

POLICY BRIEFING

Human rights in North Korea

Abstract

The human rights record in the Democratic People's Republic of Korea (DPRK, or North Korea) has been widely condemned by the international community, including by the EU and the European Parliament. The ascension of the latest ruler of the Kim dynasty, Kim Jong-un, in December 2011 has not brought tangible change. Since the country is practically closed to foreigners, the human rights situation can only be evaluated based on the testimonies of refugees and defectors. Their reports consistently reveal blatant and unrepentant violations of human rights, which aim to elicit the total submission of the country's citizens to the regime and its ideology.

While the majority of North Koreans suffer from permanent hunger, those who try to leave the country face harsh punishment upon repatriation. Citizens suspected of being disloyal to the regime and their families are placed, without trial, in prison camps with abhorrent conditions. North Korea is among the countries carrying out the highest numbers of executions in the world.

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1. Overview

North Korea's human rights record is based principally on the testimonies of refugees and defectors.

No tangible changes have been seen since Kim Jong-un assumed power in December 2011.

The Democratic People's Republic of Korea is an authoritarian state that emerged after the Second World War and has been ruled by the Kim dynasty ever since. The latest national elections, held in March 2009, were neither free nor fair.

North Korea's human rights situation is difficult to assess: the access of foreigners to the country is restricted and those who do enter are under close surveillance. North Koreans are not allowed to leave the country, which means that reports are mainly based on the contributions of refugees and defectors.

Non-governmental organisations (NGOs) report that North Korea commits blatant human rights violations: arbitrary and indefinite imprisonment, political prison camps, torture, public executions, suppression of workers' rights, and prohibitions on freedoms of expression, media, movement, association and religion¹.

North Korea's human rights violations have been widely condemned, including by the United Nations General Assembly and Human Rights Council, which have adopted several resolutions.

Nevertheless, the North Korean government insists that there are no human rights issues in the country, arguing that its system has been chosen by the people: 'The words "human rights" sound absolutely nonsensical in the DPRK where the dignity and independent rights of the working masses are fully guaranteed legally and institutionally.'²

The ascension of Kim Jong-un after the death of his father Kim Jong-il in December 2012 has hardly changed the grim situation, although Kim Jong-un has spoken about improving people's lives. As recently as December 2011 DPRK authorities issued a statement indicating they would 'annihilate' up to three generations of a family if a family member fled the country during the 100-day period of mourning following the death of Kim Jong-il. Border controls were also intensified³.

¹ [US State Department](#)

² [Korean Central News Agency](#) 2012

³ ICNK, [Kim Jong Un Tightens Grip along Border](#), 16 January 2012

2. Human rights violations

2.1. Executions

North Korea's criminal code foresees the death penalty for more than 20 crimes, including smuggling and dealing narcotics, stealing state property and counterfeiting currency. The code also allows for arbitrary decisions by the authorities, who can determine 'the gravest cases' or 'extremely serious cases'⁴.

In 2011 North Korea executed 30 or more people, placing the country among the ranks of those carrying out the greatest number of executions in the world, according to Amnesty International⁵.

2.2. Torture and ill-treatment

Persons who are accused and arrested are often subjected to torture to enforce obedience and obtain bribes or information, despite the fact that North Korea's criminal code prohibits torture or inhuman treatment. According to Human Rights Watch, common forms of torture include sleep deprivation, beatings with iron rods or sticks, kicking and slapping, and enforced sitting or standing for hours. A study conducted in 2010 found that 60 % of previously imprisoned refugee respondents had witnessed a death due to beating or torture⁶.

2.3. Prison camps

Some 200 000 people live in prison camps; incarcerated with their families and without trial.

