

# **List of Human Rights Concerns for the UN Human Rights Committee**

North Korean Children's and Women's Rights,  
Digital Rights and Abduction Cases

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[www.pscore.org](http://www.pscore.org)

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# 1. Introduction

At People for Successful Corean Reunification (PSCORE), we advocate for an end to human rights abuses in North Korea globally in schools, universities, and at the United Nations, and aim to empower North Korean defectors. In spite of the existence of many pressing issues related to human rights violations in North Korea, our organisation has focused on four specific topics for the consideration of the International Covenant on Civil and Political Rights (ICCPR):

Firstly, the physical abuse and discrimination of children within the social, educational and legal sectors, highlighting the issues of child labour, sexual abuse and disadvantage of lower class children. Secondly, the unfair treatment of women in North Korea particularly evident in cases of sexual abuse by authority figures. Thirdly, the distortion of digital information due to excessive surveillance and censorship of international media through the lens of the new concept of Digital Rights. Lastly, the on-going case of South Korean abductees, who have not yet been returned to their families.

Extensive evidence was accumulated through internal research material by PSCORE as well as reports collected from the UN Human Rights Council, Human Rights Watch, and other reliable platforms. The testimonies of North Korean defectors, acquired through PSCORE interviews, were utilised in order to reflect first-hand experience of the human rights situation in North Korea. This clearly highlights the severe breach of rights, which we urge the North Korean government to address promptly.

We sincerely hope that our input will contribute to and enhance the dialogue between the UN and North Korea so as to improve the living conditions of North Korean civilians.

## 2. Children's Rights

The North Korean stance on Children's Rights, physical and sexual abuse, unjust legal processes and child labour has been extensively analysed through the channels of PSCORE reports and defector testimonies. Several violations of the ICCPR have been detected regarding the aforementioned issues, prompting the request to urgently address and improve the conditions for children in North Korea.

### Protection of Minors against Physical and Sexual Abuse (Arts. 7, 17 and 24)

#### *Physical Abuse*

Physical abuse is prominent in North Korea, be it in the home, by strangers or in the education system. It is common for children to be punished by beatings for bad grades, late attendance or disobedience, and as such it is not seen as a negative aspect of life. Physical punishment is ingrained into the cultural fabric to the point of having been passed down by generations without questioning. Reports and interviews conducted with defectors describe instances of severe beatings by teachers as punishment for missing class or inadequate exam performance. Though these punishments often require the medical treatment of wounds and lead to children being unable to attend school for long periods of time, teachers are not sanctioned or face any consequences<sup>1</sup>.

Physical violence is neither considered abusive nor an abandonment of morality. As it is interwoven with the systemic issue of corporal punishment as a normalised method of educating children about respect, parents accept this behaviour from educators and do not hesitate to resort to violence themselves<sup>2</sup>. Therefore, physical violence inside the home is not unusual, even though North Korean Family Law as well as the Law on the Protection of the Rights of Children<sup>3</sup>, prohibit the assault and abuse of children within the family and state that children have to be brought up 'intellectually, mentally, and physically healthy'<sup>4</sup>.

Considering ICCPR **Article 24**, all children should be protected from discrimination and unfair punishment, which undoubtedly includes bullying and physical abuse. Therefore, North Korea must address their systemic problem of violence against children in the home and the school system and adhere not only to the ICCPR, but their own Criminal Law<sup>5</sup> explicitly condemning the use of violence and physical abuse as a form of punishment.

#### *Sexual Abuse*

Not only are the rates of reported physical violence cases disproportionately high, but also those of sexual abuse against women and children. This occurs even though domestic Criminal Law, as mentioned above,

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<sup>1</sup> Defector Interview on 13/07/2017, Han Chul-Min by Nam Bada and Kim So-young, PSCORE

<sup>2</sup> Defector interview on 21/03/2018, Park Chang-Shik by Nam Bada, PSCORE

<sup>3</sup> The Law on the Protection of the Rights of Children, 22 December 2010 (Korean version)

[http://www.yeslaw.com/lims/front/layout.html?pAct=template\\_contents\\_view&pGubun=FT\\_LAW&pUrlGubun=searchView&pPromulgationNo=157445](http://www.yeslaw.com/lims/front/layout.html?pAct=template_contents_view&pGubun=FT_LAW&pUrlGubun=searchView&pPromulgationNo=157445)

<sup>4</sup> Family Law, 15 December 2009 (Korean version)

