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Citizens' Rights in Democratic People's Republic of Korea (North Korea)



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INTRODUCTION

The Democratic People's Republic of Korea (or North Korea, as it popularly known) is one of the most closed and secretive nations in the world.

In February 2014, the United Nations published the findings of its commission of inquiry on human rights in the Democratic People's Republic of Korea (DPRK). The government of the DPRK refused to co-operate with the commission, stating that the regime "totally and categorically rejects the commission of inquiry".[1]

Due to the DPRK's secrecy and refusal to co-operate with international human rights agencies, it is extremely difficult to gain an accurate picture of daily life for the citizens living within its borders. Most of the information that is available is anecdotal evidence taken from the personal testimonies of DPRK refugees who escaped the regime, and from health workers and organizations working with DPRK citizens.

The DPRK describes itself as "an independent socialist State representing the interests of all the Korean people".[2] Its leaders would like the world to believe that it is an exemplary success story of modern-day socialism, and goes to enormous lengths to create and perpetuate this image. However, the testimonies of thousands of DPRK refugees point to a much darker reality.

According to the U.N., the DPRK's political system is "based on a single party led by a single Supreme Leader, an elaborate guiding ideology and a centrally planned economy".[3] The Central Intelligence Agency describes it as a "communist state governed by a one-man dictatorship." [4]

The DPRK is a totalitarian state that controls every aspect of its citizens' lives.[5] The most powerful and intrusive method of population control is a class-based system called *songbun*. According to *songbun*, the population is divided into three main classes according to their perceived loyalty to their leader Kim Jong-un and the State. These classes are called the core class, the wavering class and the hostile class. Children are automatically put into the same *songbun* as their parents, and it is impossible to move up in the system. The ruling elite actively discriminate on the basis of *songbun* in every area of life, including education, employment, housing and marriage prospects. (refs). Anyone who is perceived to be a threat to the regime, or who holds an alternative political or religious viewpoint is punished, which usually means being sent to a labour camp.

Due to the secrecy of the regime, it is difficult to obtain accurate demographic figures. A census carried out by the DPRK itself in 2008 found that the population stood at 24,052,231.[6] Although the accuracy of this figure cannot be verified, it does correspond



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with estimates from other sources. The CIA Factbook estimates that the population today is a little under 25 million at 24,851,627.[7]

Nearly all the residents in the DPRK are citizens, apart from a very small number of tourists, foreign diplomats and foreign workers such as English teachers.

With a GDP per capita of just \$1,800, the DPRK is one of the poorest and least developed countries in the world. The Index of Economic Freedom describes it as “the world’s most repressed economy”.[8] The country’s main resources are coal, lead, tungsten, zinc, graphite, magnesite, iron ore, copper, gold, pyrites, salt, fluorspar, hydropower,[9] and its major industries are machine building, electric power, chemicals, mining, metallurgy, textiles, food processing and tourism.[10]

HEALTHCARE FOR CITIZENS

Article 72 of the DPRK’s Constitution states:

Citizens are entitled to free medical care, and all persons who are no longer able to work because of old age, illness or physical disability, and seniors and minors who have no means of support are all entitled to material assistance. This right is ensured by free medical care, an expanding network of hospitals, sanatoria and other medical institutions, State social insurance and other social security systems.[11]

Accurate, up-to-date information about the quality and availability of healthcare in the DPRK is impossible to obtain due to the extreme secrecy of the regime. However, from the limited information available, the reality is very different from the ideals set out in the country’s constitution.

The most recent figures available about the DPRK’s spending per capita on healthcare are from 2008. In this year, the spending was \$4.2 per capita, which represents one of the lowest investments in healthcare in the world.[12] For the same year, the Republic of Korea (South Korea) spent \$687.4, and neighbouring China spent \$78.2.

In 2010, Amnesty International published a report entitled “The Crumbling State of Healthcare in North Korea” based on the testimonies of DPRK citizens living abroad and organizations and health professionals working with DPRK nationals.

