detention Camp. "After the miscarriage shots, the women were forced back to work."

More and more escapees from North Korea are asserting that forced abortions and infanticide are the norm in North Korean prisons, charges the country's official Korean Central News Agency has denounced as "a whopping lie."

In 2000 and 2001, China deported thousands of North Korean refugees, with many ending up in North Korean prison camps. People who later managed to escape again, to China and South Korea, say that prisoners discovered to be pregnant were routinely forced to have abortions. If babies were born alive, they say, guards forced prisoners to kill them.

Earlier defectors from North Korea say that the prohibition on pregnancy in prisons dates back at least to the 1980's, and that forced abortions or infanticide were the rule. Until recently, though, instances of pregnancy in the prisons were rare.

China's deportations of thousands of illegal migrants from North Korea in recent years has resulted in a sharp increase in the number of pregnant women ending up in North Korean prisons. Defectors, male and female,

are reviled as traitors and counterrevolutionaries when they are returned to North Korea. But women who have become pregnant, especially by Chinese men, face special abuse.

"Several hundred babies were killed last year in North Korean prisons," said Willy Fautre, director of Human Rights Without Frontiers, a private group based in Brussels. Mr. Fautre said that over the last 18 months, he and his volunteers had interviewed 35 recent escapees from North Korean camps.

Of the 35, he said, 31 said they had witnessed babies killed by abandonment or being smothered with plastic sheets. Two defectors later described burying dead babies, and two said they were mothers who saw their newborns put to death.

"This is a systematic procedure carried out by guards, and the people in charge of the prisons—these are not isolated cases," Mr. Fautre said in a telephone interview. "The pattern is to identify women who are pregnant, so the camp authorities can get rid of the babies through forced abortion, torture or very hard labor. If they give birth to a baby alive, the general policy is to let the baby die or to help the baby die with a plastic sheet."

Lee Soon Ok, who worked as an accountant for six years at Kaechon political prison, recalled in an interview that she twice saw prison doctors kill newborn babies, sometimes by stepping on their necks.

With virtually no medical care available for prisoners, surgical abortions were not an option. Ms. Lee, 54 and an economic researcher in Seoul, said: "Giving birth in prison is 100 percent prohibited. That is why they kill those babies."

Ms. Lee, who has written a book about her prison experiences, seeks to focus attention on North Korea's prison system. On May 2, she was one of three North Korean defectors who testified on human rights abuses at a hearing of the House International Relations Committee.

On Jan. 19, North Korea's official news agency said the charges by Human Rights Without Borders that "unborn and newly born babies are being killed in concentration camps" were "nothing but a plot deliberately hatched by it to hurl mud" at North Korea. Since then, accusations of baby killing in North Korean prisons have increased.

They were featured in February at a human rights conference on North Korea, in Tokyo, and in March the claims were included for the first time in the State Department's annual human rights report on North Korea. They were raised in April by European Union delegates to the United Nations Commission on Human Rights, and in May by a former North Korean prisoner who testified before a House committee.

North Korea's mission to the United Nations did not return telephone messages about the charges. But on May 9, at the United Nations conference on children in New York, the North Korean delegate said his nation regarded each child as a "king of the country."

But recent interviews with seven defectors now living in the Seoul area provided a detailed and different picture of North Korean prison camps.

All of the recent defectors except one, Mr. Song, allowed publication of only their family names, which are common Korean surnames. These four said they feared reprisals against relatives in the North. Two defectors, who had escaped almost a decade ago after working in the prison camp system, allowed their full names to be used.

The defectors' names and phone numbers were supplied by Human Rights Without Borders. They were interviewed individually, in their homes, without human rights or

government officials present. South Korea's government, seeking to avoid conflict with the North, discourages defectors from speaking out.

In her Seoul apartment, Mrs. Lee, 64 and no relation to Lee Song Ok, said she was still haunted by memories of prison after being deported from China in 2000.

Mrs. Lee who is the widow of a North Korean general, recalled thinking that she had won an easy job in the clinic after arriving on June 14, 2000, at the Pyongbuk Provincial Police Detention Camp. Then, she said, she saw a prison doctor give injections to eight pregnant women to induce labor.