[http://www.yeslaw.com/lims/front/layout.html?pAct=template\\_contents\\_view&pGubun=FT\\_LAW&pUrlGubun=searchView&pPromulgationNo=172103](http://www.yeslaw.com/lims/front/layout.html?pAct=template_contents_view&pGubun=FT_LAW&pUrlGubun=searchView&pPromulgationNo=172103)

<sup>5</sup> The Criminal Law of the Democratic People's Republic of Korea, Art. 271

clearly does not permit the use of physical violence against any individual<sup>6</sup>. Due to interviews conducted with North Korean defectors, it was discovered that the concepts of ‘sexual harassment’ and ‘minors’ did not exist, therefore the public has no clear reference point in regards to age of consent and the protection of children from sexual abuse<sup>7</sup>. Young boys grow up within an environment that encourages verbal harassment, threats, and physical abuse of girls, facilitated by the poor treatment of women equated to property<sup>8</sup>.

Children in North Korea suffer abuse not only by authority figures such as teachers and principals, but also by their own family members. ICCPR **Article 17.1** states that no one shall ‘be subjected to arbitrary and unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation’. However, young children are exposed to these attacks in their homes, surrounded by their own family, in school and in public places, like trains and market places. It is well-known by North Koreans that this kind of abuse happens regularly, but, due to the fear of repercussions, victims do not report their abusers<sup>9</sup>. Many defectors have stated that the offender will be protected by society and the state, while the victim will suffer discrimination in regards to career and marriage prospects as well as face daily harassment<sup>10</sup>. One of the defectors interviewed for PSCORE, Ms. So-Hee, recounts her suffering after experiencing sexual abuse, which led her to flee to China:

*“I felt so ashamed. If word were to get out that sexual intercourse was attempted, it wouldn't affect the man, but the woman wouldn't be able to marry properly or it would be like bringing disgrace upon your parents. I wanted to die because I was so ashamed.”<sup>11</sup>*

The daily occurrence of sexual harassment and abuse, testified to by defectors, demonstrates that North Korea does not keep in alignment with the ICCPR protection clause and creates an open culture of victim-shaming and perpetual violence against women and children in particular.

Reports additionally state that children are not taught about sexual health, anatomy, contraception or consent throughout their official education, and are not able to research this type of information as access to foreign media is denied, internet is virtually non-existent to the masses, and the government does not provide appropriate services related to such concerns<sup>12</sup>. This must be seen as a violation of the freedom to seek and receive information, **Article 19** of ICCPR, which will be discussed in the next paragraph.

## **Freedom to Seek and Receive Information and Education (Arts. 19 and 20)**

The lack of information on and inaccessibility of health services which contradicts ICCPR **Article 19.2** concerning ‘freedom to seek, receive, and impart information, and ideas of all kinds, regardless of frontiers, either orally, in writing or in print...through any...media of his [or her] choice’, also applies to sexual health

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<sup>6</sup> The Criminal Law of the Democratic People's Republic of Korea, revised edition of 2015, Article 271

<sup>7</sup> Defector interview on 03/2019, Eun-Joo by Shim Da-Yeon, PSCORE

<sup>8</sup> Defector interview on 30/04/2019, So-hee by Shim Da-Yeon, PSCORE

<sup>9</sup> Defector Interview on 04/04/2019, Su-Jin, by Shim Da-Yeon, PSCORE

<sup>10</sup> Defector Interview on 03/2019, Eun-Joo, by Shim Da-Yeon, PSCORE

<sup>11</sup> Defector Interview on 30/04/2019, So-hee by Shim Da-Yeon, PSCORE

<sup>12</sup> Human Rights Watch. (2018). You Cry at Night but Don't Know Why. [online] Available at:

<https://www.hrw.org/report/2018/11/01/you-cry-night-dont-know-why/sexual-violence-against-women-north-korea>

education and awareness of boundaries. Denying North Korean children and teenagers the ability to fully educate themselves about their bodies, health and sexuality creates a dangerous breeding ground for sexual violence and abuse as boundaries and consent are unfamiliar concepts<sup>13</sup>. North Korea must implement health education, specifically regarding sexual harassment and abuse, and ensure the safety of women and children through legal ramifications.

