

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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The regime of leader Kim Jong Il, the subject of an intense personality cult, is among the worlds most repressive. North Korea (The Democratic Peoples Republic of Korea, DPRK) in 2005 stepped back from the previous years efforts and made little progress in human rights: the countrys dismal human rights conditions, including arbitrary arrests, pervasive use of torture, and lack of due process and fair trials, remain of grave concern. There is no organized political opposition, labor activism, or independent civil society. There is no freedom of information or freedom of religion. Basic services, such as access to health care and education, are provided according to a classification scheme based on the governments assessment of an individuals and his/her familys political loyalty.

In September 2005, North Korea asked the World Food Programme (WFP) to switch its emergency food aid to long-term development aid, despite the agencys concerns that such a change was premature and could negatively affect the most vulnerable sections of the population. In a meeting with United Nations Secretary-General Kofi Annan, Vice Minister of Foreign Affairs Choe Su Hon indicated North Korea would rather forego Western food aid than have to discuss human rights with donors. North Korea also asked Western aid organizations to wind down their operations by the end of the year. As of this writing, North Korea is not showing any signs of reversing the decision. China and South Korea, the two largest donors, continue to provide food and other aid directly to North Korea.

The move came after North Korea took a few positive steps seemingly in response to international criticism of its human rights record. It deleted a provision in its Penal Code that allowed arbitrary application of laws, adopted the principle of no criminality unless prescribed by law, and invited two members of the U.N. Committee on the Rights of the Child to Pyongyang.

Absence of Political Pluralism, Freedom of Information and Freedom of Religion

The ruling Workers Party controls the parliament, which has only symbolic authority, and all other smaller parties are pro-government and state-controlled. 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 turnout and 100 percent approval rate. There is no organized political opposition in North Korea. The norm for actual or perceived political crimes is collective punishment of entire families, including young children. Offenses related to the personality cults of Kim Jung Il and his late father and predecessor Kim Il Sung are subject to particularly cruel punishment. There are no independent nongovernmental organizations of any kind.

All media are either run or controlled by the state, and all publications are subject to official censorship. Recent North Korean escapees have said, however, that some North Koreans in the northern border area have been watching Chinese TV and even South Korean soap operas on DVDs smuggled from China, defying risks of harsh punishment. North Korea fears that exposure to images of a free and wealthy South Korean society could lead to ideological contamination and subversive behavior.

North Korea does not allow practice of religious faith outside a small number of churches and temples that it uses for state propaganda.

Discrimination in Education, Jobs, and Health Care

North Koreas politically determined classification system restricts nearly all aspects of education, labor, and health care. Membership in the Workers Party, which is imperative to an individuals professional success, is restricted to people whose political background fits

certain criteria. Although all North Korean children are required to attend school for eleven years, it is generally children of the elite who are allowed to advance to college and hold prominent occupations. Access to medical care is also strictly based on the classification system, as hospitals admit and treat patients depending on their social background. Many North Korean citizens, especially children, suffer from diseases that can be easily treated. The numerous trade unions in all industrial sectors are controlled by the state. Strikes and collective bargaining are illegal, as are all independently organized labor activities.

Detention, Torture, and Execution

No legal counsel is provided or allowed to criminal suspects, and many of them are tortured or mistreated during the interrogation process. All prisoners are subjected to forced labor and face cruel, inhuman, and degrading treatment; many die in prison because of mistreatment, malnutrition, and lack of medical care. Torture appears to be endemic. 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 food crisis in the 1990s, North Korea began executing people accused of crimes related to economic difficulties, such as stealing grain from agricultural cooperatives. Numerous eyewitness accounts by North Korean escapees have detailed how executions are carried out publicly, often at crowded marketplaces, and in the presence of children.

North Koreans in China

According to a South Korean refugee relief organization, Good Friends, the number of North Koreans in the three northeastern Chinese provinces where they were most concentrated decreased from hundreds of thousands in the late 1990s to no more than fifty thousand in 2005, largely due to economic improvement in North Korea. People who return from China to North Korea can face detention, torture, and even execution, especially if they are found to have had contact with westerners or South Koreans, although an increasing number of North Koreans reportedly avoid punishment by bribing border guards. Chinese authorities routinely harass aid workers providing assistance to North Koreans.

Humanitarian groups report persistent problems with the trafficking of North Korean women. Many are abducted or duped into forced marriages, prostitution or outright sexual slavery, while some voluntarily enter such situations to survive or to earn money.

South Korean and Japanese Abductees

According to South Korea's Unification Ministry, a total of 3,790 South Koreans were kidnapped and taken to North Korea between 1953 and 1995, of whom 486 remain detained. Some of the abductees have been used in propaganda broadcasts to South Korea, while others have been used to train North Korean spies. North Korea has rejected repeated requests from families of the South Korean abductees to confirm their existence, to return them, or, in the cases of the dead, to return their remains.

Separately, North Korea has admitted to having abducted thirteen Japanese citizens in the 1970s and 1980s. It allowed five of them to return home in 2002, but said the others had died. This issue remains a source of intense diplomatic dispute between the two countries. North Korea sent to Japan what purported to be the remains of two deceased abductees, but they were found to be remains of other persons.

Key International Actors

The international community's main preoccupation with North Korea over the past decade has been over the country's nuclear ambition. In September 2004 North Korea announced that it had created nuclear weapons to serve as a deterrent against increasing U.S. nuclear threats. In September 2005 the fourth round of six-party talks involving North Korea, South Korea, the United States, China, Japan, and Russia concluded with North Korea pledging to give up its nuclear weapons program in return for an energy package from the other parties, while the U.S. promised not to attack or invade North Korea. As of this writing, the six parties were holding a fifth round of talks to discuss how to implement the agreement from the previous round.

South Korea's government maintains a policy of engaging North Korea by being its largest trade partner and donor while remaining silent on its human rights record. On the other hand, South Korea continues to recognize all North Koreans arriving in South Korea as southern citizens (about 7,000 North Koreans have resettled in South Korea so far, via China), and provides them with generous resettlement subsidies.

The North Korea Human Rights Act, which the U.S. adopted in 2004, opens up the possibility for North Korean refugees to be admitted for resettlement in the United States. Thus far, however, little action has been taken, and it is unclear how many refugees could benefit or when. The U.N. Commission on Human Rights adopted a resolution for the third straight year calling on North Korea to respect basic human rights. In November 2005, the U.N. General Assembly passed a resolution against North Korea, citing "systemic, widespread and grave violations of human rights."

North Korea has largely shunned talks with U.N. human rights experts, except for a few meetings on children's and women's rights. It has not responded to repeated requests by Vitit Muntarbhorn, special rapporteur on North Korea, to engage in dialogue.

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