



JANUARY 2007

COUNTRY SUMMARY

North Korea

In October 2006 the Democratic People’s Republic of Korea (North Korea) announced that it had conducted its first nuclear weapons test. The move led to a prompt United Nations Security Council resolution condemning the test and calling for sanctions against North Korea by member states. The nuclear detonation followed the test firing in July of seven ballistic missiles, which also led to a condemnatory Security Council resolution.

North Korea’s humanitarian crisis continued to deepen. Following the suspension of its activities in December 2005, the World Food Programme (WFP) was allowed to resume operations in May 2006, but in a much reduced capacity with far fewer staff. Massive floods that hit North Korea in the summer further exacerbated the nation’s chronic food shortage, while South Korea, North Korea’s largest food donor of recent years, suspended its food aid in response to the missile firing in July.

North Korea showed no visible sign of improvement in its dire human rights conditions. In November 2005 the UN General Assembly adopted a resolution expressing serious concern for “systematic, widespread and grave violations of human rights” in North Korea, following multiple resolutions by the UN Commission on Human Rights. North Korea allowed neither the freedom of information, association, movement, and religion, nor organized political opposition, labor activism, or independent civil society. Arbitrary arrests, torture, lack of due process and fair trials, and executions remain of grave concern. Collective punishment of entire families for “political crimes” remains the norm. North Korea continues to block access by international human rights organizations.

Right to Food

A series of recent policy changes in North Korea jeopardized access to food for the most vulnerable segments of the population. In late 2005 North Korea banned the buying and selling of grain by individuals at farmers’ markets, and announced it was

reviving the Public Distribution System, under which only the state can distribute grain. About a million people died of starvation and many more suffered severe malnutrition under similar policies in the 1990s. The 2006 floods worsened food shortages. The WFP reports that North Korea currently faces a deficit of some 800,000 tons of food. The food shortages are especially worrisome for the most vulnerable populations, including young children, pregnant or nursing women, and the elderly, as North Korea has a long history of first feeding the elite class, including high-ranking military, intelligence, police, and other law-enforcement officials. Smaller rations, often less than the minimum needed to keep a person healthy, are then distributed to the general population.

Criminal Proceedings

Those who are accused of having committed a crime in North Korea seem to suffer the most severe abuses. Legal counsel for the suspect is rarely available at any point in the process, and many suspects are tortured or mistreated during interrogation. Almost all prisoners are subject to forced labor and face cruel, inhuman, and degrading treatment; many die in prison because of mistreatment, malnutrition, or lack of medical care. 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. However, numerous testimonies by North Korean refugees attest to executions of people charged with lesser crimes as well, such as stealing food or other state property. Eyewitnesses say such executions are often carried out publicly, and in the presence of children.

North Korean Escapees

Tens of thousands of North Koreans are believed to live in hiding in China, having fled to avoid hunger and political repression. People who return from China often face abuse and detention under North Korean law, which makes leaving North Korea without state permission an act of treason punishable by heavy penalties. China routinely harasses aid workers providing assistance to North Koreans. A relatively small number of North Koreans have taken a long and dangerous journey to other countries of the region, including Cambodia, Laos, Mongolia, Thailand, and Vietnam, to ultimately reach South Korea, and recently, the United States. Hundreds of others remain in detention centers in these transit countries.

At this writing, the US government has granted refugee status to 10 North Koreans, the first group to benefit from the North Korea Human Rights Act of 2004. Separately, US immigration courts granted political asylum to four North Koreans who had previously settled in South Korea and obtained South Korean citizenship before applying for asylum in the United States, citing the same Act. Jay Lefkowitz, US special envoy for human rights in North Korea, has hinted in several press interviews that the US would admit more North Korean refugees. According to a Radio Free Asia report from February 2006, seven EU member states—Belgium, Denmark, Germany, Netherlands, Norway, Sweden, and the United Kingdom—have granted refugee status to almost 300 North Koreans since the late 1990s.

Humanitarian groups report that the trafficking of North Korean women and girls persists, especially in the area of the border with China. Many are abducted or duped into marriage, prostitution, or outright sexual slavery, while some voluntarily enter such situations to survive or to earn money.

Abductees

According to the Korea Institute for National Unification, based in South Korea, a total of 3,790 South Koreans were kidnapped and taken to North Korea between 1953 and 1995, of whom 485 remain in detention. Some of the abductees have been used in propaganda broadcasts to South Korea, while others have been used to train North Korean spies. Unlike its admissions regarding 13 Japanese abductees (five of whom were allowed to return home in 2002, the others being said to have died), 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.

Kaesong Industrial Complex

North Korea opened the Kaesong Industrial Complex (KIC) in June 2004. Two years later, over 8,000 North Korean workers are employed by 13 South Korean companies, producing watches, shoes, clothes, kitchenware, plastic containers, electrical cords, and car parts, among other items. The KIC's labor conditions came under public scrutiny as South Korea has tried to include items produced there in a Free Trade Agreement under negotiation with the United States. South Korean companies,

under pressure from Pyongyang, are violating the existing KIC Labor Law by paying workers' wages to the North Korean government instead of directly to the workers. The KIC Labor Law falls far short of international labor protection standards on the freedom of association, the right to collective bargaining, prohibitions on sex discrimination and harassment, and harmful child labor.

Key International Actors

North Korea's announcement on October 9, 2006, of its first nuclear weapons test provoked grave concern and protest internationally. The UN Security Council resolution adopted in response condemned the test, called for sanctions including a ban on exporting material for weapons of mass destruction and ballistic missiles to North Korea, and authorized inspection of cargo entering or leaving the country to prevent illegal trafficking in unconventional weapons or ballistic missiles. In early November, North Korea agreed to return to the long-stalled six-party talks on its nuclear weapons program (involving also China, Japan, Russia, South Korea, and the United States), which it had been boycotting since November 2005 in reaction to US financial sanctions against it for its alleged complicity in counterfeiting US dollars and money laundering. At this writing the talks have yet to resume.

North Korea's test firing of seven ballistic missiles on July 5, 2006, also led to a UN Security Council resolution, and South Korea bilaterally protested the missile launch in a high-level inter-Korea meeting. When North Korea refused to discuss the issue, Seoul suspended shipment of its promised food aid, and North Korea in turn stopped reunions of Korean families separated by the border for over half a century.

South Korea continues to recognize all North Koreans arriving in South Korea as southern citizens (about 9,000 North Koreans have resettled in South Korea mostly over the last decade), and provides them with generous resettlement subsidies. South Korea's then-Foreign Minister Ban Ki-moon (at the time a candidate for, and since confirmed as UN secretary-general), raised North Korean human rights issues during his keynote speech at the inaugural session of the UN Human Rights Council in June 2006, signaling a possible change of Seoul's policy of maintaining silence on North Korea's human rights conditions. Previously, South Korea has been either

absent or abstained from voting on UN resolutions condemning North Korea's human rights conditions.

The European Union played a more active role in calling for international attention to North Korea's human rights conditions. It sponsored the UN General Assembly resolution in 2005, and its Parliament passed a separate resolution in June 2006 asking North Korea to respect international human rights treaties.

North Korea has not responded to repeated requests in the past three years by Vitit Muntarbhorn, the UN special rapporteur on North Korea, to engage in dialogue.