A second point to consider, regarding North Korea's education system and the lack of information, is the spread of hateful propaganda promoted through textbooks in schools. North Korean children begin to be indoctrinated by hateful ideology from kindergarten onwards, being taught to actively hate their enemies. Foreign nations such as Japan and the United States are described as evil within essays and even songs<sup>14</sup>. North Korean children are encouraged to hate Americans as they have brutally massacred North Korean people in the past, who must be avenged<sup>15</sup>. This form of biased education contradicts **Article 20.2** of the ICCPR, stating that 'any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law'. North Korea must remove propaganda from their education material and teach children in a more open-minded way, respecting the different nations of the world equally.

### **Treatment of Juvenile Offenders in the Legal System (Arts. 6, 7, 9, 10 and 14)**

In accordance with ICCPR **Article 10.2b&3**, it is required that 'juvenile persons shall be separated from adults and brought as speedily as possible for adjudication' and, thus, be treated 'appropriate to their age and legal status'. This, additionally, stands in opposition to **Article 14.3c**, the entitlement 'to be tried without undue delay'. PSCORE has consolidated a full-length report of defectors' testimonies regarding child abuse within North Korea, in which underage victims' experience of the North Korean legal system are described. It is stated that minors were held at interrogation centres for prolonged periods of time after repatriation from China, without access to legal assistance, in order to prosecute them under adult criminal law.<sup>16</sup>

Children as young as 13 years old have been known to be incarcerated under arbitrary circumstances, unable to inquire about the charges leading to their arrest due to threats to their lives made by the arresting officers and guards. Thereafter, the witness spent almost three decades incarcerated in political prison without statement of the crimes committed<sup>17</sup>. ICCPR clearly states in **Article 9.2 and Article 14.3a** that 'anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him'. Therefore, any arrest that is made without direct explicit statement of charges must be considered unlawful.

Moreover, juveniles within detention centers have been found to be subjected to extreme instances of torture resulting in their early passing. Under ICCPR **Article 6.5** the death sentence 'shall not be imposed

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<sup>13</sup> Defector interview on 19/02/2019, Lee Jin-Hee by Nam Bada, PSCORE

<sup>14</sup> Rhee Geum-Song, Gang Cheol-Nam, Lee Geun-Se, Choi Moon-Pil, Lee Hae Gyeong, and Kim Hyeon-Sook. *Socialist Morality and Law (For High School, 1st grade)* (Education Publishing Company: 2013), 86

<sup>15</sup> Yun Yong-Ok and Kim Kyong-Ok, *The Childhood of Our Supreme Leader*, Kim Il-sung (Elementary school 1st grade), (Foreign Languages Publishing House: 2013), 23

<sup>16</sup> Inescapable Violence - Child Abuse within North Korea, PSCORE 2019, p30 <http://bit.ly/37166Ny>

<sup>17</sup> Ibid, p31-32

for crimes committed by persons below eighteen years of age’, while their period of detention should instead be focused on ‘reformation and social rehabilitation’ (**Article 10.3**). Through testimony, it was uncovered that a detainee’s parents had attempted to bribe the Ministry of State Security to facilitate release of the youth. However, as the boy had been severely tortured during his detention, he passed away within days of being returned to his family due to brain injury inflicted to him by the guards<sup>18</sup>. Not only does the torture of juveniles violate the ICCPR requirements for just legal process, it also blatantly disregards **Articles 6.1**, ‘the inherent right to life’ as death by torture is a clear example of arbitrary deprivation of life, and also **Article 7**, outlawing torture or ‘cruel, inhuman or degrading treatment or punishment’. The North Korean prison system should be revised and prison guards as well as arresting officers should receive training on the humane treatment of detainees and prisoners.

### **Discrimination Against Children Based on Social Status and Nationality (Arts. 24 and 6)**

The ICCPR clearly states in **Article 24** that every child ‘shall be registered immediately after birth and shall have a name’ and has ‘the right to acquire a nationality’. No child shall be discriminated against on the basis of ‘race, colour, sex, language, religion, national or social origin, property or birth’ and must receive protection as ‘required by his status as a minor, on the part of his family, society, and the State’. Testimonies by North Korean defectors have shown that pregnant women who were repatriated from China were forced to abort their children and, in case of a late pregnancy, had to witness the infanticide of their newborn baby at detention centres and political prisons<sup>19</sup>. The latter, described within the memoir of a former North Korean customs officer and defector, was carried out by the wrapping of the newborn in plastic bag and consequent suffocation in front of the mother’s eyes. Customs officers and guards were under order to kill any children conceived by North Korean women in China:

