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**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

**Written statement* submitted by the International Federation of Human Rights Leagues
(FIDH), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Democratic People's Republic of Korea

The International Federation for Human Rights (FIDH) is deeply concerned at the extensive and systematic violations of human rights in the Democratic People's Republic of Korea (DPRK). The main focus of this intervention is on Economic and Social Rights.

Discriminations in the enjoyment of certain rights

The FIDH is extremely concerned at the discriminative class policy dating back from the 1960s. That policy is based on the supposed fidelity to the ideals of the Party, the aim being to make all people adhere to those principles. That policy resulted in the institutionalisation of inequalities, which presently persist in North Korea and have an impact on the enjoyment of economic and social rights. That policy has more precisely an impact on access to higher education, right to housing, right to health and the allocation of jobs.

This policy is a blatant violation of international human rights instruments, and notably the prohibition on discrimination.

Right to food

There are different assessments of the number of victims of the major floods in 1995; certain sources estimate that three million people died of starvation or related diseases between 1995 and 1998. On 30 October 2003, the UNDP reported that more than a quarter of the population is malnourished and will need aid in 2004.

The authorities are partly responsible for this continuous famine. Their policy of soil exploitation contributed to the flood and distribution of international humanitarian aid is done in a discriminatory manner, the army being served first instead of the more vulnerable segments of the population.

Right to just and favourable conditions of work

The right to just and favourable conditions of work is not respected either since the salaries are quite insufficient to allow the workers to have a decent living for themselves and their family : while prices have continuously risen, the increase of the wages was inadequate and could not compensate the inflation of prices. In addition, salaries are not always paid since managers of the factories often give a promissory note which is either paid later, or not paid at all.

Trade union rights

There are only two trade unions in the DPRK which are controlled by the Party. The North Korean Penal Code includes very repressive provisions which prevent workers to form or join a trade union freely or to engage in collective bargaining, in violation to article 8 of the ICESCR. There is no right to strike either.

Arbitrary detention and torture

Arbitrary detention is systematic in the DPRK. People arrested, whether for supposed political offences or for ordinary crimes, are detained without trial for long periods of time, sometime for months. According to testimonies from North Korean refugees, the persons detained are generally tortured before being sent to detention facilities.

There are various detention facilities in the DPRK, and notably six large camps or colonies for political prisoners and 30 forced labour centres mainly for ordinary criminals (called “labour correction centers” – *Nodong gyonyangso* – or “edification centres” – *Gyohwaso*). Among these detention camps, the most serious human rights abuses occur in the political detention camps/colonies.

Mr. YI Yeong-guk, a North Korean defector and detainee in the Yodeok Camp from 1995 to 1999, presented a list of his fifteen fellow detainees up to 1999 at the 8th Zone of Daesuk-ri. The FIDH fears that those political prisoners are still in detention.

They notably are :

- 1) YI Won-jo, 49 years old, former North Korean Ambassador to Indonesia, accused in 1996 of criticizing North Korean closed foreign policy,
- 2) KIM Dae-seong, 64 years old, former Party Secretary for the Department of Foreign Affairs, accused in 1996 of his son's defection to South Korea while he was a North Korean Counselor of Foreign Trade in Libya,
- 3) KIM Heui-cheol, 63 years old, former Director of Trade Management Center in South Hwanghae, accused in 1997 of criticizing KIM Jong-il for his failed economic policy,
- 4) BAEK Nam-chil, 44 years old, former Supervisor of the Liaison Office with South Korea, accused in 1996 for failing in a joint venture enterprise related to bear gall bladders,
- 5) KIM Hyeong-seop, 31 years old, accused in 1997 of conspiring, along with his seven classmates at the N.C.O. Academy of the Department (Ministry) of Public Security, to attack VIPs including Ministers of the People's Armed Forces and Public Security for their repression of freedom in North Korean society,
YI Cheol, 59 years old, former Chairman of the League of Taegwondo in South Hamgyeong, accused in 1997 of criticizing the food shortage.

The ordinary criminals, contrary to the political prisoners, are subjected to a judicial process and given fixed-term sentences. Testimonies from former guards and detainees converge : torture and mistreatments are systematic in the labour camps for political prisoners.

Recommendations:

The FIDH calls on the Commission on Human Rights to adopt a **Resolution on the human rights situation in North Korea**, which, will *inter alia*:

Urge the Government of the Democratic People's Republic of Korea :

- To fully implement the recommendations issued by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;
- To accept the terms of reference of the Special Procedures who asked to visit the Country, including the Committee on Economic, Social and Cultural rights;
- To immediately and unconditionally release all prisoners that are arbitrarily detained;
- To adopt a moratorium on executions, with the objective to abolish the capital punishment;
- To ratify the second optional protocol to the ICCPR, which provides for abolishment of the death penalty;
- To allow international human rights NGOs to visit the country.
