

**Forum:** The Advisory Panel

**Issue:** Addressing the humanitarian issue in the Democratic People’s Republic of Korea

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## Introduction

Human rights in the Democratic People’s Republic of Korea are severely limited. Although the North Korean constitution “guarantees” numerous rights, many international organizations assert that in practice, there is no de facto right to freedom of speech, and the only radio, television, music and new providers that are deemed legal are those operated by the government. Furthermore, according to reports from Amnesty International and



*Satellite image of the night in North Korea: Information censorship*

the U.S. Committee for Human Rights in North Korea, by 2017 an estimated 200,000 prisoners are incarcerated in internment & reeducation camps that are dedicated to political crimes, and subjected to forced labor, physical abuse, execution and human experimentation.

The DPRK seeks the absolute brainwashing of its population. By indoctrinating its citizens with the use of sharp power, the state exerts total control over the population and enforces its monopoly of thought through harsh punishments including torture and death. Despite several warnings and sanctions from the United Nations General Assembly and the UN Human Rights Council (HRC), North Korea did not cooperate at all. In addition, in 2009, the DPRK government was the first state to not accept any of the 167 recommendations received from the adoption of its first Universal Period Review (a review on human rights conducted by the HRC on all UN members). The UN human rights commissioner denounced such actions, even saying that the situation in the DPRK was “the worst in the whole world.”

## Definition of Key Terms

### Human rights

Human rights are moral principles or norms that describe certain standards of human behavior, and are regularly protected as legal rights in municipal and international law.

### Sharp power

Famous political scientist Joseph Nye has deemed this sort of power as the use of information in an underhanded way to change peoples' views. Since North Korea controls all public media in the country, the state changes public opinion through such negative ways.

### Juche

Juche is the official state ideology of North Korea, described by the government as Kim Il-sung's "original, brilliant and revolutionary contribution to national and international thought." It postulates that "man is the master of his destiny", that the North Korean masses are to act as the "masters of the revolution and construction", and that by becoming self-reliant and strong a nation can achieve true socialism.

### Internment camps

The interment camps are for people accused of political offences or denounced as politically unreliable are run by the state security department. Political prisoners were historically subjected to the family responsibility principle, which meant that the immediate family members of a convicted political criminal were also regarded as political criminals and interned. However, since 1994 there has been a near-abandonment of this family responsibility principle. There are currently around 80,000 to 120,000 prisoners.

## General Overview

### DPRK

Since the establishment of the state in 1948, Marxist theory, Confucian tradition and Juche ideologies dictated most of North Korean human rights theory that human rights are conditional rather than universal. This means that collective rights take priority over individual rights, and that welfare and subsistence rights are the most imperative. According to Kim Il sung – Kim Jong Un's grandfather and

former dictator of North Korea – the concept of democracy cannot “provide freedom and rights to hostile elements who oppose socialism or impure elements who act against the interests of the People.”

The government of North Korea claims that the Constitution of the DPRK guarantees human rights of its people, and that these guarantees are fully elaborated in its laws and regulations. Supposedly, laws are strictly enforced throughout the country and with respect to every individual. North Korea released its own DPRK Association for Human Rights Studies report, which claims that North Koreans enjoy “genuine human rights”. North Korea also agreed to implement 113 of the 268 recommendations to improve its human rights performance made at the UNHRC’s Universal Period Review process. However, many states expressed skepticism about whether the North Korean government has become genuinely concerned about human rights or is simply preparing for imminent criticism in the UN.

With deeply embedded socialist ideologies as the foundation, the DPRK remains one of the most repressive authoritarian states in the world. Kim Jong-un, the current supreme leader of the DPRK, has been ceaselessly exhibiting his insuperable power and omnipotent position. Kim’s ruthless, inhumane use of power engendered a society with perpetual fear, unjustly took citizens’ freedom in various ways, and caused international threat. In order to fully stabilize his position, Kim has committed many deplorable acts as well as continuing a series of unethical measure to control the citizens with fear.

### **Detention and prison camps**

The North Korean constitution states that its clauses guarantees every citizens’ right of freedom of speech and assembly. However, in practice, it is a requirement for citizens to follow a more socialist way of life. Any criticism or denouncement of the government or its leaders is severely punishable and can be a cause for arrest and consignment to one of North Korea’s kwanliso, the political prison camps. In these camps, the detainees face unjust abuses including but not limited to sexual coercion, tortures by the guards, and a lethal level of labor that may even lead to death. The detainees are so unable to receive the necessary nourishment for survival, and their lack of food, medical care, and clothing lead to the worst living condition perceivable. The UN estimated that between 80,000 and 120,000 people, including women and children, are imprisoned in these political prison camps, showing a clear evidence of an absence of the basic human rights.

