

2013 Human Rights and Democracy Report - Democratic People's Republic of Korea (DPRK)

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The DPRK has one of the worst human rights records in the world. There is compelling evidence of a wide range of human rights violations, and little or no evidence that the DPRK is willing to engage with the international community on the issue. There has been no evidence of improvement in the human rights situation in the DPRK in 2013, with the possible exception of a marginal improvement in disability rights. There continue to be compelling reports from outside the DPRK of widespread and systematic human rights violations. Fundamental freedoms, including freedom of speech, remain severely curtailed.

The continued use of and reported expansion of political prison camps, which hold an estimated 150,000-200,000 people, remains of deep concern. Evidence from defectors and NGOs, collected over a number of years, suggests that severe human rights violations take place within the camps, including the use of forced labour, torture, starvation, sexual violence against women and executions for dissent. The purge of Jang Song Thaek (a leading figure in the DPRK government) in December provided evidence of the continued brutality of the DPRK regime.

Supporting human rights remains one of the priorities for our policy towards the DPRK. We aim to do this in three ways: by ensuring the issue remains high on the international agenda; by using our policy of critical engagement to raise our concerns directly with the DPRK authorities; and by supporting small-scale projects aimed at improving the lives of vulnerable groups in the DPRK. In March, the EU co-sponsored the annual UN Human Rights Council (UNHRC) resolution on the DPRK, which was adopted by consensus. This mandated the creation of a UN Commission of Inquiry on Human Rights in the DPRK. Their investigations focused on: violations of the right to food; violations associated with prison camps; torture and inhumane treatment; arbitrary detention; discrimination; violations of freedom of expression; violations of the right to life; violations of

freedom of movement; and enforced disappearances, including in the form of abductions of nationals of other states.

The UK actively supported the work of the commission, arranging a visit to London for the commissioners to hear testimony from North Korean refugees, as well as meet the Minister for South East Asia, Hugo Swire, Foreign & Commonwealth Office (FCO) officials, parliamentarians, UK-based experts and NGOs. The UK was the only European country to engage with the commission in this way, and the visit, which included a press conference held at the FCO, helped raise international awareness about the human rights situation in the DPRK. We also co-sponsored the annual UN General Assembly resolution on the DPRK, which again passed without a vote, and were active in participating in debates on the UN Special Rapporteur's reports on the DPRK.

Throughout 2013, the UK repeatedly raised its concerns about reported human rights violations in meetings with DPRK officials in Pyongyang and London. We pressed the DPRK to engage constructively with the international community on the human rights situation, particularly with the UN Commission of Inquiry. Human rights were a key focus of UK-funded visits to the UK by DPRK officials. This included taking visiting Ministry of Foreign Affairs officials to a prison and a special needs school in November, and ensuring DPRK junior government officials, visiting the UK for English language training in December, were also exposed to aspects of the UK relevant to human rights, including the political system, the media and the judicial system. We are realistic about the impact of this activity. The DPRK still refuses to engage constructively on human rights with us and the international community. It rejects evidence of human rights violations as the fabrications of those who are hostile to the regime and refuses to allow independent human rights observers, including the UN Special Rapporteur, access to the country to form an objective view. However, by confronting DPRK officials with international norms and expectations we hope, over the long term, to have a positive impact.

Projects supported under the third strand of our human rights engagement were varied, and included the rehabilitation of a rural hospital water supply system in North Hwanghae province; schemes focused on improving food production and nutrition in Kumchon County; and provision of clean water to a kindergarten in Unryul County. Although small-scale, we estimate projects like these have had a direct impact on the lives of around 40,000 ordinary North Koreans.

In 2014, we will continue to pursue all three strands of our DPRK human rights work. Internationally, a key development will be the final report of the Commission of Inquiry. This is due for publication in February. The UK will work with partners to ensure the commission's recommendations are reflected in the UNHRC's annual resolution on the DPRK, and to ensure that the resolution once again attracts a high level of support. We will use the commission's findings and recommendations to maintain international pressure on the DPRK to address human rights violations: for example, it will inform our participation in the DPRK's next Universal Periodic Review (UPR), which is due in April 2014. Bilaterally, we will continue to use our policy of critical engagement to speak out on human rights, while at the same time using bilateral exchanges to improve North Korean understanding of, and engagement with, the outside world. We plan to support the North Korean Red Cross in a project to increase disaster resilience, and expect to continue our cooperation with the Korean Federation for the Protection of Persons with Disabilities.

Elections

There were no elections in the DPRK in 2013. Elections to the Supreme People's Assembly, the only significant state organ that appears to be directly elected, will take place on 9 March 2014. The selection of assembly members is far from democratic: only one candidate stands in each constituency and voting is not secret.

Freedom of expression and assembly

There is little evidence of freedom of movement or assembly and the general population is required to attend political gatherings in support of the DPRK leadership at regular intervals. The DPRK government maintains tight control over media, and access to foreign broadcasting is strictly limited. Reports suggest that people found accessing foreign media without authorisation are subject to punishment, including imprisonment and, according to some reports in mid-2013, execution.

Human rights defenders

The security apparatus is ubiquitous in the DPRK and we have no evidence that there are any human rights defenders in the country. Some people who have defected have provided first-hand accounts of human rights violations. A number now work with NGOs to campaign for the improvement of human rights in the DPRK. Ahead of the visit by the Commission of Inquiry to London in October, we worked closely with the London-based North Korean Residents' Society to identify UK-based refugees willing to provide testimony of their experiences to the commissioners. In collaboration with the British Council, we provide an English language training programme to defectors now living in the Republic of Korea to help them gain the necessary skills to be successful in higher education and compete in the job market. A Chevening Scholarship is also provided through this programme.