*“Pregnant women who are caught in their late term are initially allowed to give birth, but the babies are wrapped in plastic bags to die of suffocation, all in plain sight of their mothers. Could there be words that can possibly describe the condition of the mother’s heart as she watches her own child get killed? Even animals would not be as cruel. Regardless of who, every single baby conceived by North Korean women in China was to be killed.”<sup>20</sup>*

This forced abortion and murder of North Korean-Chinese children must be condemned as it not only goes against the rights of children to receive registration, a nationality and be given a name, but it also clearly discriminates against a specific race, the Chinese, in order to continue a clear blood line of the ‘Korean pure race’<sup>21</sup>, contradictory to **Article 24.1**.

Children must also be protected during their school years, as testimony has shown the discrimination of children on the grounds of social class and their parents’ political standing by teachers as well as other

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<sup>18</sup> UN Human Rights Council, Report of the detailed findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea, 7 February 2014, A/HRC/25/CRP., para. 709

<sup>19</sup> PSCORE 2019, p28

<sup>20</sup> PSCORE, The Fate of the Repatriated North Korean Women, Defectors Memoirs, online, <http://pscore.org/memoir/fate-repatriated-north-korean-women/>

<sup>21</sup> UN Human Rights Council, Report of the detailed findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea, 7 February 2014, A/HRC/25/CRP., para. 426

children under the guidance of authority figures. Defectors recount the privileges children from high-class backgrounds received throughout their school years as their parents would support the school and specific teachers financially<sup>22</sup>. Lower class children received exponentially more abusive treatment by educators than their privileged counterparts. This type of bribery directly influences a child's educational performance and subsequently their career path and quality of life and thus must be strictly forbidden by the North Korean government and education sector in order to ensure equal opportunities for all children.

Lastly, discrimination also occurs for the children of South Korean Prisoners of War (PoW), despite the fact that one of their parents is a North Korean national and they themselves hold North Korean citizenship. The government and public officials, according to witness reports, monitor these children and their family to a higher degree than other families and block opportunities for employment and education<sup>23</sup>. Although PoW have been allowed to marry North Korean women, they are unable to achieve a high quality of life within the North Korean system, therefore their children suffer from discrimination and disadvantages in comparison to their peers.

### **Prohibition of Compulsory Labour (Art. 8)**

ICCPR **Article 8.3a** related to forced labour, prohibits 'compulsory labour' in any form unless it is part of a prison sentence of hard labour. North Korea thus needs to put an end to its extensive apparatus of child labour, utilised not only for economic furtherment but as a supposed educational tool. Children are reported to spend large periods of time during their school-age years working for either their teachers or government instead of focusing on their education under the premise of developing the childrens' value system. Defectors estimated that around 40% of their education consisted of physical labour as teachers were allowed to utilise them in such a way whenever they needed certain goods or services.<sup>24</sup> Defectors recall baby-sitting for teachers, executing repairs at teachers' houses or even making kimchi for them during the winter time. This occurs even though the North Korean 2016 revised Constitution's Article 31 forbids child labour and states the legal age of work as 16 years old<sup>25</sup>.

Not only are children utilised for hard labour and work incredibly long hours throughout their teenage years, they are also subjected to harsh and violent working environments without any guardians or medical care. A defector states that children were forced to work on rice fields, using dangerous tools like sickles, rendering serious injuries extremely common, yet were expected to care for their wounds without any assistance by adults<sup>26</sup>.

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<sup>22</sup> Defector interviews conducted on 29/03/2018, Oh Ji-Ye and 22/02/19, Lee Hee-Eun interviewed by Nam Bada

<sup>23</sup> UN Human Rights Council, Report of the detailed findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea, 7 February 2014, A/HRC/25/CRP.1., para. 298

<sup>24</sup> Unending Toil: Child Labor within North Korea, PSCORE 2018, p106-108 [http://pscore.org/wp-content/uploads/Unending-Toil\\_Child-Labor-within-North-Korea-2018\\_PSCORE.pdf](http://pscore.org/wp-content/uploads/Unending-Toil_Child-Labor-within-North-Korea-2018_PSCORE.pdf)

<sup>25</sup> North Korean Constitution as revised in 2016, Article 31

<sup>26</sup> Defector Interview on 20/02/2019, Han So-Young by Nam Bada and Kim So-Young, PSCORE



*“I was using a sickle to cut the rice stalks and I cut open one of my left fingers quite badly. It was so deep you could almost see the bone and a large flap of skin had come off. No one helped me. I had to find a scrap of cloth and dress it myself.”<sup>27</sup>*

As meals were not provided during labour hours, children looked for food within the frozen ground despite the dread of potential beatings by the supervisors if detected<sup>28</sup>. This is an unacceptable practice of modern slavery that cannot be continued by North Korea; they must adhere to their own Constitution and strictly regulate the labour as well as education sectors to guarantee humane living conditions for children.

