



**JANUARY 2009**

**COUNTRY SUMMARY**

## **North Korea**

Human rights conditions in the Democratic People's Republic of Korea (North Korea) remain dire. There is no organized political opposition, independent labor unions, free media, or civil society. Arbitrary arrest, detention, and lack of due process remain serious concerns.

North Korea runs large prison camps where hundreds of thousands of its citizens—including children—are enslaved in deplorable conditions. Periodically, the government publicly executes individuals for stealing state property, hoarding food, and other “anti-socialist” crimes. There is no freedom of religion.

Individuals who leave the country without state permission are often considered traitors and can face lengthy prison terms and possible execution upon return. Ahead of and during the Beijing Olympic Games, China stepped up the arrest and repatriation of North Korean refugees and migrants.

Officials in Washington and Seoul said leader Kim Jong Il was believed to have suffered a stroke in September 2008. Because Kim Jong Il wields such extensive power, his failing health, if true, could have far-reaching consequences for human rights and governance in North Korea.

### **Right to Food**

While the nationwide famine of the 1990s has not returned, food shortages persist and the country's vulnerable population suffered another hungry year in 2008. Non-elite members of society now purchase their food and necessities at markets that have replaced the largely defunct ration system. Only a small minority of the population, mostly high-ranking members of the Workers' Party and the security and intelligence forces, still receive regular rations.

Food prices in North Korea continued to rise in 2008, although not as steeply as in 2007, while experts on North Korea's agriculture industry offered widely different assessments of the extent of food shortages.

## **North Koreans in China**

Hundreds of thousands of North Koreans fled to China in the 1990s. Many settled in the Yanbian Korean Autonomous Prefecture in eastern Jilin Province, near China's border with North Korea. As a state party to the 1951 Refugee Convention, China has an obligation to offer protection to refugees, but Beijing categorically labels North Koreans in China "illegal" economic migrants and routinely repatriates them. As noted above, the consequences for returnees can be severe.

North Korean women who live with Chinese men in de facto marriages—even if they have lived in China for years—are not entitled to legal residence and remain vulnerable to arrest and repatriation. Some North Korean women and girls are abducted or duped into marriage or prostitution in China.

Ahead of and during the August 2008 Olympic Games in Beijing, Chinese police arrested and repatriated many North Koreans from Yanbian. While no official statistics are available, local residents say that in some villages only a small minority of North Koreans who had lived there a year ago remain. Some fled to third countries with the ultimate goal of reaching South Korea, while others were arrested and repatriated.

Thousands of children in Yanbian who were born to North Korean mothers live without a legal identity or access to elementary education. North Korean children who migrate to China have no legal right to obtain the household registration papers that many schools demand. Children with Chinese fathers sometimes are not registered in the household registration to avoid exposing their mothers.

By law, neither North Korean nor half-North Korean children should be required to submit legal identity papers for admittance to schools since Chinese law provides that all children regardless of nationality are entitled to nine years of free education, but in reality, most schools require such documentation. Some parents and

guardians of North Korean children resort to bribery or trickery in order to ensure children can go to school.

## **Refugees and Asylum Seekers outside China**

A relatively small number of North Koreans in China have managed to reach South Korea, Japan, or the United States via other countries in the region, including Mongolia and Thailand. South Korea accepts all North Koreans as citizens under its constitution. South Korea has admitted more than 13,000 North Koreans, Japan has accepted more than 100, and the US has accepted a few dozen so far. Canada, Japan, Germany, the United Kingdom, and a few other European countries have granted refugee status to several hundred North Koreans in recent years.

## **North Korean Workers**

In North Korea's Kaesong Industrial Complex, more than 35,000 North Korean workers produce mostly consumer goods for South Korean businesses. The law governing working conditions in the complex falls far short of international standards on freedom of association, the right to collective bargaining, gender discrimination and sexual harassment, and hazardous child labor.

North Koreans are also reportedly employed in Bulgaria, China, Iraq, Kuwait, Mongolia, and Russia. In some countries, activists have expressed concern for workers' basic rights, including efforts by the North Korean government to restrict freedom of movement, expression, and association, the constant presence of "minders" accompanying workers, and indirect salary payments under which large portions of salaries allegedly are recouped by agencies or the North Korean government.

## **Abductees**

The issue of foreigners allegedly abducted by North Korea mostly in the 1970s and 1980s remains unresolved. South Korea says 496 of its citizens, abducted by North Korean agents, remain in North Korea against their will. Pyongyang insists that the South Koreans defected to North Korea, and remain of their own free will, but refuses to allow South Korean relatives to communicate with them.

North Korea, meanwhile, has admitted that it abducted 13 Japanese—returning five to Japan in 2002, but claiming the other eight died, and that no other Japanese citizens were abducted. Japan insists that several more of its citizens have been abducted.

### **Key International Actors**

South Korea's President Lee Myung-bak took office in February 2008 with a pledge to change South Korea's policies on North Korea, saying he would speak out on the latter's human rights record and demand the return of South Korean prisoners of war and abductees. Under former presidents Kim Dae-jung and Roh Mu-hyun, both of whom had summit meetings with North Korea's leader Kim Jong Il, South Korea offered large amounts of aid and started major economic projects in North Korea, but largely remained silent on human rights violations.

After Lee took office, relations between the Koreas deteriorated rapidly. In March, North Korea fired missiles off its west coast, close to South Korea, and in July, a North Korean soldier shot and killed a South Korean tourist near the Diamond Mountain resort. In August, South Korea's National Prosecutors' Office announced the arrest of a man and a woman (a North Korean refugee who had settled in South Korea) for allegedly spying for North Korea.

The deteriorating relationship appeared responsible for an interruption in food aid, with North Korea initially rejecting offers of aid, and South Korea then failing to respond promptly to an August plea from the World Food Program to provide new food aid. Together with China, South Korea has been the largest donor of unconditional food aid to North Korea in recent years.

Pyongyang's relationship with Washington, however, appeared to improve. On February 26, the New York Philharmonic performed in Pyongyang, with many observers cautiously calling it a prelude to a thaw between the two countries. In May, the United States announced that it would offer 500,000 tons of food aid by mid-2008; at this writing in November it had delivered about 120,000 tons. On October 12, 2008, Washington removed North Korea from its list of state sponsors of terrorism.

In a March 2008 report for the UN Human Rights Council, Vitit Muntarbhorn, UN special rapporteur on human rights in North Korea, criticized North Korea for “appalling” prison conditions and “extensive use of torture and public executions.”