Ameliorating in the North Korean Human Rights Crisis: the Roles of the South Korean Government and NGOs

2009 Levitt Research Fellows Program
Jae Yong Kim, Class of 2010

Research Advisor: Professor Dingding Chen
Introduction:

North Korea is often referred to as the hermit kingdom because of the extent to which it is isolated from the rest of the world.¹ No one exactly knows what is going on in North Korea. The South Korean government and non-governmental organizations (NGOs) often figure out limited information about the present condition of North Korea by defectors and international organization agencies working in North Korea. The North Korean government is the creator and the major driving force behind the North Korean human rights crisis and is also the biggest obstacle in resolving the dilemma. Denying its citizens’ inalienable rights, the North Korean government confiscates the people’s basic rights at all levels.

The North Korea’s biggest crime against human nature is its failure to protect its people from famines. Although North Korea received one of the largest and longest emergency food aid from the United Nations, the North Korean government failed to alleviate food shortages, and numerous North Korean people still suffer from dreadful hunger. The North Korean government is, therefore, incapable of assisting its citizens to overcome the difficulty, or else the government is simply irresponsible and neglects the consequences of the problem. The government is frightening the rights of lives of North Korean people.

Human rights have emerged as a major bone of contention in South Korea’s policy vis-à-vis the North Korea. The North Korean human rights crisis is critical for South Korea not only because the two Koreas share same ethnicity and ancestry but also because assisting North Korea in improving its human rights is South Korea’s obligation as a member of the

international community. Moreover, South Korea’s own experience in transforming from a harsh authoritarian rule to a matured democracy makes South Korean to become sensitive to the issue of human rights in North Korea.

However, approaching to the North Korean human rights problems always has been inactive and cautious because two Koreas have developed different form of government and valued different concept of human rights. Moreover, the South Korean government bears the risk of disrupting diplomatic relations with China, North Korea’s only remaining ally, regarding the North Korean human rights crisis. The North Korean political leadership criticizes the South Korean government and its partners, such as the United States, that they are using human rights as political instruments to collapse North Korean regime. To ameliorate North Korean human rights crisis, the South Korean government must understand differences of North Korea and take engagement policy as its foreign policy toward North Korea to deter North Korean officials in regards to their human rights abuses. Furthermore, the South Korean government needs to assist NGOs in researching the North Korean human rights violations and operating humanitarian supports. The government also needs to seek cooperation with INGOs and NGOs to handle diplomatically sensitive issues.

I. Famine:

“We looked for those underground holes and took the food from the rats.”

—Suk-Chul, North Korean refugee

Series of egregious famine began to spread out all over North Korea since October 1993 and reached at its peak in 1997. According to David Morton, World Food Program (WFP) Representative in North Korea, approximately 1.5 million North Korean people died

---

during the 1990s famine. Death tolls estimated by other institutions were more shocking. The South Korean government quoted data from the North Korean National Police Agency and reported that the North Korean famine during the 1990s killed approximately 2.5 to 3.0 million people\(^3\), and the Korea Institute for National Unification estimated that about 3.5 million North Korean people died during the period of famine.\(^4\) Jasper Becker, the author of *Rogue Regime*, argues that a death toll of 3.0 million would mean “more victims than in Pol Pot's Cambodia, where 1 out of 8 million perished, and more deaths from starvation than in Ethiopia during the 1980s.”\(^5\) As a result of this severe famine, approximately 15 percent of 22 million North Korean people died, recording one of the most atrocious casualties in modern history.

As Kim Dae–Jung, formal South Korean president and the winner of the Nobel Peace Prize in 2000, adopted sunshine policy as South Korea’s new foreign policy toward North Korea between 1998 and 2003, North Korea’s social and economic situation seemed to be getting better. North Korea even showed a sign of opening its country in order to reform its market system. North Korea marked a remarkable growth of 6.2 percent and 1.3 percent in 1999 and 2000 respectively and continued to grow until 2005.\(^6\) Despite its seven years of economic growth, North Korea could not solve its fundamental problem of the food shortage and huge number of death from hunger. On October 28, 2008, the *New York Times* published an article about North Korea’s worst food crisis in a decade, reporting that two-thirds of the country’s 23 million people were suffering from severe famine. This article quoted from a

---

\(^3\) Tae-Wook Jung, *Peace on the Korean Peninsula and North Korean Human Rights*. (Seoul: Han-ul Academy, 2009), 244. [Korean].


report released by the United Nations saying that numerous people in the country were facing “severe deprivations not seen since the mid-1990s.”\(^7\) The United Nations undertook one of its largest and longest emergency food aid operations in North Korea in United Nations’ history.\(^8\) Despite the United Nations’ long history of operating humanitarian aids to North Korea, most North Korean people still suffer from unbearable hunger and struggle to find today’s food.

I (A). North Korea before 1990s:

North Korea’s disastrous famine during the 1990s may bring a question of whether North Korean economic and social situation before the 1990s was also egregious. North Korean economy with “Heavy-industry First” policy actually achieved remarkable economic growth from the late 1950s to the middle of the 1960s. North Korean dictator Kim Il Sung even suggested North Korean type of sunshine policy to South Korea in 1960 in order to propagate its ideology and brag about its better performing economy than South Korea. The Chairman of the Permanent Committee of the Highest Council of People's Commissars Choi Yong-Gun declared:

“First, North Korea will purchase South Korean crofts and give them out to South Korean peasants without any charges. North Korea will also cover all costs to pay off South Korean poor peasants’ liabilities… Fourth, North Korea will supply 100~150 thousands kilowatts of electric energy, 1~1.5 million tons of coal, and 50~100 thousand tons of pig irons to South Korea from 1961 to 1962. North Korea will gradually increase the amount of those supplies to South Korea and ultimately provide 400 thousands kilowatts of electric energy, 5 million tons of coal, and 200

---


thousand tons of pig irons by 1967. Additionally, North Korea will supply sufficient amount of structural steels, cements, lumbers, plate glasses, machine tools, vinyl, synthetic textiles, synthetic resins, and caustic soda so that South Korean manufacturing industry can function properly.”