Access to justice and the rule of law

The judicial system is not independent. The constitutional changes made in April 2012 confirmed that its prime function is to protect the existing socialist political system. As noted above, the arrest of leading Party official, Jang Song Thaek, on 8 December 2013, provided a rare public glimpse of the DPRK legal system in action. Although accused of a long list of crimes, Jang's trial consisted of an appearance before a Special Military Tribunal on 12 December, followed immediately by execution, with no opportunity given for any appeal. When our Embassy in Pyongyang raised concerns that the process did not live up to international standards, the DPRK response was that members of factions that opposed the will of the regime would be "eliminated".

Death penalty

There are 22 crimes that are officially punishable by death, but which are ambiguously defined in law. The DPRK does not provide statistics on the use of the death penalty, but official DPRK media reports about the execution of Jang Song Thaek and some of his associates prove that its use continues. These executions, after politically motivated trials, are an example of the brutality of the North Korean regime, as Mr Swire stated on 13 December. FCO officials have also raised concerns directly with North Korean officials in London and Pyongyang, making clear the UK's opposition to the death penalty in all circumstances.

Throughout 2013 there have been other, unconfirmed, reports of executions in the DPRK. DPRK officials have refused to either confirm or deny these claims. As we move into 2014, we are particularly concerned about rumours circulating that those close to Jang, both members of his "faction", and his wider family, have been purged under the practice of "guilt by association".

Torture

There is a substantial body of evidence from defectors that the DPRK government routinely uses torture in the criminal justice system. The DPRK denies this, but the volume of testimonies claiming that the practice continues is significant. The Commission of Inquiry has played an important role in systematically recording and publishing some of this testimony. UK funding ensured recordings and transcripts of testimonies given during the commission's visit to London will form part of this public record.

Freedom of religion or belief

According to DPRK authorities, the DPRK has a small number of state-controlled churches and other state-sanctioned places of worship, including 500 house churches. We are unable to verify these statistics or to attest to the type of activity that takes places inside these house churches. However, there are many reports that people who are involved in religion outside these state-controlled organisations have been imprisoned for practising their beliefs. Contacts in 2013 with the head of the DPRK Christian Federation confirm that officially recognised churches are effectively under state control.

Women's rights

Despite equality in law, there is evidence that a subservient view of women is pervasive. Consistent reports suggest that sexual abuse and domestic violence is common. Conditions in the DPRK have also led thousands of women to cross the border into China illegally every year, where they are vulnerable to human-trafficking gangs and sexual exploitation. In June, the British Embassy in Seoul co-funded a report on the status of women's rights in the DPRK by the Citizens' Alliance for North Korean Human Rights, and hosted a launch event to promote the report. Citizens' Alliance submitted the report to the Commission of Inquiry as part of its evidence-gathering activity, and it is expected that report content will also inform wider opinions in preparation for the DPRK's next UPR in April 2014.

LGBT rights

The DPRK authorities deny that lesbian, gay, bisexual or transgender people exist. There is consequently neither legal nor practical protection for their rights.

Children's rights

Children are formally entitled to free education and healthcare. However, in 2013, as in previous years, children have been removed from school for a substantial amount of time to participate in national events, for example the annual mass gymnastics and cultural spectacle, the Arirang Festival. There is also evidence that children have been forced to participate in military drills and are used for child labour. As in other developing countries, malnutrition and poor healthcare

facilities in the DPRK mean many children do not have the basic necessities to enjoy their economic and social rights.

Other issues

Disability rights

The DPRK Government signed the UN Convention on the Rights of Persons with Disabilities on 4 July 2013, and is working on having the necessary legislation in place for ratification in April 2014. We hope that this ambitious target is achieved, and that adequate measures are then taken to implement it. We have continued to focus on disability rights, providing assistance to the DPRK to send a team of athletes to the Asian Youth Disabled Games in Kuala Lumpur in October. The team included the swimmer who had been the DPRK's sole athlete at the London Paralympic Games in 2012, and it won four medals. Its success was reported in all of the mainstream DPRK media, leading to a sudden increase in enquiries from disabled people and their parents into how they could get involved in sports. The British Embassy in Pyongyang also supported a disabled table tennis tournament in December, just before the UN International Day of Persons with Disabilities. We hope that this will help to further raise awareness and improve the status and treatment of disabled people in the DPRK.

Social and economic rights

Basic food production has continued to increase, although it is difficult to judge how much this owes to government policy rather than more favourable weather conditions. The World Food Programme (WFP) assessment is that people in the DPRK remain chronically malnourished. The WFP estimated that there would be a rise in the production of basic carbohydrates, rice and corn, for the second consecutive year in 2013-14, but that this would be offset by a fall in production of protein, fats and other essentials for a healthy diet. The international humanitarian effort is therefore shifting from promoting basic food production to the provision of nutrition. While the DPRK has placed increasing emphasis in public messages on improving the living standards of the population, we remain concerned that the agricultural pricing system provides an incentive for the production of grain rather than more nutritious crops, such as soybean. We also note that significant resources are still being allocated to vanity projects, such as swimming pool complexes, riding schools, and a ski resort, when the country lacks the ability to provide for the basic needs of its people.