

U.S. detainees in the DPRK

Since 1994, the detention of U.S. citizens in the Democratic People's Republic of Korea (DPRK) has periodically been an issue in U.S.-DPRK relations.¹ On several occasions, high-profile U.S. envoys have travelled to North Korea to secure the release of U.S. citizens. Negotiations over the release of U.S. citizens detained in the DPRK are complicated by the fact that the U.S. does not have diplomatic representation in the country. Although official U.S. communication with the DPRK is possible through the DPRK Mission to the United Nations in New York, on the ground U.S. interests in North Korea are represented through the Embassy of Sweden, and the Swedish Ambassador to the DPRK is authorized to make official visits to detainees.

The frequency of detentions has recently increased, beginning with the arrests of journalists Euna Lee and Laura Ling in 2009. Kenneth Bae, who was arrested while entering North Korea in November 2012, has also been detained in the DPRK for a longer time than any U.S. citizen since the Korean War.

This issue brief, using publically available information from government and media sources, seeks to depict the circumstances of each individual's arrest, the length of their detention, the type of sentence they were given (if any), and the conditions that led to their release.

List of Individuals Detained in North Korea

Jeffrey Edward Fowle (May 7, 2014 – October 21, 2014) entered North Korea as a tourist on April 29, 2014, and was arrested shortly before his planned departure. The Korean Central News Agency (KCNA) first announced his detention on June 6, saying that he had “acted in violation of the DPRK law, contrary to the purpose of tourism during his stay,” and was under investigation.² News media reports have indicated that Fowle was arrested for leaving a dual-language English-Korean Bible, along with personal photographs and contact information, in the bathroom of a restaurant in the city of Chongjin.³ In monitored interviews with CNN and The Associated Press on September 1, 2014, Fowle said that he had admitted his guilt to the North Korean government, and that his treatment had “been very good so far.”⁴ He added that he expected to go on trial soon.⁵ However, Fowle was released without trial on October 21.⁶

Matthew Todd Miller (April 10, 2014 – Present) was detained upon entry to North Korea after arranging to travel there on a private tour. KCNA reported on his detention two weeks later, saying that he was put in custody “for his rash behavior in the course of going through

formalities for entry,” and that he tore apart his tourist visa and declared that he was seeking asylum upon entering the country.⁷

On September 14, 2014, North Korea’s Supreme Court charged Miller with “espionage” and sentenced him to six years of hard labor. KCNA reported that Miller “deliberately perpetrated such criminal act for the purpose of directly going to prison after being intentionally reprimanded by a legal organ of the DPRK, pursuant to the present U.S. administration’s anti-DPRK campaign, spying on “human rights” performance and making it known to the world.” The report added that he sought to become a “second Snowden” and upon his arrest claimed to have brought information about U.S. military bases in South Korea.⁸ After his sentencing, Miller described the conditions of his incarceration in a monitored interview with the Associated Press: “Prison life is eight hours of work per day. Mostly it’s been agriculture, like in the dirt, digging around. Other than that, it’s isolation, no contact with anyone.”⁹

Merrill Newman (October 26, 2013 – December 7, 2013) is a Korean War veteran who was detained by DPRK authorities at Pyongyang’s Sunan Airport after taking a ten-day private organized tour of North Korea. During the Korean War, Newman had trained the South Korean Kuwol unit, which conducted guerilla activities in the North. In a videotaped confession released by North Korea, Newman said that he had “been guilty of a long list of indelible crimes against DPRK government and Korean people.” The confession added that Newman “had a plan to meet any surviving soldiers and pray for the souls of the dead soldiers in Kuwol Mt. during the Korean War,” and to connect surviving soldiers with the “Kuwol Partisan Comrades-in-Arms Association.”¹⁰

A week after his confession was made public, KCNA released a statement saying Newman had been released and deported “on the basis of his wrong understanding, apology... advanced age, and health condition.”¹¹ In a statement released after his return to the U.S., Newman indicated that the words of the confession were not his. He said that he had requested permission to visit Mt. Kuwol while applying for a tourist visa to North Korea, and that the destination was part of his itinerary upon arriving in Pyongyang, although he did not ultimately travel to the region. Newman added that he had “asked my North Korean guides whether some of those who fought in the war in the Mt. Kuwol area might still be alive, and expressed an interest in possibly meeting them if they were.” Newman said that in planning his trip, he “just didn’t understand that, for the North Korean regime, the Korean War isn’t over.”¹²