North Korean suggestion to aid South Korea economically might sound absurd. However, this suggestion came from North Korea’s strong confidence on and pride of its quickly growing economy. North Korea really provided relief goods to victims of severe flooding in South Korea in 1984 to seek a way to improve the North-South relations. North Korea achieved rapid economic growth because of following two factors: when North Korea formed a government after the end of the Japanese occupation, it had good initial conditions to build up its industries; and North Korea received large amount of economic aids from communist countries.

North Korea has plentiful natural resources, a necessary condition for manufacturing industry. Up to this day North Korea is known to have more than 360 kinds of mineral, and 200 out of those 360 are considered useful minerals for valuable excavation. Among the worldly recognized most important 25 minerals, North Korea has abundant reserves for 8 kinds, including magnesite, black lead, and tungsten. The estimated amount of magnesite deposit in North Korea is 4 billion, which is the largest in the world. Magnesite is an essential element for producing high grade steel manufactures, such as automobile, home appliances, and vessels. On the contrary, South Korea has none of them. Moreover, North

---


Korea’s hydro power resources are one of the largest in the world. Because North Korea has many high mountains and valleys are deep, hydraulic head is large and powerful, an essential component for developing hydroelectric power. With abundant underground resources and hydroelectric power, North Korean Communist Party established “develop heavy-industry first then light-industry and agricultural at the same time later” as its economic development plan in order to accelerate its economic growth after the Korean War. Although heavy industry required much larger spending in electricity then light industry, it guaranteed conspicuous achievement in economic growth. As a result of its concentration on heavy industry, its economy grew more than 20 percent between 1954 and 1960.

As a result of its plentiful underground resources and energy, North Korea had a great initial condition to develop industries. Before Korea gained its independence from Japan in 1945, the Japanese colonial government in Korea tended to concentrate heavy industry, mineral industry, and hydro powers in Northern Korea, meaning north of the 38th parallel, in order to take advantages of Northern Korea’s natural environment. Japan’s Nippon Nitrogenous Fertilizer Company led Korea’s development of electric power and built most hydroelectric power plants in northern region of Korea.\footnote{Mun-Su Yang. “Initial Conditions of North Korean Economy” in North Korean Economy. ed. North Korea Research Society (Seoul: Kyung-in Publishing Co., 2006). 18. [Korean].} As a result, 96.4 percent of electric power was produced in Northern Korea in 1944 (Table 1). The company also fixed the electric fee to the metalworking industry and the chemical industry in Korea comparably cheaper than Japan. These two industries, which were concentrated in Northern Korea, could receive plentiful electric power with relatively cheap prices and quickly expand facilities to all over the northern region of Korea.\footnote{Ibid., pp. 16-21.} As the Table 1 shows that 90 percent of metals and 82 percent of chemistry were produced in Northern Korea. Also, 79 percent of coals were
produced in the northern region of Korea. During the 1940s and 1950s, North Korea did not have to have enough petroleum to operate factories. Plentiful coal reserve also helped Northern Korea to achieve quick industrialization and economic development. Although most plants and factories were destroyed after the Korean War, North Korea still had human resources who worked under their Japanese bosses, gained valuable experience of operating and managing those facilities, and obtained basic skills for factory works during the colonial period. Therefore, North Korea could quickly develop its economy and industries between the late 1950s and the middle of the 1960s based on plentiful resources, valuable human resources, and quite well maintained infrastructures from the colonial period.

Table 1: Comparison between Southern Korea and Northern Korea before the liberation

<table>
<thead>
<tr>
<th></th>
<th>Southern Korea (South Korea)</th>
<th>Northern Korea (North Korea)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Value Product (million yen)</td>
<td>Component ratio (%)</td>
</tr>
<tr>
<td><strong>Industrial Production</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Heavy industry</td>
<td>138</td>
<td>20</td>
</tr>
<tr>
<td>- Chemistry</td>
<td>91</td>
<td>18</td>
</tr>
<tr>
<td>- Metal</td>
<td>14</td>
<td>10</td>
</tr>
<tr>
<td>- Machine</td>
<td>33</td>
<td>69</td>
</tr>
<tr>
<td>- Light industry</td>
<td>562</td>
<td>70</td>
</tr>
<tr>
<td>- Textiles</td>
<td>171</td>
<td>85</td>
</tr>
<tr>
<td>- Processed food</td>
<td>214</td>
<td>65</td>
</tr>
<tr>
<td>- The others</td>
<td>177</td>
<td>65</td>
</tr>
<tr>
<td><strong>Mineral Production</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Coal</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>- Tungsten</td>
<td>54</td>
<td></td>
</tr>
<tr>
<td>- Zinc</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>- Gold</td>
<td>37</td>
<td></td>
</tr>
<tr>
<td>- Iron ore</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