In North Korea, the government distributes all modes of information medium whether it is through the radio, television, newspaper and more. It is illegal to alter government approved machinery to make it possible to receive broadcasts from other nations, doing so will enact severe penalties. By doing so, the

DPRK can achieve an exhaustive censorship that promises the stability of Kim’s position as the supreme leader. However, some citizens attempt to have illicit contact and trades with China and South Korea in ways such as buying and selling South Korean films. These citizens may receive lengthy terms in a reeducation camp, known as the kyohwaso. Similar treatment is experienced in the kwanliso and kyohwaso. Anyone who is involved in any illicit trading schemes that involved non-controversial goods and more may get arrested and sent to these camps. The underlying issue is that the State has the power to arrest anyone who it deems suspicious, creating a source of fear to the citizens.

Furthermore, anyone suspected of committing a crime can be sent to a labor camps known as the rodong danryeondae. Again, detainees experience harsh treatment and receive not enough food and other necessities.



*Satellite image of the North Korean prison Camp No. 25*

## Labor rights

Labor rights in North Korea is largely under control by the ruling Korean Workers’ Party. As of today, the DPRK is one of the few nations in the world that is not associated with the International Labor Organization (ILO). Despite this fact, it is usually convention that ILO rules and guidelines should be followed regardless of ratification. However, the government of the DPRK seeks authoritarian rule, controlling the Korean workers through the only authorized trade union organization, the General Federation of Trade Unions of Korea. Due to this, the issues of forced labor and child labor are prevalent throughout North Korea, especially in the mining and textile industries as reported in the U.S Department of Labor’s 2013 “List of Goods Produced by Child labor or Forced Labor.”

One of the most prevalent violence of labor rights in the DPRK is the use of forced labor. In order to sustain the country's economy, Kim Jong-un has been utilizing illogical, unfair ways to force people, even including children, to work for free, which can be perceived as slavery. A student who escaped from North Korea reported that students in North Korea were forced to work on the farm twice a year, for one month at a time. An escaped teacher also reported that his school forced its students, aged between 10 and 16, to work everyday to sustain their own school's financial state as well as generating profit to pay the government officials. Furthermore, the country established government-assigned enterprises that force both ordinary men and women to work with an assigned salary. However, the workers usually never receive the salary. The government also asks for all North Korean families to send one family member for at least six days a week to participate in local construction schemes and public beautification projects. All of these are force labor with no compensation, which can be argued as slavery.



*Children working for the farming collectives*

The violation of human rights does not stop in the DPRK. After Kim Jong-un's rise to power, about 100,000 North Korean workers were sent oversea (in 2015) in order to collect foreign currency for the North Korean government. The workers are unable to use any foreign salary for themselves, as the government seizes all foreign currency to develop its economy. Furthermore, these North Korean workers unable to be protected by any international labor laws, meaning they have no right to freedom of

expression and receive long working hours and terrible living conditions even outside of their own country.

### **Freedom of religion**

North Korea is officially an atheist state and the North Korean Constitution provides for "freedom of religious belief". However, government policies continue to interfere with individuals' ability to choose and to manifest their religious belief. The government continues to repress the religious activities of unauthorized religious groups. The DPRK openly treats any religious beliefs, especially Christianity, as hostile towards the government. Religion is the only entity out of governmental control and major religions, such as Christianity, have a strong link with the world, threatening North Korea's effort to isolate itself from the world. Furthermore, churches can be used as a method to assemblage and develop a community of people with no influence from the government, which can be the first step for some to form a structured opposition towards the state. Although the DPRK is always ready to arrest and abuse religious entities, there are, inevitably, many Christians in DPRK. However, it has been reported that around 200,000 Christians have disappeared since 1953, and 50,000 of them may currently be in penal camps.

Reports from refugee, defector, missionary, and nongovernmental organizations show that individuals engaged in proselytizing, with ties to overseas evangelical groups operating in China, or who were repatriated from China and found to have been in contact with foreigners or missionaries, are likely to be arrested and harshly penalized. Refugees and defectors allege that they witnessed the arrests and execution of members of underground Christian churches by the regime. The UN has confronted the DPRK in 2014, criticizing the "almost complete denial of the right to freedom of thought, conscience and religion."

### **Creation of fear**

Kim Jung-Un's attempt to consolidate his power also involves public executions of generals who may be seen as a potential threat. It has been reported in July 2017 that criminals were publicly executed in front of schoolyards and fish markets to create an "atmosphere of fear". The assassination of his half brother Kim Jong-nam in February 2017 also shocked the world. Such violent, ruthless acts significantly decrease the chance of any uprising in North Korea, as ordinary citizens suffer from fear.

## Escapes to neighboring countries

Due to the harsh living qualities and the absence of basic human rights in North Korea, many citizens have attempted escaping North Korea to either South Korea or China. However, Kim Jong-un decided to strengthen the security between borders to prevent any civilian crossing borders without permission. Tactics include building impassable fences, persecuting those caught while attempting to escape, and blocking Chinese cell phone services near the border. In November 2017, a North Korean soldier managed to make across the border between North Korea and South Korea, which was clearly captured by a camera. The man, who was followed by 4 other North Korean soldiers, got shot 5 times. The man reached the Korean wall and was rescued by a South Korean soldier. The North Korean army does not hesitate to shoot any defectors.