This report found that the health service in the DPRK is severely under-resourced with hospitals experiencing frequent power cuts, lack of heating, lack of essential medications and supplies and often no running water. It is reported that patients sometimes have to undergo operations without anaesthesia.[13]

The salaries of medical staff are often not paid, which results in them charging privately for their services and selling medication on the black market. Therefore, people without



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financial means, or those without family networks to support them, being denied access to basic healthcare.[14]

In addition to the lack of medical resources, the health of the country's population is already compromised due to malnutrition resulting from shortage of food in the DPRK.

Discrimination is institutionalised, and those from a higher *songbun* class receive medical privileges. Special hospitals with modern facilities are available to party officials, and even in the regular local hospitals, those from the higher classes receive priority treatment. Those detained in the political prison camps, in contrast, have no access whatsoever to healthcare and regularly die of disease or malnourishment.[15]

A further barrier to accessing healthcare is that facilities are often built far away from people's homes.[16] In 2002, the leaders of the DPRK told the U.N. that it would provide free transport to hospital, but in reality this does not happen.[17] The result is that elderly, disabled and unwell people who are not able to walk great distances and cannot afford private transport are unable to access healthcare.

FREE EDUCATION FOR CITIZENS

In its 2004 report entitled "The Development of Education," the DPRK's Ministry of Education stated:

"Throughout the country all children of both genders enjoy universal 11-year compulsory education, and the enrollment has reached 100%"[18]

By 2012, the country's leaders announced plans to add an extra year to the duration of free education, making it a total of 12 years.[19]

However, these claims and promises are not supported by the testimonies of those who have lived in the DPRK.

As in other areas of life, *songbun* is major determinant of educational quality and achievement. Those from the *wavering* and *hostile* classes receive inferior education with fewer academic opportunities than the *core* class. The central party decides which school a child will attend, and it is normally determined by the career that has been chosen for them.[20] For example, the children of low-class manual laborers may be admitted to a school specializing in construction.

Academic success and admission to higher education is linked more to *songbun* and expressions of loyalty to the State than it is to genuine academic merit.[21] Privileges at school such as becoming head of the class are limited to the higher classes. Often teachers reinforce this discrimination by giving pupils with a high *songbun* the opportunity to excel in class by standing up and discussing a project, while their fellow students have to sit in silence. Similarly, the prospects of attending university and entering a good career are limited to the higher classes, while the lower classes are forced to repeat the generational cycle of educational deprivation and poverty.[22]



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The food crisis in the DPRK has left many children homeless, whose parents are either unable to provide for them or have died.[23] The government has established camps for these children where they are routinely deprived of education and exploited for hard labour.[24] Similarly, children born to parents in the political prisoner camps begin manual work at the age of 5 and only receive a very basic education.[25]

The school curriculum in the DPRK consists largely of indoctrination, and children are taught from a young age to revere and worship the Kim family. Subjects such as mathematics, art and music normally focus on the great achievements of the ruling family. Children who do not perform well in Kim Il-sung's philosophy and revolutionary history are likely to be punished, even if they achieve high results in other subjects.[26]

HOUSING FOR CITIZENS

Article 25 of the DPRK's Constitution asserts that:

The State shall provide all the working people with every condition for obtaining food, clothing and housing.[27]

As the DPRK is a socialist state, its citizens' housing and food rations are connected to their employment. Housing is owned by the State or by cooperative organizations, and citizens are given permission to live in it. Officially there is no private ownership of property, although due to widespread corruption in the country, property is sometimes secretly exchanged in return for money.[28]

Article 75 of the DPRK's Constitution states that "citizens have freedom of residence and travel"[29] This corresponds to article 13 of the Universal Declaration of Human Rights: "Everyone has the right to freedom of movement and residence within the borders of each state."[30]

In practice, citizens of the DPRK do not have freedom of movement and residence. The U.N. commission of inquiry on human rights in the DPRK found that the regime dictates where its citizens live and where they are allowed to travel in order to prevent information passing from between people, and to maintain class distinctions between different residential areas.[31]

Pyongyang, the capital of the DPRK, has a special status, and only those with a good *songbun* are permitted to live there.[32] People of low *songbun* are compelled to live in the more remote provinces. Pyongyang residents have privileged access to food, healthcare and other public services that residents of other areas do not enjoy.