According to Amnesty International, around 200 000 prisoners (about 0.85 % of the population) are held in six large political prison camps (*gwalliso*). People who are suspected of not being loyal to the regime are sent to these camps without a trial, often with three generations of their family — spouses, children and parents — and mostly without any hope of release. The prisoners may have committed 'crimes' such as not dusting a portrait of the leader or being Christian⁷. North Korea has never recognised

⁴ [Report of the Special Rapporteur on the situation of human rights in The Democratic People's Republic of Korea](#)

⁵ [Amnesty International, Death Sentences and Executions 2011](#)

⁶ [Human Rights Watch \(HRW\) World Report 2012](#)

⁷ The Economist, [The gulag behind the goose-steps](#), 21 April 2012

⁸ [The Situation of Detainees in Gulag System](#)

Conditions in the camps approach those of slavery, with starvation and no medical treatment.

that these camps exist.

Prisoners, including children, are forced to work in conditions approaching slavery, e.g., mining, logging and farming, seven days a week for twelve hours or more per day. They are frequently subjected to torture and kept on the verge of starvation. A defector has described the daily ration as approximately twenty grains of corn per prisoner. Convicts search through cow dung for undigested grain. No medical treatment is provided in the camp. Pregnant women are subjected to forced abortions or forced to give up their babies upon delivery to be murdered or abandoned.⁸.

In 2011, Amnesty International said it believed North Korea's prison camps were expanding. The organisation based its findings on satellite pictures⁹; prison camps can be seen on Google Earth.

2.4. Food shortages

North Korea has been dependent on food aid since famine in the mid-1990s.

In March 2011, the UN estimated that more than six million vulnerable persons in North Korea needed immediate international food aid¹⁰. With food shortages reaching more than one million tonnes, the World Food Programme called it the worst famine in a decade.

Among the causes are floods, an extremely harsh winter; discriminatory food policies that favour the elite, and the economic mismanagement of a monetary devaluation scheme in November 2009 that wiped out many peoples' savings.

In his February 2012 report, United Nations (UN) Special Rapporteur Marzuki Darusman called on the DPRK government to allocate more resources to agriculture than to its military sector¹¹. At the same time, he emphasised that food 'should never be used as an instrument of political and economic pressure' (referring to a 1999 General Comment on the right to food by the UN Committee on Economic, Social and Cultural Rights)¹². Nevertheless, the U.S. suspended its plans for food aid to North Korea after the announcement of a new rocket launch in March.

In June 2012, the United Nations Development Programme (UNDP) Resident Coordinator in Pyongyang, Jerome Sauvage, reported that one in two children in North Korea is stunted due to malnourishment¹³.

The year 2013 could be particularly difficult for North Koreans as the

⁹ Amnesty International, [Amnesty International Report Exposes North Korean Gulags](#), June 2011

¹⁰ [HRW World Report 2012](#)

¹¹ [Report of the Special Rapporteur 2012](#)

¹² [Report of the Special Rapporteur 2012](#)

¹³ Reuters, [U.N. optimistic on U.S. aid for North Korea, food still a problem](#), June 2012

country may face a new famine due to losses of up to 13 % of its grain harvest this year, according to a recent report by a South Korean official¹⁴. Losses result from a drought that followed widespread flooding this summer and that obliged the country to request immediate food assistance.

The regime has announced that it has set a goal for 2012 — the centenary of the birth of Kim Il Sung, the first leader of the DPRK — to develop its economy, improve its people's lives and attract foreign investment¹⁵.

In August 2012, the uncle of North Korea's leader Kim Jong-un, Jang song-thaek, met China's President Hu Jintao to explore ways to revive North Korea's decimated economy and advance beyond the Marxist economic model¹⁶. There are also reports of plans for financial reform¹⁷.

2.5. Media and internet

Kim Jong-Il's death clearly demonstrated how tight the government's grip remains on the media and information: the news was broadcast on North Korean state television only two days later¹⁸.

All sources of media, such as radio and television, are strictly controlled by the government and heavily censored. The contents of national media almost entirely consist of political propaganda and the promotion of the leaders' personality cults. Internet use is limited to the political elite.

Mobile phone access is limited to an internal network (one million users or 4 % of the inhabitants), and international calls can only be made by foreigners and the political elite¹⁹. Fines for making an international call can be as high as KPW 1 million (about USD 1 100), coupled with one week of detention²⁰.

