

North Korea

The government of North Korea (The Democratic People's Republic of Korea, DPRK) remains among the world's most repressive governments. Leader Kim Jong Il has ruled with an iron fist and a bizarre cult of personality since his father, former President Kim Il Sung, died in 1994. Virtually every aspect of political, social, and economic life is controlled by the government. Although North Korea has acceded to the International Covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights, it routinely and egregiously violates nearly all international human rights standards.

Basic services, such as access to health care and education, are parceled out according to a classification scheme that divides people into three groups—"core," "wavering," and "hostile"—based on the government's assessment of their and their family's political loyalty. There is no freedom of the press or religion. The judiciary is neither impartial nor independent. There is no organized political opposition, no labor activism, and no independent civil society.

No human rights organization has direct access to the country for research or investigation. Human Rights Watch has documented abysmal human rights conditions through interviews with refugees and escapees from prison camps.

According to U.S. and South Korean officials, up to 200,000 political prisoners are believed to be toiling in prisons, while non-political prisoners, the number of which is unknown, are also mistreated and endure at times appalling prison conditions.

North Korea's deadly famine in the 1990s reportedly killed as many as two million people. Hundreds of thousands of North Koreans crossed the border into China for both political and economic reasons and many now live in hiding from North Korean agents who capture and repatriate them for the "crime" of leaving their country or from Chinese authorities who categorize them as illegal immigrants and forcibly return them to North Korea. Humanitarian groups working in China also report a worsening problem of trafficking of North Korean women. Many are abducted or duped into forced marriages, prostitution or outright sexual slavery, while some voluntarily enter such servitude to survive or make money. Chinese authorities also routinely harass aid workers providing assistance to these refugees. Repatriated North Koreans can face detention, torture, and even execution.

Freedom of Press and Religion

There is no freedom of the press in North Korea. All media are either run or controlled by the state. All TVs and radios are fixed so that they can transmit only state channels. The simple act of watching or listening to the foreign press—or tampering with TVs or radios for this purpose—is a crime that carries harsh punishment. All publications are subject to supervision and censorship by the state. There is no freedom of religion. All prayers and religious studies are supervised by the state, and often used for state propaganda. Independent worship is not allowed.

North Korean refugees who recently escaped the country have said that more knowledge of the outside world is slowly spreading by word of mouth from residents who watch Chinese TV channels despite the risk of being arrested.

Refugees

Thousands of North Koreans escape to South Korea every year, a small number compared to those seeking refuge in China. The vast majority of North Korean refugees in China crossed the border without state permission, which is required under North Korean law for travel for any purpose inside the country or abroad. Although the restriction on movement has reportedly become more relaxed inside the country, authorities still consider it an act of treason to leave North Korea without permission.

If repatriated, North Korean refugees are interrogated by North Korean police who often use torture to extract “confessions.” If they are found to have crossed the border only once just to find food, they are usually released. However, if they are found to be “repeat offenders” or have had contact with westerners or South Koreans while in China, especially missionaries, they become subject to harsh punishments including terms in forced labor camps.

In the fall of 2004, hundreds of North Korean refugees were flown from Southeast Asia to Seoul via Vietnam. North Korea demanded that they be repatriated back to North Korea, accusing South Korea of kidnapping the refugees, and stopped all government-level talks. South Korea accepts thousands of North Korean refugees for resettlement every year, far more than any other country that legally admits North Korean refugees.

Detention and Torture

Those arrested in North Korea are divided into different categories, depending on the seriousness of their “crime,” and sent to one of the corresponding prison facilities. All individuals held in North Korean prisons are subjected to forced labor. No legal counsel is provided or allowed throughout the process. Those who are sent to prison face cruel, inhuman, and degrading treatment; many die in prison because of mistreatment, malnutrition, and lack of medical care. Torture appears to be endemic.

