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country summary

North Korea

Human rights conditions in the Democratic People's Republic of Korea (North Korea) remain abysmal. Authorities continue to prohibit organized political opposition, independent news media, and civil society activities. Arbitrary arrests, lack of due process, and executions remain of grave concern.

The government denies citizens the right to leave the country. In 2007 authorities increased border patrols and repeatedly warned of harsher punishments for those who attempt to leave without state permission, which is virtually impossible to obtain. Nevertheless, many North Koreans continue to risk escaping to China in search of food and work, a trend exacerbated in 2006 and 2007 by massive summer flooding which damaged crops and homes.

While access to the country is strictly limited and reliable evidence is hard to obtain, some recent escapees told Human Rights Watch of an increase in underground Christian religious activity by individuals and families. Escapees also described seeing denunciations of allegedly corrupt local officials written on walls in some border cities. Such developments would have been unthinkable prior to the famine of the mid-1990s, when the leadership lost its aura of invincibility and some of its ability to control citizens' everyday lives.

Right to Food

North Korea is still recovering from the 1990s famine, which is believed to have killed about a million people and left many children permanently stunted. The government continues to provide state food rations to elites—including high-ranking members of the Workers' Party and the security and intelligence forces—before all others. Several non-elite North Koreans told Human Rights Watch that they had not received adequate food rations since the early 1990s, and blamed the preferential treatment given to elites as well as corruption among food distribution officials. Many say they

receive rations only a few times each year, typically on major national holidays such as Kim Jong Il's birthday.

Rice, corn, and potato prices continued to rise through 2007. Many attribute the ongoing food shortage to South Korea's suspension of fertilizer and food aid in 2006, and to flooding in the summers of 2006 and 2007. North Korean interviewees describe seeing more homeless people at train stations and markets, including whole families living on the street after trading their homes for food as a last resort.

South Korea resumed humanitarian aid, including food aid, in anticipation of the inter-Korea summit on October 2-4, 2007.

North Koreans in China

Since the mid-1990s, hundreds of thousands of North Koreans have fled to China. Many still live in hiding there because the Chinese government categorically labels them illegal economic migrants and routinely repatriates those it arrests. In doing so China violates its obligations to consider them refugees and offer them protection.

The trafficking of North Korean women and girls in China persists, especially near the border. Many are abducted or duped into marriage, prostitution, or sexual slavery. Some North Korean women live with Chinese men in de facto marriages, though doing so does not ensure legal residence for them or their children and they remain vulnerable to arrest and repatriation. In 2007 officials of a small district in northeast China reportedly granted some North Korean women formal permission to reside within the district, but the policy apparently has not been adopted elsewhere.

Refugees and Asylum Seekers Outside China

A relatively small number of North Koreans fortunate enough to avoid being repatriated from China have managed to reach other countries in the region, including Cambodia, Laos, Mongolia, Thailand, and Vietnam. Most are seeking ultimately to reach South Korea, Japan, or the United States. At this writing, hundreds of North Koreans remained in overcrowded immigration detention centers in Bangkok, awaiting transfer to South Korea or the United States.

South Korea accepts all North Korean asylum seekers as citizens, under its constitution that defines the entire Korean Peninsula as South Korean territory. In the past decade, it has admitted around 10,000 North Koreans. The US, under the North Korea Human Rights Act of 2004, has granted refugee status to a few dozen North Koreans. Japan has accepted over 100 North Koreans, mostly individuals who lived in Japan in the 1960s and 1970s. In Europe, Germany, the United Kingdom, Ireland, the Netherlands, and Denmark collectively have granted refugee status to more than 300 North Koreans in recent years.

Treatment of Suspects and Prisoners

Leaving North Korea without state permission is considered treason and is punishable by heavy penalties. North Korean police interrogate and sometimes torture individuals returning from China, asking why they left, who they met, and what they did.

Some North Koreans report that the treatment of “illegal” border crossers and other criminal suspects improved in 2007, citing less verbal and physical abuse. They also note that suspects occasionally have been visited by, though not defended in court by, state-appointed defense lawyers. One person, for example, said an attorney had visited him once, asking whether his human rights had been violated since his arrest. It was not clear whether such changes were due to the discretion of regional state officials, or a reflection of a new central government policy.

However, many prisoners are still routinely subjected to inhuman and degrading treatment. Lack of food and medicine in detention facilities lead to illness and sometimes death. There are still reports of public executions, although not as frequently as in the 1990s. The death penalty appears to apply to treason, sedition, and acts of terrorism, as well as to lesser crimes such as selling illegal substances or stealing state property (everything from electrical cables to coal is deemed state property).

North Korean Workers at Kaesong Industrial Complex

The United States and South Korea signed a Free Trade Agreement in June 2007, which at this writing had not yet been ratified by the congress of either country. An annex to the agreement opened the possibility that products made in North Korea's Kaesong Industrial Complex (KIC)—where over 15,000 North Korean workers produce watches, shoes, clothes, kitchenware, car parts, and other items for South Korean businesses—would be exported to the United States duty free. The US signed the agreement even though the law governing working conditions in the KIC falls far short of international standards on freedom of association, the right to collective bargaining, sex discrimination and harassment, and harmful child labor.

Key International Actors

In February 2007, North Korea agreed to disable its main nuclear reactor and reveal all nuclear weapons related activity in return for humanitarian aid, heavy fuel oil, and other economic benefits. The agreement was followed by six-party talks on implementation involving the two Koreas, the United States, Japan, China, and Russia.

On October 2-4, 2007, North Korea's leader Kim Jong Il and South Korea's President Roh Mu-hyun held the second-ever inter-Korea summit. They discussed humanitarian aid, economic cooperation, and ways to secure lasting peace on the Korean Peninsula.

China, Russia, and a number of European and Middle Eastern countries have hosted North Korean workers pursuant to agreements with North Korean state companies. In some of those countries, local human rights activists and journalists have expressed concern for the workers' basic rights, including restrictions on their freedom of movement, the constant presence of minders, and indirect payments under which a large chunk of their salaries is allegedly taken by middlemen or the North Korean government. In response to such criticism, the Czech Republic government, for example, stopped issuing work visas for North Korean workers in 2006. Human Rights Watch has recommended that host countries improve protection of worker rights instead of sending workers back home. According to media reports, North Koreans are also working in Bulgaria, Hungary, Iraq, Kuwait, Mongolia, and Poland.

South Korea says 485 of its citizens, abducted by North Korean agents, remain in North Korea against their will. North Korea has rejected repeated requests from the abductees' families to confirm their existence and return them home, or, if they have died, to return their remains. Japan's relations with North Korea also remain strained over the issue of abductees. While North Korea has admitted that it abducted 13 Japanese (it returned five of them in 2002), it claims that the other eight died and that no other Japanese citizens were abducted. Japan says that several more of its citizens have been abducted.

North Korea has not responded to repeated requests for dialogue from Vitit Muntarbhorn, who has been the UN's special rapporteur on human rights in North Korea since 2004.