Kenneth Bae (November 3, 2012 – Present) was arrested on November 3, 2012 in the Rason Special Economic Zone.¹³ Several months after his detention began, Bae was put on trial. According to KCNA, “Bae was sentenced to 15 years’ hard labor for his anti-DPRK crime, an attempt to topple the DPRK, at the trial held on April 30, according to Section 60 (an attempt at state subversion) of the DPRK Criminal Law.”¹⁴

Among the list of his alleged crimes was setting up bases in China for the purpose of “toppling” the North Korean government, encouraging North Korean citizens to bring down the government, and conducting a “malignant smear campaign.” State media also said that Bae had planned what it called a “Jericho operation” to bring down North Korea through religious activities.¹⁵ Part of the reason for Bae’s arrest may have been a video of a sermon he gave at a Korean-American Church in St. Louis, Missouri in 2009, in which he said he wanted to “collapse” the “walls” separating North Korea from the world.¹⁶

Bae officially began his sentence in May 2013.¹⁷ Two months later, it was reported through the *Choson Sinbo* that Bae had been hospitalized due to poor health and sought help from the U.S.

government.¹⁸ His mother, Myunghee Bae, was allowed to travel to North Korea for several days in October 2013 to visit him.¹⁹ In August 2013 and February 2014, the U.S. Special Envoy for North Korean Human Rights, Robert King, arranged to travel to Pyongyang to discuss Bae's release, but his invitation was ultimately rescinded on both occasions.²⁰ Bae has been repeatedly transferred between a hospital and a work camp where he does farm-related labor, according to a statement he made in a monitored interview.²¹ At the time of writing, he has been detained for nearly two years.

Eddie Jun Yong-su (November 2010 – May 28, 2011) was arrested on charges of an “anti-DPRK crime” in November 2010.²² According to the BBC, “It is believed he may have been carrying out missionary work while visiting the communist state on business trips.”²³ Jun was in North Korea for over 6 months before his release. He was not convicted of any specific crime.

In April 2011, former President Jimmy Carter, along with other former heads of state from The Elders, traveled to Pyongyang to learn more about the food issues in the DPRK and seek Jun's release.²⁴ However, Jun was not released at that time. A little over a month later, Special Envoy for North Korean Human Rights Robert King traveled to Pyongyang and was able to secure Jun's release on May 28, 2011.

Aijalon Mahli Gomes (January 25, 2010 – August 26, 2010) was an English teacher residing in South Korea when he illegally crossed into North Korea via the Chinese border and was subsequently arrested on January 25, 2010. Gomes was sentenced on April 6, 2010 to eight years of hard labor and fined roughly 70 million North Korean won for entering the country illegally and for committing an unspecified hostile act.²⁵

Gomes was released on August 26, 2010 after former U.S. President Jimmy Carter travelled to North Korea to secure his release.²⁶ The State Department said that Carter's trip was made in a private, humanitarian capacity.²⁷ Gomes was in North Korea for 214 days before his release.

Robert Park (December 25, 2009 – February 5, 2010) was arrested for illegal entry on December 25, 2009. Colleagues of Park, who were interviewed by the BBC, stated that he had entered the country from China.²⁸ After 43 days of detention, Park was released on February 5, 2010. Park claims that he was tortured by North Korean interrogators after his arrest.²⁹

Park had no trial in North Korea. Former State Department's spokesman, Philip J. Crowley, commented on February 5, 2010 that no special offers were given for his release.³⁰ The KCNA also stated, “The relevant organ of the DPRK decided to leniently forgive and release him, taking his admission and sincere repentance of his wrong doings into consideration.”³¹ The KCNA statement added that Park trespassed into North Korea due to his wrong understanding of North Korea's religious freedoms.