15 Ibid., pp. 16-21.
Mineral production and generation of electric power (1944), industrial production (1940)

After the end of the Korean War, North Korea quickly achieved economic development based on enormous financial assistances from communist countries, including the Soviet Union and China. In August 1953, the Soviet Union decided to offer North Korea one billion ruble as a grant for restoration of North Korean industries. China also offered North Korea 8,000 billion North Korean won as a grant for improvement of North Korean living conditions. The Table 2 shows that the foreign aid took a large portion of the national revenue, although it gradually decreased. Especially in 1954, 34 percent of its national revenue came from the foreign aid, representing that North Korea highly depended on foreign aids. Moreover, North Korea received additional 0.47 billion rubles from the Soviet Union in July 1956, which 0.3 billion out of the total was a grant. The Soviet Union also waved 0.53 billion rubles that North Korea borrowed from the Soviet Union. The Soviet Union also sent mechanical equipments and raw materials in addition to economic aids and dispatched technicians to North Korea to pass on special skills. Additionally, as North Korea had no petroleum resources of its own, the Soviet Union and China met its oil requirements. Due to Soviet Union and China’s economic aids, North Korea achieved more than 20 percent of economic growth during its postwar restoration periods from 1954 to 1956 and its first Five-

---

<table>
<thead>
<tr>
<th></th>
<th>- Black lead</th>
<th>44</th>
<th>56</th>
</tr>
</thead>
<tbody>
<tr>
<td>Generation of Electric power</td>
<td>61,910 (kilowatt)</td>
<td>3.6</td>
<td>1,664,530 (kilowatt)</td>
</tr>
</tbody>
</table>

18 Ibid., pp. 50-51.
19 Ibid., pp. 50.
Year Plan from 1957 to 1960.\textsuperscript{21} As these data show that the Soviet Union was deeply related to the initial process of North Korean economic and industrial restoration, thus the Soviet Union engaged in management of using these funds and influenced North Korea’s economic policies. North Korea even made a slogan saying “Let’s Learn from the Soviet Union” to emulate industrial structure of the Soviet Union.\textsuperscript{22} As a result, North Korean government followed the Soviet Union and sat the principle of “heavy industry first” as its economic development plan.

**Table 2: National Estimated Revenue during the Three-Year Plan (%)\textsuperscript{23}**

<table>
<thead>
<tr>
<th>Years</th>
<th>1954</th>
<th>1955</th>
<th>1956</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socialist Administration Revenue</td>
<td>52.6</td>
<td>69.1</td>
<td>74.6</td>
</tr>
<tr>
<td>Foreign Aid Revenue</td>
<td>34.0</td>
<td>21.7</td>
<td>16.5</td>
</tr>
<tr>
<td>Internal Revenue</td>
<td>13.4</td>
<td>9.2</td>
<td>8.9</td>
</tr>
<tr>
<td>Total</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

North Korea achieved rapid economic development during the 1950s and 1960s because it had plentiful energy resources, experienced industrialization during the Japanese colonial period, had valuable human resources, and received sufficient economic aids from socialist countries. North Korean government strongly believed in the national self-sufficiency due to its abundant underground resources and hydroelectric power. If it neglected something, other socialist countries, such as the Soviet Union, met the requirements. After the


\textsuperscript{23} Ibid., pp. 51.
Korean War, North Korea could restore its industries with enormous economic aids from the Soviet Union and China. With its abundant energy resources and Soviet influence on North Korean industrial structure led North Korea to follow “heavy-industry first” principle in order to quicken its economic growth. Although it achieved a remarkable economic growth in the 1950s and 1960s, North Korea actually experienced several shortages of food in 1954, between 1970 and 1973, and the late 1980s. However, these shortages did not turn to serious famines. In 1944, only 36.8 percent of the entire Korean population lived in the northern region of Korea, and the population did not significantly increased in the 1950s due to the Korean War. During the 1950s the population of North Korea was rather small, and the North Korean government could support itself even with its limited arable land. Also, during the 1970s and 1980s, North Korea sustained by barter arrangements with members of the Eastern Bloc economic system. As North Korean food production began to decline steeply in the 1980s, the Soviet Union and China increased food subsidies to make up for these increasing deficits. Despite its positive initial conditions for developing economy, the rate of North Korean economic growth had slowed since the beginning of the 1960s due to several internal and exterior problems, including the Soviet-China conflicts, the failure of the first Seven-Year Plan, power struggles within the North Korean government, the oil crisis during the 1970s, and the arm races with South Korea. Although North Korea succeeded in achieving a remarkable economic growth in the short-term, it failed to use its advantageous initial conditions effectively to make a long-term development.

27 Ibid., pp. 10.
II. Origin of Famine:

“Food distribution? What food distribution? How long has it been since the [North Korean] government gave us food? Ever since 1992?”

—Testimony from a North Korean refugee woman²⁸

North Korea’s disastrous famine during the 1990s and its persisting food shortage reflect definite examples of serious human rights violations happening in North Korea because numerous people are still suffering from awful hunger for more than a decade even with large humanitarian aids from the international community. Experts suggest several different reasons why famine continues in North Korea. One argues that North Korea has several weaknesses in its agricultural structure that negatively influence the output of agricultural products. First, North Korean land is not suitable for farming. Because about 80 percent of North Korea's land area is composed of mountains and its winter is long and bitterly cold,²⁹ only 22.4 percent of the land is arable and only 1.66 percent of the land is suitable for permanent crops, including citrus, coffee, and rubber that are not replanted after each harvest.³⁰ This agricultural disadvantage prevents North Koreans to cultivate sufficient amount of crops.