"The first time, a baby was born, I didn't know there was a wooden box for throwing babies away," Mrs. Lee recalled. "I got the baby and tried to wrap it in clothes. But the security people told me to get rid of it in the wooden box."

That day, she said, she delivered six dead babies and two live ones. She said she watched a doctor open the box and kill the two live babies by piercing their skulls with surgical scissors. The next day, she said, she helped to deliver 11 dead babies from 20 pregnant women who had been injected to induce delivery.

In 2000, from March to May, 8,000 North Korean defectors, overwhelmingly women, were deported from China to North Korea during a crackdown on prostitution and forced marriages, according to D. K. Park, a retired United Nations worker who works with Human Rights Without Frontiers along the border between North Korea and China.

"They blame North Korean women for having Chinese babies and just kill the babies," Mr. Song, now a college student in Seoul, said of his time in Shinuiju prison in 2000.

Mrs. Park, 41, no relation to the rights worker, said she was among those caught in a Chinese sweep two years ago, ending up in a work camp in Onsong, North Korea. She was nine months pregnant at the time.

"One day, they gave me a big injection," she said. "In about 30 minutes I went into labor. The baby I delivered at the detention camp was already dead."

For babies born alive in prison cells, defectors say, male guards threaten to beat women prisoners if they do not smother newborns with pieces of wet plastic that are thrown between the bars.

"Guards told the prisoners to kill the babies," recalled Miss Lee, a 33-year-old vocational student who is unrelated to the accountant and the general's widow. She said that in 2000, as she was moved among four camps, she saw four babies smothered at the Onsong District Labor Camp in April, and three smothered at the Chongjin Provincial Police Detention Camp in late May.

"The oldest woman in the cell did it reluctantly," she said. "The young women were scared. The mothers would just cry in silence."

Miss Lee, a former factory worker who survived in China through marriage to an ethnic Korean Chinese, estimated that 70 percent of the people she saw deported from China in the spring of 2000 were women, and about one-third were pregnant.

In the summer of 2001, a 28-year-old former North Korean border guard surnamed Kim was imprisoned at the same Chongjin detention camp. There, he buried three newborn babies wrapped in "blue-tinted plastic bags." He recalled, "The prisoners were ordered to get the babies coming from the mothers and to kill them."

His wife, a 25-year-old day-care worker in Seoul, said in the same interview at their apartment here that during her 10 weeks at the same camp last summer, she counted seven babies born and smothered in nearby cells.

The current wave of reported baby killings has nationalistic overtones.

"The guards would scream at us: 'You are carrying Chinese sperm, from foreign countries. We Koreans are one people, how dare you bring this foreign sperm here,'" Miss Lee, the vocational student, recalled. "Most of the fathers were Chinese."

But two decades before pregnant refugees were forced home from China, infanticide was standard practice in the North Korean prison system, a former guard said in an interview near here.

"Ever since Kim Il Sung's time, it has been a North Korean regulation to prevent women from delivering babies in prisons," said Ahn Myung Chul, a 33-year-old bank employee, who worked as a guard from 1987 to 1994 in four North Korean camps. Mr. Ahn, who also trained guards, added in an interview: "If babies have to be delivered, babies have to be killed. The trainers told military personnel that this is the procedure."

Foreign journalists traveling inside North Korea are restricted to tightly guided tours, and requests by the International Committee of the Red Cross to visit prisons are routinely rejected.

"Those of us inside the country have no knowledge of the existence of prison camps or practices inside them," Richard Bridle, the Unicef representative in North Korea's capital, Pyongyang, said by telephone. Asked about infanticide policies, he said: "The only stories we get are from outside. There is no information circulating inside" North Korea.

North Korea's prison camp system currently holds about 200,000 people in conditions so brutal that an estimated 400,000 people have died in prison since 1972, according to the U.S. Committee for Human Rights in North Korea, a private group based in Washington.