Euna Lee and Laura Ling (March 17, 2009 – August 5, 2009) were arrested for illegal entry into North Korea on March 17, 2009 while filming a documentary along the China-North Korea border. Lee and Ling contested the circumstances of their arrest after their return; they admitted to crossing the frozen Tumen River into North Korea, but said that they were back on the Chinese side of the border when they were arrested by North Korean border guards.³²

Laura Ling said that, under pressure during her imprisonment, she had confessed to trying to overthrow the North Korean government.³³ From June 4-8, 2009, both women were tried and found guilty. KCNA stated, “The trial confirmed the grave crime they committed against the Korean nation and their illegal border crossing as they had already been indicted and sentenced

each of them to 12 years of reform through labor,"³⁴ the first Americans to receive such a sentence.³⁵

Lee and Ling were held in North Korea for 140 days until August 5, 2009 when former President Bill Clinton traveled to Pyongyang to secure their release.³⁶ According to an interview NPR conducted with Lisa Ling, Laura Ling's sister, "No money was exchanged and no diplomacy was conducted. It truly was a private humanitarian mission."³⁷

So Sun Dok (September 29, 1999 – November 19, 1999) was arrested for engaging in military espionage while staying in the Rason Special Economic Zone for reasons related to a joint venture investment. According to KCNA, the North Korean government "decided to expel him after fining him because he honestly admitted and apologized for his crime and the U.S. government repeatedly asked for lenient handling."³⁸

Karen Jung-Sook Han (June 17, 1999 – July 20, 1999) was arrested while in North Korea on a humanitarian mission to help build a hospital and garment facility in Rajin-Sonbong free trade zone, according to the BBC.³⁹ She was detained for 43 days. On July 19, 1999, KCNA stated that "the organ concerned of the DPRK decided to expel an American citizen Mrs. Karen Jung-Sook Han from its territory on July 20, Juche 88 (1999), who has been detained for violating a DPRK legal order."⁴⁰ According to former U.S. Senator Robert Torricelli, who had travelled to North Korea to secure her release, she had been detained because she insulted local officials.⁴¹ Han was not formally sentenced. According to KCNA she was released due to the frank admission of her misconduct.⁴²

James Chin-Kyung Kim (September 1998 – October 24, 1998) was arrested in September 1998 while conducting humanitarian work in North Korea. He was suspected of being a spy for South Korea, and was held for about 40 days before being released. KCNA accused him of trying "to undermine the socialist system in North Korea and lead the people to harbour illusions about South Korea," but said that he was released "in the light of the DPRK-U.S.-relations and in view of his being a U.S. citizen of Korean origin."⁴³ Kim claims that he was released because he convinced his captors of his good intentions. In 2001, he was invited back to North Korea to discuss his plans for opening a private university in the country.⁴⁴ Kim ultimately established the Pyongyang University of Science and Technology (PUST) in 2010.

Reverend Kwang-Duk Lee (May 27, 1998 – August 31, 1998) was arrested on spying charges on May 27, 1998. The AP and LA Times reported that Kwang was in North Korea trying to arrange financing for a soybean factory to help bring more food to residents in the northeastern part of the country.⁴⁵ KCNA stated his crimes were, "alluring citizens of the DPRK into South Korea, spying on the actual conditions of the DPRK and distributing anti-DPRK propaganda materials."⁴⁶ Lee was not given a specific sentence.

Lee's release was secured in part through pressure from the U.S. Congress and the State Department. At the urging of Congressman Tony Hall (D-OH), Mark Kirk, then counsel for the House International Affairs Committee, brought up Lee's detention in discussions with DPRK Vice Foreign Minister Kim Kye-gwan concerning food aid and other issues. KCNA stated that he was released because the "organ concerned decided to fine him and expel him from the DPRK because he honestly admitted and apologized for his crimes and the U.S. government requested it to show leniency for him, a U.S. citizen, taking into account his old age and illness."⁴⁷ To facilitate his release, Lee's family paid an undisclosed amount of money for "hotel expenses" incurred to the DPRK.

Evan Carl Hunziker (August 24, 1996 – November 27, 1996) was arrested for illegally crossing into North Korea. He swam across the Yalu River on August 24, 1996 and was subsequently arrested as a spy. He was detained for 92 days. According to former Representative Bill Richardson, North Korean officials demanded a \$100,000 fine for his entering the country illegally.⁴⁸ Hunziker's release was brokered through the State Department and Representative Bill Richardson, on the understanding that his family would pay \$5,000 for "hotel costs" incurred over the detention period.⁴⁹

Chief Warrant Officer Bobby Hall (December 17, 1994 – December 30, 1994), on a mission to acclimate himself and co-pilot David Hilemon to flying a helicopter near the DMZ, strayed off course and was shot down by a North Korean missile or antiaircraft artillery.⁵⁰ To secure Hall's release, the United States agreed to express its "sincere regret" over the incident and to discuss with North Korea how to prevent a recurrence.⁵¹ Hall spent 13 days in North Korea.