Moreover, immanent problems, such as natural disaster and man-made disaster, cause the famine. The New York Times article reported that two consecutive years of devastating floods in 2006 and 2007 frustrated improving condition of harvest.³¹ Also, the Korea Institute

²⁹ Tae-Wook Jung, Peace on the Korean Peninsula and North Korean Human Rights, (Seoul: Han-ul Academy, 2009), 239 [Korean].
for National Unification concluded that main cause of North Korea’s 1990s famine was due to series of serious flood between 1995 and 1997.\textsuperscript{32} Continuing cycle of flood, drought, and unstable temperature significantly reduced the total output of agricultural products. Moreover, North Korea could not import sufficient amount of strategic industrial supplies, including oil, fertilizer, and new technologies, as the Soviet Union and the Eastern European bloc collapsed and the United States began to impose economic sanction on North Korea. As a result, North Korea could import those industrial supplies only 10 percent of what it normally imported before 1990s, and the output of fertilizer went down to 12 percent compare to 1970s-1980s.\textsuperscript{33} Series of natural disaster and the lack of strategic industrial supplies significantly influenced North Korean agriculture system and created a vicious circle of the food shortage. The circle went from the shrinking number of agricultural products to a paralysis of supplies [fertilizer and agrichemicals], to aggravation of farming market, then to increasing social inequality.\textsuperscript{34} As a result of this circle, farmers of course lost their will to cultivate crops.

Although North Korea’s agricultural limitation, series of natural disaster, and the lack of industrial supplies influenced the output of agricultural products, the government could minimize these problems or even fix some of them if the government was responsible and functioning well. A fundamental problem that actually started the famine was North Korea’s malfunctioning socialistic political system. A group of French intellectuals announced a declaration in 1999 that criticized the North Korean government for causing the famine. They argued:


\textsuperscript{33} Ibid., pp. 224-225.

\textsuperscript{34} Doo-Youl Song, \textit{Conversation with the 21st Century}, (Seoul: The Hankyoreh Newspaper Press, 1998), 95. [Korean].
“North Korean leaders must take full responsibility for the tragic condition. This atrocious famine happened not because of droughts and floods but because of its system. Kim Jung Il’s North Korea obstinately fixes on operating centralized authoritarian rule with planned economy, which already proved to be ineffectual and incompetent. Also, the government is irresponsible for assisting its citizens to overcome the difficulty, and the political leadership paralyzes its citizens mentally and physically with consistent oppression.”35

As the groups of French intellectuals pointed out, the North Korean government and its political system were the main causes that brought the devastating famine in 1990s. Causing the famine was an act of human rights violation because the government failed to protect lives. Even with its seven years of economic growth starting 1999 and the largest aid from the United Nations in its history, the North Korean government failed to alleviate the food shortage. Instead, the food shortage was getting worse, representing how ineffectual the North Korean government system was. In 2003 the Food Agriculture Organization (FAO) reported that although North Korea achieved better harvest in that year, approximately 6.8 million North Koreans would urgently need food aid for year 2004.36 Moreover, in 2008 the World Food Program (WFP) reported that at least 8.7 million North Koreans would urgently need food aid for 2008/2009 year.37 However, at the most urgent time, North Korea ordered five U.S. humanitarian NGOs distributing food aid to leave the country in March 2009 due to conflict with the United States.38 North Korea just proved itself that its first priority was not assisting its citizens to overcome the difficulty but securing its regime and the leadership’s

power, representing how irresponsible the North Korean government is, and how it violates the human rights.

The shortage of food that North Korea is experiencing for a decade is not an immutable problem if the government is responsible. However, North Korea’s centralized authoritarian rule prevents the political leadership to make appropriate policies to eradicate the bad cycle of floods and droughts, which eventually cause the shortage of food and famine. North Korea’s “Juche agricultural methods” well reflects political structural of North Korea and explains why the famine had to happen in 1990s. “Juche agricultural methods” do not require any proven scientific techniques to cultivate crops. Instead, these methods ask people to follow what Kim Il Sung, the founder of North Korea, has taught them to do. In another words, they are collected words of North Korean dictator Kim Il Sung that he has instructed people during his spot inspections. 39 “Juche agricultural methods” may work well at the beginning, but would soon significantly reduce the output of products because methods are unsystematic. For example, although the North Korean government insists that the famine during the 1990s was a result of devastating floods between 1995 and 1997, data shows that a prelude to the famine already began in the late 1980s. Since the late 1980s, North Korea began to lose the capacity to feed itself. In order to ameliorate the situation, dictator Kim Il Sung declared “Rice Represents Communism!” in 1982 and planned nationwide projects, such as “Let’s Seize 1,500 tons of Cereals Land,” “Finding 700 thousands acre of New Tideland Project,” and “Finding 500 thousands acre of New Farmland Project,” in order to increase the output.40 Despite the government’s efforts to improve the situation, the capacity to feed itself quickly declined from 86.8% in 1990 to 60.2% in 1993, to 49.3% in 1995, and then to 32.1%

39 Tae-Wook Jung, Peace on the Korean Peninsula and North Korean Human Rights, (Seoul: Han-ul Academy, 2009), 241 [Korean].
40 Ibid., pp. 240.
Moreover, as people deforested recklessly without any proper designs in order to develop farmland and tideland, mountains became treeless, which eventually aggravated flood in 1995.

