

North Korea

In April 2009 the parliament of the Democratic People's Republic of Korea (North Korea) revised the country's constitution to include, among others, a provision that North Korea "respects and protects human rights." North Korea seems to be trying to improve its international image in response to continuing criticism over its poor human rights record.

The revised constitution defines the chairman of the National Defense Commission (currently Kim Jong Il) as "supreme leader" of the country overseeing all "national business." As Kim has been undisputed leader since the 1994 death of his father Kim Il Sung, the change appears to be an attempt to quell rumors of his weakened leadership after a reported stroke in September 2008.

Despite lip-service to human rights in the constitution, human rights conditions in North Korea remain dire. There is no organized political opposition, free media, functioning civil society, or religious freedom. Arbitrary arrest, detention, and torture and ill-treatment of detainees, and lack of due process remain serious issues. North Korea operates detention facilities including those popularly known as "political prison camps" where hundreds of thousands of its citizens—including children—are enslaved in deplorable conditions for various anti-state offenses. Collective punishment is the norm for such crimes. Periodically, the government publicly executes citizens for stealing state property, hoarding food, and other "anti-socialist" crimes.

Food Shortages

Although the country recovered from the 1990s famine that killed millions, North Korea's lack of high-quality seeds, fuel, fertilizer, advanced agricultural technologies, and even decent storage facilities have repeatedly resulted in domestic production being far too inadequate to feed its entire population. In September 2009 the World Food Programme reported that a third of North Korean women and children are malnourished and the country will run short by almost 1.8 million metric tons of food, which North Korea would need to import or obtain as aid.

Since the famine, markets have replaced the practically defunct ration system as the main source of food for most North Koreans. Very few (mostly high-ranking members of the military or security forces) still receive full rations. Reports of crackdowns and restrictions on market activities raise concerns about their effect on the livelihood of the North Koreans who depend on such activities to survive.

Refugees and Asylum Seekers

North Korea criminalizes leaving the country without state permission. Border-crossers face grave punishments upon repatriation such as torture, lengthy terms in horrendous detention facilities, and even execution, depending on what they did and who they met while abroad.

In early October 2009, 11 North Koreans aboard a fishing boat drifted into South Korean waters. South Korean authorities interrogated the arrivals and announced that all 11 sought asylum, rejecting North Korea's repeated demand that they be repatriated. Some 17,000 North Korean refugees live in South Korea.

Most North Koreans escape through the country's northern border with China. Hundreds of thousands have fled since the 1990s, and some have settled in China's Yanbian Korean Autonomous Prefecture. Despite its obligation to offer protection to refugees, Beijing categorically labels North Koreans in China "illegal" economic migrants and routinely repatriates them. Many North Korean women in China live with Chinese men in de facto marriages. Even if they have lived there for years, they are not entitled to legal residence and remain vulnerable to arrest and repatriation. Some North Korean women and girls are trafficked into forced marriage or forced prostitution in China.

Other than South Korea, a relatively small number of North Korean refugees have settled in other countries. At this writing, Japan has accepted about 200, and the United States has accepted close to 100, North Koreans in total. Germany, the United Kingdom, and a few other European countries together have accepted more than 500 North Koreans in recent years. Some were given humanitarian status, rather than refugee status.

Children's Rights

In a December 2008 report, Citizens' Alliance for North Korean Human Rights, a Seoul-based NGO, said children in North Korea face discrimination in access to education, humanitarian aid, and health protection, depending on which political class their families belong to. Their status also affects whether they must perform military service, including before age 18.

Thousands of children in China born to North Korean mothers and Chinese fathers are forced to live without a legal identity or legal access to elementary education, to avoid their mothers being identified and repatriated. North Korean children who migrate to China have no legal right to obtain household registration papers. By law, North Korean and half-North Korean children should be admitted to schools without being required to submit household registration papers, but in reality, most schools require such documentation. Some parents and guardians of North Korean children resort to bribery or trickery to ensure children can go to school.

Labor Rights

About 40,000 North Korean workers are employed in North Korea's Kaesong Industrial Complex (KIC) where they 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 about Pyongyang's attempt to restrict the workers' freedom of movement and association, the constant presence of "minders" accompanying workers, and that large portions of their salaries are reportedly taken by agencies or the North Korean government.

In an August 2009 documentary, the BBC reported that about 1,500 North Korean workers are employed in Russian logging camps. A local official with a timber firm told the BBC the North Koreans have only two rest days per year and face punishments when they fail to meet their production target. Some of those who escaped such camps have been living in hiding in Russia.

Key International Actors

In 2009 North Korea's missile and nuclear weapons program grabbed headlines across the world and dominated diplomatic efforts by foreign governments.

North Korea launched a long-range ballistic missile in April. The United Nations Security Council issued a statement condemning the move, and in protest North Korea quit multilateral efforts at ending its nuclear weapons program—the so-called Six-Party talks involving the two Koreas, the US, China, Japan, and Russia.

North Korea then conducted a nuclear test in May, sparking widespread condemnation. In response, the UN Security Council adopted a resolution in June that called for an expansion of an arms embargo and for UN member states to inspect cargo vessels and airplanes suspected of carrying military materiel in or out of North Korea.

The start of 2009 saw deteriorating relations between the two Koreas. Since President Lee Myung-bak took office in early 2008, South Korea (North Korea's main donor for a decade) suspended aid and openly criticized North Korea's nuclear ambitions, in a new policy that emphasizes reciprocity. In March North Korea arrested Yoo Seong-jin, a technician for South Korea's Hyundai Group working at the KIC, for allegedly criticizing the North Korean political system. In July North Korea detained four South Korean fishermen who accidentally strayed into its waters. By August, however, North Korea began sending conciliatory signals to South Korea by releasing Yoo and the fishermen, and sending a high-level delegation to the funeral of former President Kim Dae-jung. In September it allowed family reunion meetings, after a two-year suspension. North Korean officials hinted that they expect food aid from South Korea in return.

The longstanding issue of some 500 South Koreans allegedly abducted by the North Korean government for propaganda or to train spies remains unresolved. South Korea also believes hundreds of South Korean prisoners of war from the 1950-53 Korean War remain in North Korea against their will.

North Korea's relations with the United States remained largely unchanged, but the two countries held a couple of high-level meetings. In March North Korea arrested two US journalists, Euna Lee and Laura Ling from California-based Current TV, on charges including illegal entry. They were sentenced to 12 years of labor, but reportedly remained in detention at a government guesthouse. In August, upon the visit of former US president Bill Clinton, Kim Jong Il pardoned the two and sent them home.

In September the US government appointed a new envoy on human rights in North Korea. In late October, Ri Gun, director general of North American Affairs at North Korea's Foreign Ministry, visited the US to meet with Sung Kim, US special envoy for the Six-Party talks.

In October, upon his return from a three-day visit to Pyongyang, Chinese Prime Minister Wen Jiabao called for the US and North Korea to engage in a dialogue to revive multilateral talks aimed at ending North Korea's nuclear weapons program.

North Korea's relations with Japan remained frosty, largely due to a dispute over abductees. North Korea admitted in 2002 that its agents had abducted 13 Japanese, and returned five to Japan, but claimed the other eight had died. Japan insists that the number of its abducted citizens is higher.

In a September 2009 report for the UN General Assembly, Vitit Muntarbhorn, UN special rapporteur on human rights in North Korea, criticized North Korea for its "abysmal" human rights record, citing food shortages, public executions, and torture, and called on North Korea to stop punishing people seeking asylum elsewhere, and institute democratic processes. In November the General Assembly adopted a new resolution criticizing serious human rights violations in North Korea.