

# Human Rights Watch

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

<https://www.hrw.org/world-report/2005/country-chapters/north-korea>

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The North Korean government is among the worlds 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.

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 governments assessment of their and their familys 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.

North Koreas self-imposed isolation and complete disregard for international law makes independent monitoring of the country nearly impossible. No human rights organization has direct access to the country for research or investigation. However, Human Rights Watch has been able to document 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, whose number is unknown, are also mistreated and endure appalling prison conditions.

North Koreas 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. Chinese authorities also routinely harass aid workers providing assistance to these refugees. Repatriated North Koreans can face detention, torture, and even execution, if they are found to have had contact with Westerners or South Koreans, especially missionaries.

#### 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.

#### Freedom of Movement

The vast majority of North Korean refugees in China crossed the border without state permission, which is required by North Korean law for travel of any purpose inside the country or abroad. The law, along with a geographically-based food ration system, largely kept the populations movement in control until the early 1990s. The system collapsed during the famine that devastated the country, when

streams of North Koreans poured into Chinese territories near the North Korean border in search of food. Although the restriction on movement reportedly has become more relaxed inside the country, leaving North Korea without permission is still considered an act of treason.

### **Detention and Torture**

In North Korea, there are three main types of different prison facilities; Kwanriso, Kyohwaso and Jipkyulso. Kwanriso facilities are for political prisoners and their families. Kyohwaso are for long-term non-political prisoners while Jipkyulso are for short-term prisoners. Separately, there are jails and interrogation centers where people are kept before being sent to prisons. 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 inside the 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 such executions are carried out publicly, often at crowded market places, and in the presence of children.

### **Right to Education and Work**

As noted at the outset, North Korea classifies its citizens into three categories: core, wavering and hostile, based on the government's assessment of political loyalty. 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 colleges 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 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—the families of Kim Jong Il, his confidants, and top officials—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 by 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 or civil rights organizations. State elections are held periodically, but all candidates are state candidates. Voting is openly observed by state officials, and usually 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 families of political offenders are not sent to prison, their choice of schools, residence and jobs becomes severely restricted, potentially for generations.

### **Key International Actors**

The relationship between North Korea and South Korea has improved in recent years, at least on the surface, as a result of the South Korean government's so-called sunshine policy of engaging North Korea. South Korea also has been among the largest donors of food to its northern neighbor, but its influence on North Korea's foreign and domestic policies has been minimal.

The United States is still formally at war with North Korea, because the 1950-53 Korean War ended with a cease fire, not a peace treaty. Meanwhile, the presence of tens of thousands of U.S. troops stationed in South Korea has been a contentious issue between the two countries. North Korea regularly accuses Washington of preparing for an invasion, and has shown a deep fear and distrust of U.S. intentions in the region. North Korea has been demanding a bilateral non-aggression treaty, in return for halting its nuclear weapons program.

North Korea's ally, China, has led multi-party talks on North Korea's nuclear weapons program. However, the Beijing government, with a poor human rights record of its own to worry about, has remained silent on human rights abuses in North Korea.

Japan and North Korea have lingering, thorny, diplomatic issues, including North Korea's demand for compensation for Japan's brutal oppression while the Korean peninsula was a Japanese colony from 1910 to 1945, and North Korea's abduction of Japanese citizens in the 1970s and 1980s.

North Korea has allowed some U.N. and international nongovernmental organizations to operate in the country, but this has been principally for food and medical aid distribution. Many have withdrawn from the country in the past several years citing a lack of access to the most needy populations and lack of transparency in the distribution process. Among the remaining organizations are the United Nations Children's Fund (UNICEF) and the World Food Program.

The United Nations Commission on Human Rights adopted a resolution in 2003, calling on North Korea to respect basic human rights. So far, North Korea has refused to engage in any meaningful dialogue, nor has it responded to repeated requests by U.N. officials to visit the country, as proposed in the resolution. The UNCHR adopted another resolution in April 2004, and took a step further by proposing the appointment of a special rapporteur to investigate human rights conditions in North Korea.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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