Table 3: North Korea’s Economy Growth (%)

<table>
<thead>
<tr>
<th>Year</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>87</td>
<td>3.3</td>
</tr>
<tr>
<td>88</td>
<td>3.0</td>
</tr>
<tr>
<td>89</td>
<td>2.4</td>
</tr>
<tr>
<td>90</td>
<td>-3.7</td>
</tr>
<tr>
<td>91</td>
<td>-3.5</td>
</tr>
<tr>
<td>92</td>
<td>-6.0</td>
</tr>
<tr>
<td>93</td>
<td>-4.2</td>
</tr>
<tr>
<td>94</td>
<td>-2.1</td>
</tr>
<tr>
<td>95</td>
<td>-4.1</td>
</tr>
<tr>
<td>96</td>
<td>-3.6</td>
</tr>
<tr>
<td>97</td>
<td>-6.3</td>
</tr>
<tr>
<td>98</td>
<td>-1.1</td>
</tr>
<tr>
<td>99</td>
<td>6.2</td>
</tr>
<tr>
<td>00</td>
<td>1.3</td>
</tr>
<tr>
<td>01</td>
<td>3.7</td>
</tr>
<tr>
<td>02</td>
<td>1.2</td>
</tr>
</tbody>
</table>

North Korean political leadership cannot make appropriate policies to prevent the shortage of food because the country rejects any democratic practices, including the free press and the opposition. According to Amartya Sen, a functioning democratic country with multiparty system has never experienced a famine because a free press and an active political opposition contribute greatly to “bringing out information that can have an enormous impact on policies for famine prevention.”

On the other hand, an authoritarian state like North Korea rejects elections, opposition parties, and scope for uncensored public criticism. As a result, those in political authority do not have to worry about public criticism and suffer the political consequence of failure to prevent famines. Therefore, the lack of democratic practices and information distribution often mislead governmental leaders to take inappropriate policies that are ineffectual and dangerous. For example, China’s egregious famine between 1958 and 1961, which killed approximately thirty million people, was resulted from the government’s poorly planned economic and social movement called Great Leap Forward. Although this movement was proved to be unsuccessful at the beginning, the

---

41 Ibid., pp. 241.
44 Ibid., pp. 180.
government, which was fed by its own propaganda and by optimistic reports of local party officials competing for credit in Beijing, continued to pursue bigotedly much the same destructive policies for more years. If an independent press and an opposite party actively publicized the crisis and warned the government, the massive number of death would not have happened. Interestingly, Chairman Mao Zedong even recognized the benefits of informational role of democracy after experiencing the massive failure. He addressed:

“Without democracy, you have no understanding of what it happening down below; the situation will be unclear; you will be unable to collect sufficient opinions from all sides; there can be no communication between top and bottom; top-level organs of leadership will depend on one-sided and incorrect material to decide issues, thus you will find it difficult to avoid being subjectivist; it will be impossible to achieve unity of understanding and unity of action, and impossible to achieve true centralism.”

Mao’s statement is very crucial because he himself acknowledged that Great Leap Forward was caused by the lack of the democratic practices. As Amartya Sen indicates that even very poor democratic countries, including Botswana or Zimbabwe, do not experience serious famines, the economic strength of a country is not much related with a famine. What really matter is to have proper democratic institutions to alarm a government to successfully prevent a danger. North Korea’s great famine in the 1990s and its continuing food shortage are the result of its lack of proper democratic institutions because the absence of a free press and an opposition gives those in political authority immunity from severe criticism and political pressure.

46 Ibid., pp. 181.
47 Ibid., pp. 182.
48 Ibid., pp. 178.
III. Obstacles to Face the North Korean Human Rights Problems:

“What we don’t know about North Korea is so vast that it makes the Kremlin of the 1950s look like an open book.”

—Arnold Kaner, U.S. undersecretary of state under President George H.W. Bush

Since the two Koreas were separated in 1948, North Korea has developed its own history, cultural, and regime. North Koreans are extremely proud of their history. North Koreans believe that they achieved their independence from Japan through anti-Japanese armed struggles, kept the independence against the attack from the United States during the Korean War, and have built self-sufficient socialism that was not subordinated to either the Soviet Union or China. North Korea also achieved remarkable economic growth during the 1950s and the 1960s right after the Korean War. North Korean society still practices Confucianism and emphasizes social harmony and morals. Also, North Korea developed its political system based on the Juche idea, stressing national self-reliance. North Korea is controlled by one-man, one-party dictatorship of “Dear Leader” Kim Jung Il, who succeeded his father Kim Il Sung, founder of North Korea. Kim Jung Il officially announced to name his favorite son Kim Jung Un as the next successor in North Korea on May 2008, making unprecedented event of father-to-son succession over three generations in the modern history.

North Korea values a collective body, whereas the Western society values democracy, capitalism, and liberty. Within these cultural, social, and political differences, North Korea has developed different concept of human rights and considered the West to be its ultimate enemy. North Korean concept of human rights and its hates toward the West create barriers that make South Korea and the West difficult to approach to the North Korean human rights

---


problems.

The North Korean political leadership lives with continual fear of war, and those in the leadership believe that the international community attempt to use human rights as a political instrument to collapse its regime. North Korea believes that sovereignty includes collective human rights and comes before human rights. Because North Korea pursues collective rights instead of individual rights and aims to build a family state, those in the North Korean political leadership argue that threatening its regime is an act of violating human rights. The leftists assert that understanding the differences of North Korean political system is essential to approach to the North Korean human rights violations instead of using human rights as a political instrument to threaten the North Korean regime. If North Korean sovereignty is threatened, then the rights of North Koreans are also threatened. Therefore, the leftists argue that the international community needs to understand series of threats to North Korea during the Cold War and after the collapse of the Eastern Bloc that put North Korea into this persistent fear of war.