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<sup>27</sup> Defector Interview on 20/02/2019, Han So-Young by Nam Bada and Kim So-Young, PSCORE

<sup>28</sup> Defector Interview on 7/3/2017 Lee Ga-Yeon by Nam Bada, PSCORE

### 3. Women's Rights

Looking at the living conditions of North Korean women, their rights are not protected by societal norms, and even the domestic law has limited restrictions on sexual violence. It can be summarized by three points.

First of all, The most prevalent forms of sexual violence against North Korean women are those that are perpetrated by men of authority. Secondly, sexual violence is rampant in North Korea. Finally, sexual molestation is not considered a crime in North Korea and is a common occurrence.

#### **North Korean Law Lacks Content for Crimes of Sexual Violence (Art. 26)**

According to scholar Hyun, one of the defector professors at Ewha Women's University in South Korea, the "Me Too" movement is prevailing in South Korea, and women's rights are gradually becoming more of a concern for the general public, while women in North Korea are still persecuted by their families, society, and the authorities. This stems from the lack of legal foundation for the protection of women. Specifically, in 2010, North Korea passed a new legislation on guaranteeing women's rights. However, it simply states the general rights of women and excludes any mention of sexually violent crimes<sup>29</sup>. However, this is contradictory to **Article 26 of ICCPR**, which is based on the protection of legal status for both men and women. The protection afforded to North Korean women under domestic law is minimal when they receive unfair treatment. The vast majority of North Korean women who are subjected to sexual violence do not have access to justice because of a need to protect their family's reputation or because they are threatened by authorities. Although there have been a few desperate attempts by women to disclose the atrocities committed by their abusers, North Korea's legal system, which is supposed to be fair and just, needs to be further improved.

#### **Authoritative Sexual Violence is Widespread in North Korean (Art. 17.1)**

The unfair treatment of women in North Korea is particularly evident in cases of sexual abuse and rape by those in power. The scholar Hyun summarized this as sexual violence committed by a person of authority<sup>30</sup>. The crime was prevalent in five areas, including workplace, military, dolgyukade, detention facilities and markets. Sexual violence in correctional labor camps, detention centers and markets has escalated since the 1990's<sup>31</sup>.

Taking detention facilities as an example, according to a survey conducted between 2010 and 2014 on 1,125 defectors, 37.7% responded that sexual harassment and rape were 'common' in the detention

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<sup>29</sup> Hyun, Cases of Sexual Violence Against North Korean Women: Cases and Ways to Improve, Article download link: <http://bit.ly/3pj5MwQ>, p12

<sup>30</sup> Ibid, p16.

<sup>31</sup> Ibid, p16-p19.

facilities and correctional labor camps, and of these 15.9% responded that it was 'very common'. Out of the respondents, 33 women had been raped and 51 had witnessed rape.<sup>32</sup>

One of the defectors recalled:

*“They didn't allow food for me for three days. I was left alone in a dark room and nobody came to me or talked to me. On that day, a new officer came, and he raped me. He didn't say "I'm going to assault you," he just took off his pants and jumped on me. I was alone and there was no place to escape, nowhere to run. It was a small room, just enough for five people to sit. I couldn't run away, and he was young. And I thought, "If I refuse this, what extra punishment would I have to get?" So, I just gave up... I was in a hard situation. I was [sexually] assaulted and couldn't do anything about it.”<sup>33</sup>*

Also, women are often forced by family and social pressure to submit to sexual persecution by senior managers. Women also face threats and persecution from senior officials if they try to report their abuser. This is a serious violation of **Article 17.1 of ICCPR** covenant, which states that an individual's private life, family, and reputation may not be unlawfully violated.

### **The Deterioration of Social Decency and the Resistance of North Korean Women to Sexual Violence (Art. 19.3b)**

Although North Korean women are often not aware of their basic right to protection from sexual violence, there are also reports that North Korean women are actively fighting against sexual violence.