Death Penalty

Under North Korea's penal code, premeditated murder and so-called anti-state crimes such as treason, sedition, and acts of terrorism are punishable by death. During the famine in the mid-1990s, the North Korean regime added another crime to the list: theft of food. Numerous eyewitness accounts by North Korean refugees have detailed how executions are carried out publicly, often at crowded market places, and in the presence of children.

Right to Education and Work

North Korea's politically determined classification system restricts nearly all aspects of education, labor, and health care. Although all North Korean children are required to attend school for eleven years, it is generally children of the "core" group who are allowed to advance to college and hold prominent occupations. Those belonging to "wavering" or "hostile" groups have very limited or no choice in education or work.

Since the famine, even the compulsory education system is barely functioning in many parts of the country, as many teachers and students spend more time trying to find food than in classrooms. North Korea advertises itself as a workers' heaven, and has numerous trade unions in all industrial sectors, but the unions are all controlled by the state. Strikes and collective bargaining are illegal, as are all independently organized labor activities.

Discrimination in Medical Care

Access to medical care is also strictly based on the class system, as hospitals admit and treat patients depending on their social background. While hospitals for the elite class are equipped with modern medicine and facilities, those for the rest of the population often lack even very basic supplies such as bandages or antibiotics. Many North Korean citizens, especially children, suffer from diseases that can be easily treated. According to testimonies from North Korean refugees, doctors at many hospitals are forced to conduct surgeries without anesthesia and recycle needles and bandages.

Civil Society

There is no organized political opposition in North Korea. The ruling Workers' Party controls the parliament, which has only symbolic power, and all other smaller parties are pro-government and state-controlled. There are no independent nongovernmental organizations of any kind, including human rights organizations. State elections are held periodically, but all candidates are state candidates. Voting is openly monitored by state officials, and results in an almost 100 percent voting rate and 100 percent approval rate.

Expression of dissent against government policy or doctrines is considered a serious offense against the state. For political crimes, whether actual or perceived, collective punishment of entire families is the norm. Even when the family members of political offenders are not sent to prison, their choice of schools, residence, and jobs becomes severely restricted, potentially for generations.

Key International Actors

North Korea's relationship with the international community is seriously complicated by its self-proclaimed possession of nuclear weapons and its dismal record on human rights and economic development. In this atmosphere, North Korea's major international interlocutors are its immediate neighbors, South Korea and China, both of which wish to avoid a major humanitarian catastrophe on the Korean peninsula, and Japan and the United States, which seek to curb North Korea's nuclear threat.

In late September 2004, North Korea announced that it had created nuclear weapons "to serve as a deterrent against increasing U.S. nuclear threats." Six nations—North Korea, South Korea, the United States, China, Russia and Japan—have been holding talks for years with little result to address North Korea's nuclear weapons program.

In the summer the same year, the United Nations Commission on Human Rights appointed Vitit Muntarbhorn, a Thai academic, as Special Rapporteur on North Korea. The move came after the Commission adopted a resolution for the second straight year calling on North Korea to respect basic human rights. North Korea has largely shunned talks with U.N. human rights experts, and has yet to engage in dialogue with Muntarbhorn.

In an unprecedented move, two members of the Committee on the Rights of the Child were able to visit North Korea in 2004. During their visit, they highlighted mistreatment of children returned from China, as well as issues of economic exploitation, trafficking, and juvenile justice, including cases of torture.

Separately, North Korea has been aggressively pursuing better diplomatic relations and foreign investment. In the latest move, North Korea invited British Foreign Office Minister Bill Rammell to Pyongyang in September 2004 to discuss its nuclear weapons program and human rights record. According to Rammell, North Korean officials admitted that Pyongyang attaches little importance to human rights and confirmed the existence of labor camps for "re-education," a small step forward from previous blanket denials of any human rights abuse.

In October, the U.S. Congress passed and the president signed into law the North Korea Human Rights Act of 2004, calling for more Korean-language radio broadcasts into North Korea and increased funding for nongovernmental organizations that promote "human rights, democracy, rule of law and the development of a market economy."