However, the regime re-locates its citizens at will. If a Pyongyang resident commits a crime, or if he or she is perceived to be disloyal to the State, the entire family is banished from the city.[33] This forced exile has severe consequences: the individuals are forcibly relocated to the most distant and austere provinces, they lose their food, health and



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education privileges, and are normally compelled to do the most dangerous and gruelling work such as mining, logging and farming.

In 2011, a major South Korean news outlet reported that 300 families were forced to leave their homes in Hoeryong in the northern part of the country due to the defection of family members to South Korea. These families were relocated to a farm co-operative surrounded by barbed wire and guards to prevent movement in and out.[34]

The DPRK's political camps are the greatest infringement on citizens' rights in the field of housing. Citizens are imprisoned in forced labor camps for any perceived disloyalty to the State, often together with their whole family. Many are held in these camps for the rest of their lives with no freedom of movement, and children born in the camps can expect to spend their entire lives imprisoned.

The restrictions around moving house are a further breach on the right to freedom of movement and residence. It is illegal for individuals to move house without government permission, which is usually not forthcoming. In practice, most DPRK citizens have no choice over where they live, and they are at the mercy of the ruling party that houses or moves them as it is deemed fit.[35]

EMPLOYMENT FOR CITIZENS

Article 70 of the DPRK's Constitution states:

Citizens have the right to work. All able-bodied citizens may choose occupations in accordance with their wishes and skills and are provided with stable jobs and working conditions. Citizens work according to their abilities and are paid in accordance with the quantity and quality of their work.[36]

In reality, DPRK citizens are not able to choose their occupations, but rather, they are dictated by the State.[37] Once again, *songbun* is a key determinant of the sort of work that an individual is allocated, and how far he or she is able to progress in that career.[38] Heavy manual work is always given to the lower *songbun* classes, while administrative and government positions are reserved for those with a good *songbun*.

There is little economic competition in the DPRK and private commercial enterprise has been officially prohibited since 1958, so citizens must accept the livelihood assigned to them for their whole lives with no real prospect of change.[39]

Food rations and housing are tied to employment, so citizens cannot choose to leave their workplace without also losing their homes and food. They are therefore forced to endure poor conditions and exploitation in the workplace.[40] Even those working for state-owned enterprises that have ceased to operate due to dilapidated equipment and economic hardship cannot leave their jobs, despite the fact that they are not receiving any salary at all.[41]



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Following the DPRK's economic collapse in the 90s, some degree of unofficial private enterprise has started to emerge. However, this is accompanied by corruption, since those who have the resources, connections and ability to pay the bribes necessary to engage in business tend to be the higher classes. Poorer citizens now find themselves having to pay for services that should be free, such as healthcare and education, with money that they do not have.[42]

The greatest abuse of citizens' rights in the field of employment is the system of forced labor camps where as many as 200,000 people are detained.[43] The DPRK tries to deny the existence of the camps, but aerial photographs and numerous testimonies attest to their presence. Whole families are sent to prison camps for the political offence of one member. Most of these offenses would not be punishable in other countries: listening to a foreign radio program, watching a DVD from South Korea, or owning a copy of the Bible. In these camps, men, women and children are subjected to hard labor for no payment. Many die of malnourishment, disease and exhaustion in the process.[44]

DIGNITY OF THE INDIVIDUAL

Even though the DPRK's Constitution asserts that "citizens have freedom of religious belief," the truth is that any belief contrary to the official Juche ideology is severely punished.[45]

An interviewee for the United States Commission on International Religious Freedom commented: "In North Korea, you can get away with murder if you have good connections. However, if you get caught carrying a Bible, there is no way to save your life." [46]

DPRK citizens are subject to constant propaganda extolling the virtues of the Kim family and warning about the dangers of foreign influence. In schools, children are indoctrinated to revere their Supreme Leader from a young age.