Last updated October 21, 2014

¹ This issue brief is based on publically available materials and is not exhaustive. It is possible that additional US citizens have been detained without public acknowledgement by the U.S. or DPRK governments. This issue brief will be updated when appropriate.

² "American Citizen Detained in DPRK," *Korean Central News Agency*, June 6, 2014

³ James Pearson, "Bible Left in North Korean Sailors Club Triggered U.S. Tourist's Arrest," *Reuters*, August 1, 2014. <http://www.reuters.com/article/2014/08/02/northkorea-usa-idUSL4N0PJ1PV20140802>

⁴ Will Ripley and Holly Yan, "Americans Detained in North Korea Speak to CNN, Ask for U.S. Help." *CNN*, September 1, 2014. <http://www.cnn.com/2014/09/01/world/asia/north-korea-ripley-americans-interviewed/>

⁵ Eric Talmadge, "Americans Detained in North Korea Call for US Help," *Associated Press*, September 1, 2014. <http://bigstory.ap.org/article/americans-detained-north-korea-call-us-help>.

⁶ Elise Labott, "American Released from North Korea," *CNN*, October 21, 2014

⁷ "KCNA Report on Putting American in Custody," *Korean Central News Agency*, April 25, 2014.

⁸ "KCNA Releases Detailed Report on Truth about Crime of American," *Korean Central News Agency*, September 20, 2014.

⁹ "American Matthew Miller Describes North Korean Prison Sentence as Isolation." NBC News and The Associated Press. September 25, 2014. <http://www.nbcnews.com/news/world/american-matthew-miller-describes-north-korean-prison-sentence-isolation-n211136> (accessed October 9, 2014)

¹⁰ "Apology of U.S. Citizen for his Hostile Acts in DPRK," *Korean Central News Agency*, November 30, 2013, <http://www.kcna.co.jp/item/2013/201311/news30/20131130-11ee.html> (accessed December 17, 2013)

¹¹ "U.S. Citizen Deported from DPRK," *Korean Central News Agency*, December 7, 2013, <http://www.kcna.co.jp/item/2013/201312/news07/20131207-01ee.html> (accessed December 17, 2013)

¹² "Statement from Merrill Newman," December 9, 2013. <http://i2.cdn.turner.com/cnn/2013/images/12/09/merrill-newman-statement.pdf> (accessed December 17, 2013)

¹³ "American Citizen to Be Tried," *Korean Central News Agency*, April 27, 2013, <http://www.kcna.co.jp/item/2013/201304/news27/20130427-01ee.html> (accessed September 4, 2013).

¹⁴ "American Citizen Begins His Life at "Special Prison,"" *Korean Central News Agency*, March 15, 2013, <http://www.kcna.co.jp/item/2013/201305/news15/20130515-10ee.html> (accessed September 4, 2013).

¹⁵ "DPRK Supreme Court Spokesman Exposes Crimes of American Pae Jun Ho," *Korean Central News Agency*, May 9, 2013, <http://www.kcna.co.jp/item/2013/201305/news09/20130509-15ee.html> (accessed September 4, 2013).

¹⁶ Hunter Stewart, "Kenneth Bae, American Jailed in North Korea, Spoke of 'Collapsing' Country's 'Walls' in 2009 Sermon," *The Huffington Post*, May 21, 2013, http://www.huffingtonpost.com/2013/05/21/kenneth-bae-sermon_n_3312675.html (accessed September 16, 2013).

¹⁷ "American Citizen Begins His Life at "Special Prison,"" *Korean Central News Agency*, March 15, 2013, <http://www.kcna.co.jp/item/2013/201305/news15/20130515-10ee.html> (accessed September 4, 2013).