The Korean Peninsula is geopolitically surrounded by great powers, including the United States, Japan, China, and Russia, and it always has been a place for power struggles among these four powers. The two Koreas remain technically at war after an armistice stopped fighting between them in 1953, and the U.S. Armed Forces still stay in South Korea and point missiles against Pyongyang. North Koreans believe that they are the victims of the Korean War and the United States attacked them first. During the Korean War, the United States seriously considered to use nuclear attack against North Korea. After the truce

---


negotiations, the United States went against the armistice agreement and brought several nuclear artillery and missiles into South Korea in 1957 and installed them for a possible nuclear attack.\(^{54}\) Furthermore, the United States initiated Team Spirit war games in 1971, and these war games had become America’s largest military training exercise with an ally by 1983.\(^{55}\) Leftists argue that these offensive actions of the United States and South Korea pressed North Korea and sent clear messages that they were both ready and willing to attack North Korea. North Korean Second Periodic Report to the International Covenant on Civil and Political Rights in 2000 well reflects its perspective on rights. North Korea stated:

“The DPRK considers an aggressive war, especially thermonuclear war, as the most serious threat to the life of mankind and resolutely rejects it. Article 17 of the Constitution states that the DPRK shall oppose all forms of aggression. The primary issue at present for the protection of the right to life of people is to remove the danger of war from the Korean peninsula, ensure peace of the country and realize its independent peaceful reunification.”\(^{56}\)

Because the North Korean government advocates freedom from the danger of war to protect and promote rights of the people, the leftists argue that establishing peace in the Korean Peninsula and ameliorating in relations between the United States and South Korea are essential and primary steps to approach the North Korean human rights problems.

Additionally, North Korea has a different view of human rights. North Korea criticizes Western concept of human rights and advocates “Our Own Human Rights” and “Autonomous Human Rights.” They argue:


“Human Rights are not given by Heaven or especially by the international organizations and other nations as gifts. The true meaning of human rights becomes reality when each nation guarantees and secures political, economic, cultural, and other all social lives by law, institution, and material instead of ‘pressure’ and ‘admonition’ from foreign influences.”\(^{57}\)

These concepts reject individualism and liberalism that underlie the Western concept of human rights. Instead, North Korean human rights base on socialist partiality and completely depend on instructions of Kim Il Sung or Kim Jung Il. According to Professor Eui-Chul Choi, the chief magistrate’s “The Ten Principles” is a code that regulates people’s ideas and lives, and absolute loyalty to the chief magistrate is a condition precedent for guarantying partial rights.\(^{58}\) North Korean concept of human rights put emphasis on economic, social, and cultural rights instead of on civil and political rights. It also emphasizes full employment, free education, free medical treatment, and other social welfare systems as well.\(^{59}\) Moreover, North Korean human rights are understood as rewards for performing social responsibilities, and stress communitarianism. The North Korean Constitution Article 63 states, “In the Democratic People’s Republic of Korea, civil rights and duties are based on principles of communitarianism, which is ‘One exists for the Whole; the Whole exists for the One.’”\(^{60}\) Moreover, the Article 81 states, “The citizens (\textit{staatsbürger}) must protect the unity and unification of people’s political ideas. The citizens must value the system and the party and dedicate themselves for the society and the people.”\(^{61}\) Because North Korean considers the


\(^{60}\) Ibid., pp. 264.

\(^{61}\) Ibid., pp. 264.
West its enemy, North Korea expresses extreme hates when the West raises the North Korean human rights problems. It says, “American imperialists’ exaggerating ‘protection of human rights’ purposefully encourages anti-socialists to oppose the socialist arrangements and damages the socialist arrangements’ particular superiority.”62 North Korea rejects the Western view of human rights and treats human rights issues as low intensity conflict against its regime and system.

III (A). North Korea’s Conflicting Arguments:

North Korea uses human rights as a political tool to escape from the international community’s intervention in North Korea’s human rights problems. North Korea stresses that the United States and South Korea always watch for an opportunity to attack North Korea, and North Korea needs to develop ballistic missiles and nuclear weapons to protect itself.63 The leftists often argue that North Korea suffers fear of war, and understanding North Korean situation is the most important way to approach North Korean human rights problem. However, North Korea intentionally uses the fear to influence its people and unify their idea to fight against the United States and South Korea. The United States and South Korea clearly expressed that they do not have any intention to threaten or collapse North Korean political leadership. Victor Cha, professor of Georgetown University and former Director for Asian Affairs in the White House's National Security Council, reflected on his experience in the Six-Party Talks held in Beijing in September 2005 and stressed that the United States even promised security guarantee that North Korea wanted. He said:

“The sort of security guarantee that they have been given thus far is one in which

the United States has said to North Korea very clearly: “The United States does not have a hostile policy towards North Korea and we have no intention to attack North Korea unprovoked.” This was actually written down in a part of the 2005 Joint Statement, in which there is a line that says, “The United States will not attack North Korea with nuclear or conventional weapons.” We brought this to the six-party talks that morning…When that language was presented as accepted by the United States delegation, the Russians asked for a timeout. They wanted to have a bilateral meeting with the North Koreans…They come out of that meeting and we ask the Russians, “What did you say?” They said, “We saw this language and we told the North Koreans that what this language basically constitutes is a negative security assurance: the United States will not attack North Korea with nuclear or conventional weapons. We consider this to be very significant language because we tried to get language like this from you during the Cold War and we could never get it. So the fact that you are now offering this language to us is very significant, and we told the North Koreans that.”