There was a case of a woman who deserted the military in order to fight against sexual violence committed against women in the military, and 3 months later when she returned and faced disciplinary questioning. She exposed that sexual assault had been the cause of her desertion. There are also collective reports written by victims about the sexual abuse committed by high-level military personnel in Pyongyang. These reports not only outline the crimes committed, but also ask for respect for women<sup>34</sup>. This kind of situation is caused by the North Korean authorities' lack of respect for women which contradicts **Article 19. 3b of ICCPR**, namely, for the protection of national security or of public order (order public), or of public health or morals.

### **North Korean Regime's Persecution of Aspiring Liberals and Extreme Executions of their Families (Art. 12.1)**

North Korean women not only suffer from sexual persecution, but also lack relative personal freedom. Shim, a professional sexual violence counsellor, confirmed this in feedback received after in-depth interviews with 24 female defectors from North Korea between 2008 and 2019<sup>35</sup>. According to the descriptions of the 24 women, all of them suffered from sexual violence to varying degrees in North Korea,

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<sup>32</sup> Korea Institute for National Unification, 'White Paper on Human Rights in North Korea 2015' pp.324~ 325.

<sup>33</sup> Human Rights Watch, *ibid*, p.41.

<sup>34</sup> *Ibid*, p22.

<sup>35</sup> *Ibid*, p35.

including sexual assault, sexual harassment or sexual molestation. For example, in the first representative's case Ms. Hae-sook, when she recalls her experience in North Korea, it is hard for her to forget the anger and pain. When she recalled that she had been violated, her anger and grievance could not be expressed in words:

*“Whenever I think back on that time, I really... I didn't understand why such things kept happening to me. And why I had to be subjected to such atrocities each time. It was so devastating at the time and I couldn't even afford to be angry, but now when I think about it, I really...”<sup>36</sup>*

The North Korean government's persecution of them has affected the whole family. She also noted that the North Korean government did not allow them to cross the border, and that two of her brothers were caught and eventually shot in prison. This is a contravention of **Article 12.1 of ICCPR**, which guarantees that everyone shall be free to leave any country, including its own.

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<sup>36</sup> Defector interview conducted by PSCORE between March and May of 2019, by a professional sexual violence counsellor (Shim Da-Yeon) regarding 24 North Korean female defectors who escaped between 2008 and 2019.

## 4. Digital Rights

Digital rights are human rights in the internet era. Despite being a rather new concept in this modern era, various articles of ICCPR are applicable to digital rights. The concept touches upon the rights to online privacy and freedom of expression in the online world. These rights are extensions of inalienable rights in the Universal Declaration of Human Rights, which is why we would like to address various breaches of digital rights committed by North Korea. We can report three main categories in which North Korea have committed a violation of digital rights:

### **Propaganda Only: Internet and Foreign Media Access Denied (Arts. 1, 5 and 20)**

While the majority of the population has no access at all to the internet, even the social elite has access only to the highly restricted and monitored version of the North Korean Intranet. In contrast with the Internet, Intranet is not globally connected, but instead is a restricted network that enables people to store, organize, and share information within the network. In this way the regime is able to fully control what content the population consumes on the platform. Available are only around 30 websites<sup>37</sup>. The content is almost exclusively propaganda news, recipes and North Korean films.

Various defectors have confirmed the lack of access to the internet. Park Chang-Shik<sup>38</sup>, a defector from Pyongyang who was born in 1984, confirmed that he could not access the internet at all and that only a very limited number of people were allowed to access it. He also commented on the content of the intranet, stating that familiar propaganda constitutes the majority of the websites' content.

*“I used the intranet for the first time through a portal called Kwangmyong. [...], if we could have found informations we were interested in but you could only access things we already knew about such as Kim Il Sung’s writing and the Revolutionary History.” (Park Chang-Sik)<sup>39</sup>*

Other defectors also highlight the lack of information they received about the world while staying in North Korea. Kim Bo-Ram<sup>40</sup>, a defector from Ryanggang-do and born in 1994, confessed that she had never heard anything about South Korean dramas prior to her defection. The first time she heard about it was in China while using social media.