"Nothing would surprise in accounts of this kind," Selig S. Harrison, the director of the national security program at the Center for International Policy, in Washington, and an expert on North Korea, Mr. Harrison, a seven-time visitor to Pyongyang, added: "North Korea is a repressive, repugnant, totalitarian state, and it certainly uses repugnant methods in its prison system and in its concentration camps."

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, not wanting to be repetitive, I want to again share with my colleagues the outstanding contributions of the chairman of our Subcommittee on East Asia and the Pacific, the gentleman from Iowa (Mr. LEACH), for his insight and efforts that we have made in working on this resolution with our good friend, the gentleman from California (Mr. ROYCE), and the gentleman from California (Mr. BECERRA).

The fact that our country is contributing hundreds of millions of dollars, is the largest donor in food aid, in fact, to North Korea, I think gives emphasis to the fact that this issue is very serious. Certainly on our part, we are hopeful that the administration will continue to pursue this in all earnestness and see that some resolution is made concerning this issue of refugees coming from North Korea, going up to China. Unfortunately, the Chinese Government has been very uncooperative with the United Nations agencies to see that these refugees should be handled properly.

Again, I want to commend my good friend, the gentleman from Iowa (Mr. LEACH), for his leadership in working this legislation, especially with the leadership of the House as well, and also the gentleman from California (Mr. ROYCE), the gentleman from Illinois (Mr. KIRK), and other Members.

Mr. Speaker, I again urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. LEACH. Mr. Speaker, I thank the gentleman for his kindness.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. KIRK). The House of Representatives is fortunate to have in its midst one of the true experts on a very acute issue in international affairs.

(Mr. KIRK asked and was given permission to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, I want to commend the gentleman from Iowa (Chairman LEACH), the gentleman from New Jersey (Chairman SMITH), the gentleman from California (Chairman ROYCE), and our ranking Democratic members, the gentleman from California (Mr. LANTOS) and the gentleman from American Samoa (Mr. FALEOMAVAEGA), as well as the gentleman from California (Mr. BECERRA), a strong voice for Koreans, for this resolution.

North Korea is the humanitarian issue of this decade. As South Korea celebrates the World Cup, people in North Korea are starving. In 1997 and 1998, I went to North Korea, from Changin to Sariwon, Huichon to Wonson. I saw the faces of hundreds of children starving, like Kim Uan Bok, age 12, weight 35 pounds, in Huichon Hospital Number 1. I also traveled to China, along North Korea's border, and I met the Kot Je Be, Black Swallows children, orphans who had escaped the 9.27 prisons for hungry children located in every "Ri," or county, in North Korea.

Beyond our nuclear nonproliferation missions, we have three main goals in our policy in North Korea. First, President Reagan said that a hungry child knows no politics, and we are here still in a state of war with North Korea, and yet the U.S. feeds every North Korean child under the age of 15, 21 million meals a day. We need to bring back the U.S. non-governmental organizations that work there, CARE, Mercy Corps and AMIGOS, back into this effort. I also want to commend Kraft, a constituent company in my district, for agreeing to help the new effort to feed North Korean children.

We have a second mission, human rights. There are 200,000 refugees in China. They arrive hungry and lost and need our help. They tell stories of grandmothers and fathers in the Korean tradition during times of crisis of starving so that their kids may live.

We should work with China and the U.N. Human Rights Commission to establish refugee processing centers and

offer safe passage to South Korea, the U.S. and Canada, to offer a new life for North Korean refugees. Our law commits us to reach out to a person with a "well-founded fear of persecution." I would put it to this House that anyone forced to return to the DPRK has such a fear.

Finally, our third mission is to reunite Korean Americans with their relations in North Korea. 500,000 Americans have relations in North Korea, and hundreds of South Koreans have seen their kin, but no Americans. Three months ago, the Korean-American Coalition of the Midwest assembled 30,000 signatures from Korean Americans calling on the Nation to take up the issue of reunifying Americans with their North Korean relations. I am pleased to report Secretary Powell accepted their petition and agreed to put the case of reunification on the U.S.-DPRK agenda.

I commend the gentleman for the resolution and urge its rapid adoption.