The United States’ assurance of security guarantee was very significant because other Six-Party Talks participants, including South Korea, Japan, China, and Russia, were also at the talk and confirmed the security guarantee. If the United States departs from its own words, it will lose its credits as the world leader. Moreover, Patrick Joseph Linehan, Minister-Counselor for Public Affairs at the U.S. Embassy in Seoul, Korea, corroborates that the United States does not have any intention to attack North Korea and argues, “What the U.S. wants with regard to the DPRK is simply that it act like a more “normal” country. Nothing more, and nothing less. We would hope that the DPRK would simply follow the same set of rules that all of the other member nations of the United Nations generally follow.”  

Although North Korea was guaranteed its security, it tested nuclear weapon in 2006 and 2009. North Korean abnormal behavior shows that North Korean argument of sovereignty before rights is

---

64 Patrick Joseph Linehan, Minister-Counselor for Public Affairs at the U.S. Embassy in Seoul, interview by Jae Yong Kim, e-mail, Seoul, South Korea, 2009.
only logic to prevent itself from foreign influence.

North Korea’s “Our Own Human Rights” or “Autonomous Human Rights” conflicts with concepts of human rights that are generally accepted by other countries. Although North Korea advocates collective rights, most countries recognize that individual must be the fundamental subject of human rights.\(^{65}\) Although human rights scholars are debating whether individual rights include the right of ownership, scholars hardly lodge an objection against the fact that personal liberty within the fundamental human rights represents individual subjectivity and individual freedom.\(^ {66}\) However, North Korea’s “Our Own Human Rights” does not recognize individual independence and individual subjectivity.\(^ {67}\) North Korea limits subject of human rights as ‘human rights as a social being,’ and explains human rights with partiality.\(^ {68}\) North Korea argues that because human right is one part of political idea, it has to have class distinction. Therefore, some classes’ rights can be protected but some other classes’ rights cannot be protected.\(^ {69}\) Moreover, according to Professor Won-Wong Lee, collective human rights and individual human rights must exist together and these two different concepts actually complement each other.

### III. Solutions & Strategies: Suggestions to the South Korean Government and NGOs

“Injustice anywhere is a threat to justice everywhere.”

—Dr. Martin Luther King Jr.

---


\(^{68}\) Ibid., pp. 13.

There are three ways to engage in the North Korean human rights crisis. First is to provoke a North Korean pro-democracy movement to change its regime type from totalitarian dictatorship to elementary level of democracy. This option even considers humanitarian intervention in North Korea to save North Koreans from distress. Second is that international organizations, such as the United Nations, or the Korean government raises a question of the North Korean human rights crisis. Third is that non-governmental organizations (NGOs) can both give humanitarian supports to North Korea and raise questions of the North Korean human rights crisis. NGOs can take serious attentions to North Korean problems and criticize the North Korean government at the same time.

Although invoking North Koreans’ right of resistance to bring a regime change in North Korean is the quickest and the surest way to solve the North Korean human rights problems, the consequence of sudden regime change at this moment may cause bigger threats not only to South Korea but also to the entire Northeast region. To invoke the right of resistance among North Koreans successfully, there must be a precondition that North Korean people acknowledge the meaning of freedom and liberty. Unfortunately, most North Korean people do not understand the meaning of freedom and liberty because the government infuses Juche ideology into the people since kindergarten and paralyzes their sense of freedom and liberty. Also, North Korea tested nuclear weapons both in 2006 and 2009 and launched several ballistic missiles, regardless of the United States’ security guarantee. Additionally, the North Korean political system seemed strong and steady in spite of Kim Jung Il’s ill health in 2008 and its atrocious famine in the 1990s. The North Korean political leadership suffers the

---


extreme sense of uneasiness in its national security and responses very sensitively to any acts that may seem offensive to North Korea, including Team Sprit military training between the United States and South Korea.

Invoking the right of resistance among North Korean people or taking humanitarian intervention in North Korea seems unrealistic and dangerous. Instead, the South Korean government and the international community must seek safe, peaceful, and realistic approaches to the North Korean human rights crisis. The South Korean government, with helps from the international community, must work with NGOs to improve the North Korean human rights crisis.

The South Korean government needs to establish a distinct data center solely for the North Korean human rights issue and legally document the evidence of North Korea’s human rights violations with complaints, petitions, appeals, and interviews. Human rights have emerged as the apple of discord in South Korea’s policy vis-à-vis the North Korea. Although Germany suffered similar conflicts before its reunification in 1989, the Central Registry of State Judicial Administrations in West Germany (Salzgitter registry) played a major role in ameliorating human rights violations in East Germany by bringing violators to justice, and ultimately, deterring human rights violations. South Korea already has one organization called the Data Center for North Korean Human Rights (NKDB) that works similar job with Salzgitter registry. These two institutions both gathered information through defectors, from East Germany and North Korea, respectively. These organizations also have different characteristics in terms of operation type. NKDB is an NGO and is completely isolated from the South Korean government in terms of formation and operation, whereas the Salzgitter

73 Ibid., 109.
registry was a governmental institute. Furthermore, whereas the Salzgitter registry focused on punishment of criminal offenders, the NKDB has been emphasizing the confirmation of facts and compensating victims. Most distinct difference is that NKDB does not focus on individual cases, whereas the Salzgitter registry attempted to increase recognition of human rights issues by pointing to particularly serious cases of human rights violations. Although collected data of NKDB provide useful and valuable information about the present condition of North Korean human rights and affects healing of victim wounds, the South Korean government needs to establish an official registry center under its body in order to approach North Korean human rights violations more effectively and alternatively. This new institution would be used as an additional tool for dealing with North Korea, and can reinforce existing cooperation policies, deter North Korean officials in regards to their human rights abuses, and achieve the desired result.