The examples mentioned in this category demonstrate the violation of the following two ICCPR articles: According to **Article 1.1**, “all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” North Korea is restricting this freedom of pursuit by refusing to give people access to the internet. Additionally, **Article 5.2** states that “there shall be no restriction upon or derogation from any of the fundamental human rights [...]” The examples above show that DPRK is clearly restricting the fundamental human right of self-determination and self-pursuit. Finally, the spread of propaganda, offline

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<sup>37</sup> Matthew Bryant, 2016, retrieved from: <https://github.com/mandatoryprogrammer/NorthKoreaDNSLeak>

<sup>38</sup> Defector Interview on 29/07/2020, Park Chang-Sik by Nam Bada, PSCORE

<sup>39</sup> Defector Interview on 29/07/2020, Park Chang-Sik by Nam Bada, PSCORE

<sup>40</sup> Defector Interview on 20/08/2020, Kim Bo-Ram by Nam Bada and Kim Do Hee, PSCORE

and now also through North Korea's intranet platform, demonstrates a breach of **Article 20** of the ICCPR, which states that "any propaganda for war shall be prohibited by law."

### **No Freedom of Thought, Expression, or Privacy (Arts. 17, 18 and 19)**

The North Korean regime is very well aware that the spread of foreign media could endanger their system. The basis of the system is the power and control which the government has over its population, which could fade and loosen in case the awareness of the outside world spreads. Therefore, with the spread of technology, the regime is becoming even more encroaching. It not only denies people access to information through the internet but also restricts civilians' freedom of thought, expression and privacy to an even higher degree.

According to the Unification Media Group<sup>41</sup>, 71.5% of North Korean defectors stated that it became much more dangerous for people to own or consume foreign media once Kim Jong Un came to power. Raids have been organized during which people's homes are checked for hidden foreign media. The punishments for owning foreign media can sometimes go as far as to the execution of the offender.

The survey mentioned above shows that North Korea is clearly restricting the fundamental right to freedom of thought, expression, and privacy. These rights are supported by **Article 17, 18 and 19** of the ICCPR: According to **Article 17.1**, "no one shall be subjected to arbitrary or unlawful interference with his privacy, [...]" **Article 18.1** of the ICCPR states that "everyone shall have the right to freedom of thought, conscience and religion. [...]" Finally, **Article 19.1 and 19.2** argue that everyone should be allowed to have their own opinion without interference and that this opinion should be allowed to be expressed.

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<sup>41</sup> Unification Media Group, 2019, "A survey for North Korean media environment and external content usage", retrieved from [www.uni-media.net](http://www.uni-media.net)

## 5. Abductees

PSCORE is seriously concerned with the well being of the numerous civilians which North Korea has abducted in past years. One specific example which we would like to highlight in this report demonstrates the breach of **Article 9.1** and **Article 12** of the ICCPR.

A current and unresolved example is visible in the Korean Air (KAL) abductee case<sup>42</sup>: In 1969, the Korean Air YS-11 was hijacked and flown to North Korea while carrying 46 passengers and 4 crew members. Testimonies of passengers who managed to return to South Korea after the incident revealed that they were forced to take indoctrination classes in North Korea. One of the passengers who remained in North Korea to this day is Mr. Hwang Won. He resisted these indoctrination classes. After being caught singing a song about wishing to return home, Mr Hwang was dragged away by soldiers. According to the abductees' testimonies, this was the last time he was seen.

Although the hijacking of the plane occurred more than 50 years ago, this case is still ongoing. Mr. Hwang Won's son, Hwang In-cheol, is seeking his father to this day and the family has not found closure yet. So far, all the attempts that he has made to contact his father have been either ignored or denied by the North Korean regime. In February 2019, Amnesty International released a petition in which it demanded that forced abduction should be addressed in the next inter-Korean summit. In March 2019, Hwang In-cheol attended the UN Human Rights Council's 40th session and held a speech at the European Parliament to advocate his cause. Later that year, during North Korea's 3rd cycle Universal Periodic Review, Iceland and Uruguay highlighted the KAL hijacking incident, demanding the return of Hwang Won to South Korea.<sup>43</sup>

This example shows a clear violation of the following two ICCPR articles: Firstly, it breaches **Article 9.1** which states that "everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. [...]" The second article which North Korea ignores is **Article 12**, which argues that "everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence." By holding people hostage in the country, North Korea does not acknowledge people's liberty of movement.

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<sup>42</sup> "Forgotten Abductees: 50 Years in North Korea", published on March 2019 by PSCORE

<sup>43</sup> Bring My Father Home, n.d., retrieved from: <https://bringmyfatherhome.org/>