Mr. GILMAN. Mr. Speaker. I rise to voice my strong support for H. Con. Res. 213, regarding North Korean refugees who are detained in China and forcibly returned to North Korea where they face torture, imprisonment, and execution. I thank the gentleman from California (Mr. ROYCE) for bringing this important resolution before us today.

In recent years, endemic persecution and famine in North Korea has resulted in tens of thousands of starving North Koreans fleeing their country, and crossing over into China's northeastern provinces. Some hide in the hills along the border and only survive by scavenging, begging or stealing. Others are employed at near-slave wages.

Despite their desperate situation, North Korean refugees in China are constantly pursued by the North Korean Public Security Service with the assistance of Chinese authorities. Many are apprehended and forcibly returned to North Korea, where they may face imprisonment and even the death penalty under the North Korean Criminal Law.

The Chinese government has repeatedly failed to take into account the plight of those in need of protection, and continue to define all North Koreans as "illegal immigrants." It is imperative that the Government of China act to protect refugees from North Korea residing in China and honor its obligations under the United Nations Convention relating to the Status of Refugees of 1951.

Accordingly, I urge my colleagues to support H. Con. Res. 213 and join in urging the Chinese government to review its policy towards North Korean refugees and asylum seekers, and to cease the detention and forcible repatriation of those who are merely fleeing starvation and persecution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of House Concurrent Resolution 213. I have followed the hearings on North Korea in the Subcommittee on East Asia and the Pacific and have heard the plight of the refugees who are fleeing the country in the tens of thousands to escape political and personal persecution. I have concluded, as this resolution expresses, that the Congress must show support for the fleeing refugees of North Korea. As Chairman HYDE stated, North Korea is a place so feared by the thousands

of refugees on the run that they have chosen a homeless existence where they are subject to exploitation, trafficking, and sexual abuse. He learned that some are so desperate that they threaten suicide rather than return to what they call a "hell on earth."

An estimated 50,000 North Korean refugees were in China at the end of 2001. As many as 100,000 North Koreans were displaced inside North Korea. Other North Korean refugees, a number that varies, are in Russia and elsewhere, while many others find refuge in South Korea. The government of Korea has been brutal in punishing those who seek to leave in the midst of a famine that has been going on since the mid-1990's. Nearly 2 million North Koreans, or about 10 percent of the population, have died from hunger or famine-related disease since 1994. Still, the government grants only limited access to the country's most vulnerable people to NGOs and other aid groups and imposes capital crime punishment on citizens who leave or attempt to leave the country. Leaving for better conditions or for food is classified by the Government as "defection" punishable by torture, placement in work camps or even execution.

There is no doubt that these people are refugees by any definition. The U.S. Committee for Refugees (USCR) believes that North Koreans who flee their country without government permission have *prima facie* claims to refugee status, based on the likelihood of being prosecuted for having exercised the right to leave the country.

As a recipient of these desperate people, we must encourage China not to arrest and forcibly repatriate North Korean asylum seekers. We must encourage the Government of China to honor its obligations under the United Nations Convention relating to the Status of Refugees of 1951, as modified by the Protocol relating to the Status of Refugees of 1967 as expressed in this measure.

Mr. LEACH. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DAN MILLER of Florida). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 213), as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LEACH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

UNITED STATES PARTICIPATION IN THE UNITED NATIONS—MES- SAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without

objection, referred to the Committee on International Relations:

To the Congress of the United States:

I am pleased to transmit herewith the final version of a report, prepared by my Administration, on the participation of the United States in the United Nations and its affiliated agencies during the calendar year 2000. The report is submitted pursuant to the United Nations Participation Act (Public Law 264, 79th Congress) (22 U.S.C. 287b).

GEORGE W. BUSH.
THE WHITE HOUSE, June 11, 2002.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 5 o'clock and 43 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WHITFIELD) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H. Res. 438, *de novo*;

H. Con. Res. 394, by the yeas and nays; and

H. Con. Res. 213, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

SENSE OF CONGRESS ON IMPROVING MEN'S HEALTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 438.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. FOSSELLA) that the House suspend the rules and agree to the resolution, H. Res. 438.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. WALDEN of Oregon. Mr. Speaker, I object to the vote on the ground