North Korea is ranked second-to-last out of 179 countries in the World Press Freedom Index, before Eritrea²¹.

2.6. Freedom of expression

The government regularly evaluates its citizens' loyalty to the regime with the help of a large network of informants. Persons considered subversive are punished; disloyal inhabitants of Pyongyang are expelled from the capital²².

¹⁴ Reuters, [Destitute North Korea's grain harvest seen falling sharply](#), 4 September 2012

¹⁵ [CIA World Fact Book](#)

¹⁶ Reuters, [China's Hu gives show of support for North Korea](#), 17 August 2012

¹⁷ ICNK, [The Signs of Financial Reform in North Korea](#), 28 August 2012

¹⁸ [Reporters Without Borders: North Korea](#)

¹⁹ [US State Department](#)

²⁰ [Reporters Without Borders: North Korea](#)

²¹ [Reporters Without Borders: World Press Freedom Index](#)

²² [HRW World Report 2012](#)

2.7. Freedom of assembly and association

The country's 1992 constitution includes provisions for freedom of assembly and association, although this is not respected in practice. All organisations are created by the government²³.

2.8. Freedom of religion

The DPRK is officially an atheist state. Autonomous religious activities are almost non-existent, although the government sponsors some religious groups to create the illusion of religious freedom²⁴.

The constitution foresees freedom of religion, while specifying that 'no one may use religion as a means by which to drag in foreign powers or to destroy the state or social order'²⁵.

In 2009, the South Korean Investigative Commission on Crime Against Humanity reported on the public execution of a Christian woman accused of distributing the Bible. The Bible is banned in the North²⁶.

2.9. Freedom of movement: refugees

Leaving the country without state permission is a crime in North Korea. Those who leave — most often to go to China — face harsh punishment if repatriated. Moreover, as mentioned above, DPRK authorities issued a statement in December 2011 indicating that they would 'annihilate' up to three generations of a family if a family member fled the country during the 100-day period of mourning for the death of Kim Jong-il²⁷. Border controls were also intensified last year²⁸.

Over the years, up to 400 000 North Koreans have fled the country, and many are living in neighbouring China as illegal immigrants. They are routinely repatriated, despite China's obligation to offer protection to refugees under international law, the Refugee Convention of 1951 and the Convention's 1967 Protocol, to which China is a state party²⁹. In March 2012, at least 41 North Korean refugees were forcibly repatriated by the People's Republic of China (PRC) to the DPRK³⁰. In June four of them were executed³¹.

Up to 400 000 North Koreans have escaped. Those who are repatriated face harsh punishment.

²³ [US State Department 2011 Human Rights Reports: Democratic People's Republic of Korea](#)

²⁴ [CIA World Fact Book](#)

²⁵ [Minority Rights Group International: North Korea Overview](#)

²⁶ BBC, [North Korea 'executes Christians'](#), July 2009

²⁷ [European Parliament Resolution](#), 25 May 2012

²⁸ [Report of the Special Rapporteur 2012](#)

²⁹ [HRW World Report 2012](#)

³⁰ [UN Human Rights Council](#)

³¹ ICNK, [North Korea executes 4 defectors sent back from China](#)

2.10. Labour rights

North Korea is one of the few countries that have not joined the International Labour Organisation (ILO). The ruling Korean Workers' Party controls the only authorised trade union organisation, the General Federation of Trade Unions of Korea³².

2.11. Minority rights

There is no specific provision regarding the protection of minorities in North Korean legislation. North Korea is one of the world's most homogeneous countries in linguistic and ethnic terms: almost all 23 million inhabitants are ethnic Koreans whose ancestors have been living there for thousands of years. There is only one, very small Chinese minority of around 50 000.³³

2.12. Rights of disabled people

Although North Korea participated in the 2012 Paralympics in London, there have been reports in the past of disabled newborns being killed and of disabled people being sent to special camps and banned from the capital³⁴.

