



북한인권정보센터
DATABASE CENTER FOR NORTH KOREAN HUMAN RIGHTS

The logo for the International Federation for Human Rights (FIDH) consists of the lowercase letters 'fidh' in white, set against a dark purple rectangular background.

fidh

UN Committee on the Rights of Persons with Disabilities (CRPD)

16th Pre-Sessional Working Group

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (DPRK)

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The **Database Center for North Korean Human Rights (NKDB)** has worked for over two decades by conducting interviews with North Korean escapees and recording and archiving human rights violations that have happened in the DPRK. As of July 2022, the NKDB Unified Human Rights Database has documented 82,271 cases of human rights violations and information on 52,062 individuals, including victims, perpetrators, and witnesses related to these cases.

The **International Federation for Human Rights (FIDH)** is an international human rights NGO that unites 192 member organizations from 117 countries. Since its foundation in 1922, FIDH has been defending all civil, political, economic, social, and cultural rights set out in the Universal Declaration of Human Rights (UDHR).

Following the DPRK's initial state report in 2019, this submission focuses on the situation of the rights of persons with disabilities in the DPRK, based on the amended Law on the Protection of Persons with Disabilities and the general human rights situation in the DPRK.

Articles 1-3 (Purpose/Definition/General principles)

In its initial report submitted in 2019, the DPRK government claimed it is protecting persons with disabilities based on the Constitution, the Public Health Law, the Socialist Labor Law, and many other specific laws listed in the report. However, according to the testimonies of North Korean escapees after 2019, these laws have not been implemented as stated. In particular, based on the country's Constitution, the state must provide special measures for soldiers disabled in the line of duty. However, North Korean escapees have reported that protections for soldiers disabled in the line of duty are woefully insufficient. Since military service is mandatory for all people in North Korea after they turn 18 or 19 years old, this puts every citizen in their 20s at risk of being injured and disabled without proper reparations or compensation.

The government also insisted that the Socialist Labor Law, provides for food subsidies to the individuals who are temporarily disabled due to work related accidents, disease, or injury. However, based on the testimonies of escapees, the country's distribution system for food and other essential commodities has nearly collapsed. As a result, it is unlikely that food subsidies for disabled workers can be effectively allocated.

Questions

- What kind of compensation and services are provided to soldiers who are injured and become disabled during their period of military service?
- What measures are being taken by the DPRK government to provide subsidies to disabled workers based on the country's laws, including the Socialist Labor Law?

Article 4 (General obligations)

Since the COVID-19 pandemic began in early 2020, the DPRK government closed the country's borders, and many international humanitarian aid organizations that had been operating inside the DPRK suspended their activities and left the country. Therefore, there is insufficient information regarding how the DPRK government can fulfill its obligations to protect persons with disabilities, despite some organizations continuing to implement their programs remotely.¹ In addition, most activities conducted by the government and international organizations appeared to only be focused on certain regions, such as Pyongyang and the surrounding provinces. Information on activities in support of persons with disabilities in the provinces farther from Pyongyang, such as in the regions near the DPRK-China border areas, could not be found in the initial report submitted by the government.

Based on the government's initial report, the National Committee for the Protection of Persons with Disabilities established the Action Plan 2013-2015 for persons with disabilities. The committee proposed to employ disabled persons in the entertainment industry, such as sports, culture, and leisure, but suggested no additional areas in which disabled persons can be employed. Employment limited to the entertainment, sports, culture, and leisure industries is not sufficient to fulfill the rights of persons with disabilities, including their right to work. The committee's Action Plan 2016 for persons with disabilities was primarily focused on capacity building for staff of the government-backed Korean Federation for the Protection of the Disabled (KFPD), and lacked a viable plan to support persons with disabilities. Furthermore, the initial report provides no information on Action Plan 2018-2020.