Religion, and especially the Christian faith, is considered to be a serious threat, and anyone suspected of believing in another religion is subject to torture, imprisonment and even death.[47]

In more recent years, the regime has erected a number of churches and Buddhist temples in an attempt to demonstrate freedom of religion. However, these buildings are controlled by the State, and the messages taught within them reinforce government policy.[48]

In the DPRK, there is no separation between legal, administrative and judicial authorities.[49] The Central Court and judicial system are controlled by the government and effectively exist to carry out the policies of the Supreme Leader and ruling elite. The



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judiciary, therefore, is highly corrupt and discriminatory, and there is no impartial legal system.

Citizens are regularly punished or imprisoned without trial, especially when the offence is of a political nature or considered to be a threat to the state.[50] Enforced disappearances are common in the DPRK, where security agencies arrive to an individual's workplace or home, often at night, and take them away to an unknown place where they are never seen again. Many of these prisoners are not even informed of the nature of their crime. It is believed that the DPRK employs this strategy of enforced disappearances to create an atmosphere of fear that will prevent others from doing anything to undermine the regime. Discrimination is entrenched in the policies and institutions of the DPRK, with no attempt to implement equal opportunities, even though they are alluded to in the constitution. Citizens face discrimination based upon the *songbun* class that they are born into, with the lower classes regularly being deprived of their basic rights to education, salaried employment, healthcare, housing and food. Citizens also experience discrimination based on where they live, with Pyongyang residents receiving better public services and greater food rations than residents of other areas; and discrimination because of personal belief. Likewise, women are subject to discrimination in the DPRK. Sexual and gender-based violence is widespread, and women are obstructed from educational and economic achievement.[51]

CONCLUSION

The U.N. commission of inquiry on human rights in the Democratic People's Republic of Korea concluded its 2014 report with these sobering words:

Systematic, widespread and gross human rights violations have been and are being committed by the Democratic People's Republic of Korea, its institutions and officials. In many instances, the violations of human rights found by the commission constitute crimes against humanity....The gravity, scale and nature of these violations reveal a State that does not have any parallel in the contemporary world.[52]

Despite the high ideals laid out in the country's constitution, the practical reality is that citizens of the DPRK are afforded no rights whatsoever. The basic requirements for survival such as food, housing, healthcare and salaried work are systematically denied to large sections of the population. Citizens have no control over their own lives, and even their private thoughts and beliefs are punishable. DPRK nationals are subject to arbitrary arrest and detention, and it is estimated that approximately 200,000 are currently detained



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in concentration camps across the country. Since it is illegal to leave the country, the whole of the DPRK effectively functions as an enormous prison.

The DPRK is the most closed and secretive nation in the world, carefully stage-managing the areas that visitors are allowed to see, and hiding most of the country from sight. It refuses to co-operate with any international human rights agency. The regime is deeply fearful of foreign influence, and does not allow its citizens any access to information from beyond its borders.

The DPRK citizens who have risked their lives to escape from the regime and have been fortunate enough to succeed testify to the horrors of life beyond the world's gaze, and the silent screams of the world's most repressed population.

However, there are still many unanswered questions, and much that remains unknown about life within this totalitarian dictatorship. It will only be when the regime finally opens its doors to the world, either due to economic or political collapse, or due to international pressure, that it will truly be known what has been happening inside the country during these years. When that happens, it is likely that a picture will emerge even more horrifying than the one we have at present.

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