A 2003 law stipulates equal access for disabled persons to public services but has not been implemented.³⁵

2.13. Abductions

In the past, the DPRK has been involved in the abduction of foreign citizens, mainly South Korean and Japanese individuals. More than 500 persons have reportedly been kidnapped. However, no progress has been made with investigations into such abductions or the release of abductees since 2002, when two Japanese nationals were returned to Japan³⁶. The DPRK had promised to reopen the investigation into the cases of suspected abductions of Japanese nationals in 2008³⁷.

2.14. Rule of law

And independent judiciary and individual rights do not exist in North Korea, although, according to the country's constitution, courts are independent

³² [HRW Report 2012](#)

³³ [Minority Rights Group International: North Korea Overview](#)

³⁴ ICNK, [Disability, the Paralympics, and Ji Seong Ho](#), 30 August 2012

³⁵ [US State Department 2011 Human Rights Reports: Democratic People's Republic of Korea](#)

³⁶ [Report of the Special Rapporteur 2012](#)

³⁷ [US State Department 2011 Human Rights Reports: Democratic People's Republic of Korea](#)

and judicial proceedings must strictly follow the law.

3. International treaties

North Korea is party to four international human rights treaties:

- the International Covenant on Civil and Political Rights (ICCPR),
- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),
- the Convention on the Rights of the Child (CRC),
- the International Covenant on Economic, Social, and Cultural Rights (ICESCR).

4. Reactions of the international community

4.1. UN

In March 2012, a UN resolution about human rights in North Korea was passed by consensus.

In March 2012 a UN Human Rights Council adopted a resolution expressing concerns about the 'grave, widespread and systematic human rights abuses human rights violations' in North Korea. The resolution deplored the refusal of the government to 'allow [the Special Rapporteur on human rights] access to the country'³⁸. For the first time, North Korea's allies in the Council (including China and Russia) did not call for a vote, but instead allowed the resolution to pass by consensus³⁹.

This sort of resolution has, in the past, had little impact on North Korea. When a previous resolution on human rights condemned the situation in the North, the country's state news agency, the Korean Central News Agency, ran the following response:

As already reported, the 'resolution on human rights' against the DPRK was railroaded through the 60th UN General Assembly due to the pressure and the lobbying operation of the U.S., Britain, Japan and other hostile forces. The "resolution" is peppered with lies and fabrications defaming the advantageous Korean-style socialist system centred on the popular masses. That was why it failed to get the approval of many member nations at the general assembly as it was a controversial one which clearly indicated the politicization of the human rights issue, selectivity and double standards⁴⁰.

³⁸ [Report of the Human Rights Council on its nineteenth session, unedited version](#)

³⁹ HRW, [UN Human Rights Council: North Korea Condemnation Goes Unopposed](#), 23 March 2012

⁴⁰ [Korean Central News Agency](#) 2005

There are small signs that the country is beginning to cooperate with some UN bodies.

Despite the efforts of the UN the Secretary-General and the Special Rapporteur, the DPRK 'continues to be late in reporting to the treaty bodies or uncooperative with the special procedures'⁴¹.

There have, however, been some signs of cooperation with other UN bodies, including the World Food Programme (WFP), the United Nations Children's Fund, the World Health Organisation and the Office for the Coordination of Humanitarian Affairs. In October 2011, the UN's Emergency Relief Coordinator visited the DPRK to assess the humanitarian situation⁴². In July 2012, a UN mission was granted access to the country to evaluate the damage caused by the floods.⁴³

In 2013, Special Rapporteur Darusman, is due to report to the Human Rights Council. North Korea will prepare its next periodic review for the same time⁴⁴.

4.2. ICNK

The International Coalition to Stop Crimes against Humanity in North Korea (ICNK), established in September 2011, is the first international coalition that brings together human rights organisations from around the world⁴⁵. Some 40 organisations have joined the coalition.

On April 2012 the ICNK submitted a petition to the special procedures of the United Nation Human Rights Council calling for the UN to help shut down North Korea's vast gulag system.⁴⁶

Delegates of the ICNK met Members of the European Parliament and EU officials in Brussels on 7 June 2012 to persuade them to support the establishment of a UN commission of inquiry into human rights abuses in North Korea.