¹⁸ Madison Park, "Bae from North Korean prison: Please help me," *CNN*, July 3, 2013, <http://www.cnn.com/2013/07/03/world/asia/kenneth-bae-korea-interview/index.html> (accessed September 3, 2013). To view the original video in Korean requires creating an account, see: http://chosonsinbo.com/2013/07/py_130703-2/

¹⁹ "Kenneth Bae: Mother Myunghee Describes 'Heavenly' Reunion," *BBC News*, October 24, 2013. <http://www.bbc.com/news/world-asia-24650549>

²⁰ Ralph Ellis and Jethro Mullen, "North Korea Cancels U.S. Envoy's Visit to Discuss Kenneth Bae," *CNN*, February 10, 2014. <http://www.cnn.com/2014/02/09/us/north-korea-trip-cancelled/>

-
- ²¹ Eric Talmadge, "Americans Detained in North Korea Call for US Help," *Associated Press*, September 1, 2014. <http://bigstory.ap.org/article/americans-detained-north-korea-call-us-help>.
- ²² "American Young-su Jun Released," *Korean Central News Agency*, May 27, 2011, <http://www.kcna.co.jp/item/2011/201105/news27/20110527-36ee.html> (accessed September 4, 2013).
- ²³ "North Korea releases US citizen Eddie Jun Yong-su," *BBC*, May 28, 2011, <http://www.bbc.co.uk/news/world-asia-pacific-13583136> (accessed September 4, 2013).
- ²⁴ The Elders, "The Elders welcome the release of Eddie Jun Yong-su," *The Elders*, <http://theelders.org/article/elders-welcome-release-eddie-jun-yong-su> (accessed September 4, 2013); Jimmy Carter, "Trip Report by Former U.S. President Jimmy Carter to the Korean Peninsula, April 22-29, 2011," *The Carter Center*, http://www.cartercenter.org/news/trip_reports/korean-peninsula-042211.html (accessed September 4, 2013).
- ²⁵ Sam Kim, "N. Korea sentences U.S. man to 8 years of hard labor for illegal entry," *Yonhap News Agency*, April 7, 2010, <http://english.yonhapnews.co.kr/northkorea/2010/04/07/51/040100000AEN20100407002700315F.HTML> (accessed September 4, 2013); Victor Cha, "Former U.S. President Jimmy Carter's Mission to North Korea," *CSIS*, August 26, 2010, <http://csis.org/publication/former-us-president-jimmy-carters-mission-north-korea-0> (accessed September 4, 2013).
- ²⁶ U.S. Department of State, Bureau of Public Affairs, "Release of Aijalon Mahli Gomes," Assistant Secretary Philip J. Crowley, August 26, 2010, Washington, D.C., <http://www.state.gov/r/pa/prs/ps/2010/08/146346.htm> (accessed September 4, 2010).
- ²⁷ *Ibid.*
- ²⁸ "North Korea 'to free US activist Robert Park,'" *BBC*, February 5, 2010, <http://news.bbc.co.uk/2/hi/8499645.stm> (accessed Sept. 5, 2013).
- ²⁹ Young-jin Kim, "Robert Park speaks out on North Korea," *Korea Times*, January 20, 2011, http://www.koreatimes.co.kr/www/news/nation/2011/01/116_80043.html (accessed Sept. 5, 2013); Sunny Lee, "North Korea accused of torturing captive," *The National*, March 9, 2010, <http://www.thenational.ae/news/world/asia-pacific/north-korea-accused-of-torturing-captive> (accessed Sept. 5, 2013).
- ³⁰ U.S. Department of State, Bureau of Public Affairs, "Briefing by Assistant Secretary of State for Public Affairs," Assistant Secretary Philip J. Crowley, February 5, 2010, Washington, D.C., <http://www.state.gov/r/pa/prs/ps/2010/02/136579.htm> (accessed September 5, 2013).
- ³¹ "DPRK Decides to Release American Trespasser," *Korean Central News Agency*, February 5, 2010, <http://www.kcna.co.jp/item/2010/201002/news05/20100205-07ee.html> (accessed Sept. 5, 2013).