¹ For example, based on information published on its website, the government-backed Korean Federation for the Protection of the Disabled (KFPD), focused on rehabilitation activities for children with disabilities, and manufacturing devices for supporting those with physical disabilities.

In addition, in its initial report, the government emphasized that its National Strategy for Economic Development 2016-2020 included short-term and long-term targets for persons with disabilities to be attained by the year 2020. It is likely that the targets for persons with disabilities were not met, in light of the government's declaration in January 2021 that the National Strategy for Economic Development 2016-2020 had failed to meet its goals.

Questions

- How does the DPRK government protect the rights to work for persons with disabilities?
- How is the DPRK government gathering and reporting data on the implementation of policies in support of people with disabilities in regions outside Pyongyang and its surrounding areas?
- What were the specific targets regarding persons with disabilities within the National Strategy for Economic Development 2016-2020, and how has its failure affected persons with disabilities?

Article 5-8 (Equality and non-discrimination/Women and children with disabilities/Awareness raising)

In its initial report, the government claimed that it raised awareness in support of the rights for persons with disabilities and built supportive institutions for children and women with disabilities. However, it is apparent from the report itself that all such efforts are focused on Pyongyang and adjacent provinces. No mention is made of any activities in the provinces far from Pyongyang, such as Yanggang, Jagang, or North Pyongan Provinces. This implies the possibility that the equality and non-discrimination policy is not fulfilled.

Questions

- What institutions have been created to support women and children with disabilities in provinces outside of Pyongyang?
- Within these institutions, what steps are taken to protect women and children with disabilities?

Article 14-17 (Liberty and security of person/Freedom from torture or cruel, inhuman or degrading treatment or punishment/Freedom from exploitation, violation, and abuse/Protecting the integrity of the person)

NKDB has collected a vast number of consistent testimonies on the inhumane treatment in detention facilities that has persisted from the 1950s to the present day. Many testimonies come from former detainees who were injured and became physically disabled due to loss of their limbs through torture and ill-treatment. Many others became mentally disabled due to exposure to an environment of constant threat and surveillance while performing hard labor in detention centers or during interrogation. According to NKDB documentation, medical treatment is not provided to prisoners who are injured in these detention centers, with some prisoners eventually dying of their injuries.

Question

- How does the DPRK government protect the rights to liberty and security, and freedom from torture, inhuman treatment, exploitation, violence, and integrity of person among persons with disabilities?

Article 32-33 (International cooperation/National implementation and monitoring)

Based on the testimonies of escapees and credible reports from international organizations, the government's efforts at promoting and protecting the rights of persons with disabilities are focused only on certain parts of the country and narrow segments of society. In addition, in its initial report, the government claimed that international sanctions imposed against the DPRK act as a barrier to collaborating with international humanitarian aid organizations. However, the distribution of humanitarian aid to the DPRK may lead to violations of international sanctions if aid organizations are not allowed to ensure its independent oversight. Furthermore, international organizations face numerous obstacles to enter the country and freely move within its borders regardless of existing sanctions. And organizations cannot carry out consultations and deliver humanitarian aid without a regular physical presence and monitoring capabilities to ensure that resources are appropriately allocated and used.

Following the UN Special Rapporteur on the Rights of Persons with Disabilities' visit to the DPRK in May 2017, there has been little follow-up on measures adopted by the government to implement her recommendations. Regular visits by the Special Rapporteur would ensure monitoring of the government's actions and their compliance with the provisions of the Convention on the Rights of Persons with Disabilities.

Questions

- What steps are being taken by the government to cooperate with the international community with regard to the protection of the rights of persons with disabilities?
- What steps have been taken to improve the situation for persons with disabilities since the official visit and consequent recommendations by the UN Special Rapporteur on the Rights of Persons with Disabilities?
- Does the government plan to allow the UN Special Rapporteur on the Rights of Persons with Disabilities to conduct regular follow-up visits to the country to assess progress in the implementation of his predecessor's recommendations?