Though there are few successful cases of escapes, China does not recognize any escaped North Koreans as refugee and repatriates them. China, however, is a state party to the Refugee Convention of 1951 and its 1967 protocol, but China considers any North Koreans as “illegal aliens”. The returned North Koreans face severe punishment, including interrogation, torture, sexual abuse and forced labor in the political prison camps. Even if they manage to stay in China, women are frequently forced to marry Chinese men or into sex trade. Many children born from such illicit trade do not possess legal identity or access to necessary services in China, leading to a series of significant social issues.

## Poverty

According to the doctor who treated the defector in November 2017 – who got shot 5 times and survived – the man had an unrealistic level of parasites found in his intestine. One of the suspected roundworms was nearly a foot long. “I spent more than 20 years of experience as a surgeon, but I have not found parasites this big in the intestines of South Koreans”. According to the United Nations, two out of 5 North Koreans are malnourished. Under Kim’s order in 2014 to add human and livestock manure to fertilizers to improve crop yield, poor civilians have to rely on their own feces or even steal from their neighbors, despite the inherent risk of spreading parasites.

Approximately 22 percent of North Korea’s gross domestic product is spent on military development. With the supreme leader’s goal to develop nuclear weapons for North Korea, ordinary citizens must suffer and consume food that can infect them with parasites and potentially kill them. With a series of sanctions imposed by the UN, ordinary citizens suffer more and more, while the government develops weapons.

## UN Involvement, Relevant Resolutions, Treaties and Events

In 2013, the United Nations Human Rights Council commissioned investigations on human rights in North Korea, which produced an imperative document called the “Report of the commission of inquiry on human rights in the Democratic People’s Republic of Korea.” The report prevails evidence that the DPRK regime has systematically violated fundamental human rights including freedom of thought, expression and religion; freedom from discrimination; freedom of movement and resident; and the right to food. Furthermore, the commission concluded that the State had committed crimes against humanity and ultimately failed to uphold its Responsibility to Protect. According to Agatha Kratz in her article “North Korea: a role for the EU on human rights,” these crimes include but not limited to: “extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution on political, religious, racial and gender grounds, the forcible transfer of transfer of populations, the enforced disappearance of persons and the inhumane act of knowingly causing prolonged starvation.”

### Timeline of Events

<b>Date</b>	<b>Description of event</b>
September 9 <sup>th</sup> , 1948	The Democratic People’s Republic of Korea was established
2009	The DPRK government rejected all 167 recommendations received from the adoption of its first Universal Period Review
December 17 <sup>th</sup> , 2011	Kim Jong-un came to power, becoming the supreme leader of the DPRK
2013	The United Nations Human Rights Council produced the “Report of the commission of inquiry on human rights in the Democratic People’s Republic of Korea”
February 2017	Assassination of Kim Jong-nam
July 2017	Public execution of criminals in front of schoolyards
November 2017	A defector successfully reached South Korea, though received 5 bullet shots



## Possible Solutions

It is extremely difficult to approach issues related to the DPRK due to the intensive censorship and isolation North Korea has with communication. One possible solution would be to apply economic trade sanctions to North Korea. The UN can encourage countries to stop trading with the DPRK, pressuring the state to change its attitude and treatment of ordinary civilians. Although this solution seems theoretically plausible, previous economic sanctions have shown little effect, if any, on Kim Jong-un's actions. This is partially due to China's surreptitious trade with North Korea, nullifying purpose of the economic sanction. However, North Korea still persists with the nuclear development even after China has slowly stopped providing necessary material, such as oil, to the DPRK. Thus, sanction may not be fully effective in terms of solving the problem from its root, but it would be effective in terms of pressuring the DPRK.

Another possible solution would be to have a series of negotiations with the DPRK with unbiased third party arbitration. Kim is developing nuclear weapons and treating his citizens in such a harsh manner because he wants to stay in power and make North Korea a stronger nation. If it is possible to promise to protect the innocent citizens and their human rights, it may be wise to have a negotiation and make a fair trade. However, as Kim has previously shown with his aggressive attitude, this solution may be ineffective due to two reasons: firstly, Kim may not even agree to have a negotiation. With the previous aggression, Kim may continue to choose to threaten international parties with its developing nuclear weapons instead of resolving in a peaceful manner. Secondly, the potential conditions required for the negotiation may be very extreme. Kim has already asked for an extremely unreasonable amount of financial aid in return for stopping future nuclear development. Therefore, it is quite unlikely that the DPRK will be willing to negotiate.

Finally, it is essential to provide humanitarian aid to the DPRK. This is the most direct method, which can be achieved by funding the relevant UN and non-governmental organization (NGO) programs that provide humanitarian aid to the DPRK. Member states may produce advertisement via social media to raise awareness for this issue, encouraging donations to aid the suffering North Korean citizens. However, there may be countries disagreeing to such act due to political conflicts. For instance, Japan opposed South Korea's attempt to fund \$8 million to aid poor North Korean women and children due to the ballistic missile test over Japan in September 2017. There may be some political issues, but humanitarian aid is definitely one of the possible solutions for the issue.

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