- ³² Lisa Leff and Hyung-jin Kim, "Journalists Laura Ling And Euna Lee Break Silence On North Korea Capture, Release," *Huffington Post*, September 2, 2009, http://www.huffingtonpost.com/2009/09/01/journalists-laura-ling-an_n_274683.html (accessed September 13, 2013).
- ³³ "Journalist Laura Ling Says She Confessed in North Korean Prison," *Associated Press*, May 18, 2010, http://www.oregonlive.com/news/index.ssf/2010/05/journalist_laura_ling_says_she.html (accessed Sept. 16, 2013).
- ³⁴ "American Journalists Sentenced to Reform through Labor," *Korean Central News Agency*, June 8, 2009, <http://www.kcna.co.jp/item/2009/200906/news08/20090608-06ee.html> (accessed Sept. 5, 2013).
- ³⁵ Victor Cha, "North Korea Sentencing of Euna Lee and Laura Ling," *CSIS*, June 8, 2009, <http://csis.org/publication/north-korean-sentencing-euna-lee-and-lisa-ling> (accessed Sept. 5, 2013).
- ³⁶ "Bill Clinton lands in US with journalists Euna Lee and Laura Ling freed North Korea," *The Telegraph*, August 5, 2009, <http://www.telegraph.co.uk/news/worldnews/asia/northkorea/5977595/Bill-Clinton-lands-in-US-with-journalists-Euna-Lee-and-Laura-Ling-freed-from-North-Korea.html> (accessed Sept. 5, 2013).
- ³⁷ "Ling Sisters Recount Laura's Capture In North Korea," *National Public Radio*, May 19, 2010, <http://www.npr.org/templates/story/story.php?storyId=126613763> (accessed Sept. 5, 2013).
- ³⁸ "U.S. Citizen Expelled," *KCNA*, November 19, 1999.
- ³⁹ "North Korea to deport US prisoner," *BBC*, July 19, 1999, <http://news.bbc.co.uk/2/hi/asia-pacific/398044.stm> (accessed Sept. 5, 2013).
- ⁴⁰ "American citizen to be deported, KCNA reports," *Korean Central News Agency*, July 19, 1999, <http://www.kcna.co.jp/item/1999/9907/news07/19.htm> (accessed Sept. 5, 2013).
- ⁴¹ "North Korea to Deport US Prisoner," *BBC News*, July 19, 1999, <http://news.bbc.co.uk/2/hi/asia-pacific/398044.stm> (accessed October 21, 2013).
- ⁴² "American to be deported, KCNA Reports," *KCNA*, July 19, 1999.
- ⁴³ "U.S. Citizen Expelled from DPRK," *KCNA*, October 24, 1998 (accessed October 21, 2013).
- ⁴⁴ Don Kirk, "South Korean, Once Held as Spy, Plans a University in Pyongyang," *New York Times*, July 31, 2001, http://www.nytimes.com/2001/07/31/news/31iht-a4_34.html (accessed September 13, 2013).
- ⁴⁵ "Joe Mozingo, 'Freed Pastor Home After Ordeal,'" *LA Times*, September 1, 1998, <http://articles.latimes.com/1998/sep/01/local/me-18458> (accessed Sept. 5, 2013).
- ⁴⁶ "U.S. citizen expelled = KCNA report =", *Korean Central News Agency*, August 28, 1998, <http://www.kcna.co.jp/item/1998/9808/news08/28.htm#1> (accessed Sept. 5, 2013).
- ⁴⁷ Mozingo, "Freed Pastor Home."

⁴⁸ Charlayne Hunter-Gault, "The Korean Envoy," *PBS*, November 29, 1996, http://www.pbs.org/newshour/bb/asia/july-dec96/richardson_korea_11-29.html (accessed Sept. 5, 2013); Timothy Egan, "Man Once Held as a Spy In North Korea Is a Suicide," *New York Times*, December 19, 1996, <http://www.nytimes.com/1996/12/19/us/man-once-held-as-a-spy-in-north-korea-is-a-suicide.html?src=pm> (accessed Sept. 5, 2013).

⁴⁹ Hunter-Gault, "The Korean Envoy."

⁵⁰ Michael R. Gordon, "Freed Pilot Tells How He Was Downed by North Koreans," *New York Times*, December 31, 1994 <http://www.nytimes.com/1994/12/31/world/freed-pilot-tells-how-he-was-downed-by-north-koreans.html> (accessed September, 5, 2013)

⁵¹ Andrew Pollack, "North Koreans Free U.S. Pilot Held 13 Days," *New York Times*, December 30, 1994, <http://www.nytimes.com/1994/12/30/world/north-koreans-free-us-pilot-held-13-days.html> (accessed Sept. 5, 2013).