4.3. Six-party talks

The 'six-party talks', which include China, the United States, North and South Korea, Japan and Russia, are aimed at ending North Korea's nuclear program through a negotiating process. Although human rights are not one of the topics of discussion for the talks, the Special Rapporteur believes that progress in these negotiations will assist discussions on other issues, such as the human rights situation⁴⁷. Six-party negotiations have not taken place since December 2008.

⁴¹ [Report of the Special Rapporteur 2012](#)

⁴² [Report of the Special Rapporteur 2012](#)

⁴³ [UN to assess North Korea floods as more rain falls](#)

⁴⁴ [Report of the Special Rapporteur 2012](#)

⁴⁵ [The International Coalition to Stop Crimes against Humanity in North Korea \(ICNK\)](#)

⁴⁶ [ICNK press release, 3 April 2012](#)

⁴⁷ [Report of the Special Rapporteur 2012](#)

4.4. European Union

The EU and its Member States engage in regular political dialogue with North Korea, including through the UN.

The EU is also involved in a number of assistance programmes.

The EU conducts regular political dialogues with the DPRK. The European Union established diplomatic relations with the DPRK in May 2001, and the majority of EU Member States have diplomatic relations with the DPRK. These contacts provide an opportunity to discuss human rights. The EU has also regularly raised the issue of the North Korean human rights situation in discussions at UN bodies.

Since 1995, the EU has been involved in various assistance programmes and cooperation activities with the DPRK. Since then, over EUR 366 million in aid has been provided in the form of food aid, medical, water and sanitation assistance and agricultural support⁴⁸. The EU supports, however, the Special Rapporteur's 'call to rectify flaws in production, distribution and trading systems and to stop the misallocation of resources for military purposes'⁴⁹.

A Country Strategy Paper was adopted in March 2002, but its implementation has been suspended. There are currently no plans for a new Country Strategy Paper or for development cooperation, although this remains open for the future⁵⁰.

As part of the interactive dialogue with the Special Rapporteur, the EU has encouraged 'the DPRK's new leadership to use its next universal periodic review in 2014 as an opportunity to enhance its dialogue with the international community and to provide undisclosed information of its criminal code', including subsequent revisions and addendums⁵¹.

⁴⁸ [EEAS: North Korea](#)

⁴⁹ EEAS, [HRC19 - Interactive dialogues on Syria, Iran, Burma/Myanmar, North Korea](#), 12 March 2012

⁵⁰ [EEAS: North Korea](#)

⁵¹ EEAS, [HRC19 - Interactive dialogues on Syria, Iran, Burma/Myanmar, North Korea](#)

4.4.1 European Parliament

The European Parliament has adopted several resolutions on North Korea, the latest in May 2012 concerning the forced repatriation of North Korean refugees in China⁵².

In July 2010, the Parliament called on the EU 'to appoint an EU special representative on the DPRK to ensure persistent attention and coordination'⁵³.

Following the death of Kim Jong-il, Parliament's former President Jerzy Buzek issued a statement calling on the North Korean authorities 'to make concrete and tangible steps towards improving human rights conditions'. He called 'on the authorities to allow inspection of all types of detention facilities by independent international experts and to allow UN Special Rapporteurs to visit the country'. He also urged the country 'to engage constructively in human rights dialogues with the EU'⁵⁴.

A public hearing organised by the Parliament's Subcommittee on Human Rights took place in May 2012 with the participation of a former prisoner, the brother of a Japanese abductee and the US Special Envoy Robert King.

⁵² [European Parliament resolution of 24 May 2012 on the situation of North Korean refugees](#)

⁵³ [European Parliament resolution of 8 July 2010 on North Korea](#)

⁵⁴ [Buzek on the death of Kim Jong-il](#), 19 December 2011

5. Annexes

Figure 1:
Map of North Korea



Source: United Nations

Table 1:
Data

Basic information on North Korea	
Population	24 589 122 (July 2012 est.)
Capital	Pyongyang
Life expectancy	66 years for men, 72 years for women (UN)