The South Korean government can also approach towards North Korean human rights in multilateral ways, specifically the Six-Party format, and add human rights issues into the security dialogue regarding North Korea’s nuclear weapons. The United States began to use human rights as an instrument of its foreign policy in the 1970s in the context of détente with the Soviet Union. When the United States negotiated arm control agreements with the Soviet Union, the Nixon, Carter, and Reagan administrations in the 1970s and 1980s linked security questions to human rights. According to John Feffer, pressure for improvements in the human rights situation in Eastern Europe and the Soviet Union occurred within a “framework of numerous East-West links promoted multilaterally and bilaterally.”

74 Ibid., 109.
75 Ibid., 109.
76 Ibid., 109.
78 Ibid., pp. 37.
further states, “Engagement was sometimes confrontational, sometimes overly bureaucratic, but it led to real improvements in human rights…East European governments felt that they had something to lose if they failed to respond on human rights issues.” The South Korean government needs to learn lessons from the United States’ engagement policy toward the Soviet Union and Eastern Europe and link the North Korean human rights issues to North Korea’s nuclear weapon program in the Six-Party Talks. If South Korea and its partners within the talks, including the United States, Japan, China, and Russia, provide offers that Kim Jong Il cannot refuse, those in the North Korean political leadership would be obliged to concern about human rights violations.

The South Korean government may consider a Northeast Asian version of the Helsinki process as a part of its engagement policy toward North Korea in order to approach the North Korean human rights crisis. The Helsinki Final Act of 1975 was a set of agreements among 35 countries that successfully created a cooperative multilateral framework and eased Cold War tensions in Europe by emphasizing the interconnectedness of the security, economic, and humanitarian dimensions. The Helsinki process contributed to the collapse of the Soviet bloc by promoting the liberalization and democratization of communist society. However, advocates argue that the collapse of the Soviet bloc was “an unintended result of the Helsinki process,” and the West did not use human rights provisions as “a tactical tool to promote regime change.” According to advocates, the Helsinki process was motivated by a “genuine desire for improving the real conditions of people living in the Soviet bloc.” Because the Helsinki process eventually contributed to the collapse of the Soviet bloc,

---

79 Ibid., pp. 37.
81 Ibid., pp. 24.
82 Ibid., pp. 24.
regardless of its genuine desire for improving the real conditions of people, some advocates worry that Asian version of the Helsinki process may also encourage an outflow of refugees from North Korea and induce regime collapse.\textsuperscript{83} Because North Korea is not like the former Soviet Union or Eastern Europe during the Cold War and the historical circumstances are different, the South Korean government should discuss with its partners, such as the United States, to design an Asian version of the Helsinki process in which the goal is to continue engagement policy instead of encouraging regime change. The Northeast Asian version of the Helsinki process can begin to deal with the issues directly related to North Korea, including economic aid, security, and human rights issues, and then move forward to discuss the issues of region-wide importance.\textsuperscript{84} Discussing matters that North Korea are interested in and urgently needed would gradually draw North Korea into this multilateral talk.

Moreover, establishing periodic non-governmental contact is necessary for the success of the Northeast Asian version of the Helsinki process because North Korean would feel easier and less threatened. The South Korean government can encourage experts from South Korea, the United States, China, Japan, and Russia to form a forum and develop constructive ideas for the Helsinki process in the region.\textsuperscript{85} This forum may also invite North Korean scholars to the meeting and figure out opinions and interests of the North Korean government within the Helsinki process in the region. Asking their opinion and understanding their interests would send a clear message to the North Korean political leadership that this forum respects North Korea and treats it as an equal negotiating partner, and is not designed to collapse the current regime. In this way, North Korea and its counterparts can find a


\textsuperscript{85} Ibid., pp. 30.
common interests and goals, and North Korea would feel safe and easy to talk with other countries.

The South Korean government needs to separate human rights and humanitarian issues from politics and strive to improve the real conditions of people living in North Korea. On February 24, 200, the *New York Times* published an article about the politics around North Korean human rights. It reports, “North Korean rights have become such a politicized issue that the actual plight of North Koreans is often emphasized or de-emphasized for other ends.”

86 The South Korean government needs to make North Korean human rights less a matter of political ideology and more a matter of practical reality. One of the reasons that the Helsinki process successfully encouraged the Soviet Union to participate in this multilateral talk is because the West was not engaging the Soviet Union as a “rogue state unworthy of diplomatic recognition.”

87 Instead, the West regarded the Soviet Union as one of great powers with clear interests of its own at the negotiating table. The South Korean government also needs to recognize and respect North Korean culture, understand differences between the two Koreas, and consider North Korea its equal negotiating partner rather than an utmost enemy to crumple up. Another great example of separating political issues from humanitarian issues is to keep supporting humanitarian assistance regardless of North Korean provocative actions. Although the European Union showed extreme reluctance in providing North Korea with any support beyond humanitarian assistance at the height of the nuclear crisis on the Korean peninsula, the European Union even expanded humanitarian aid to North Korea between 2003 and 2004 (Table 4). The European Union’s determination to continue humanitarian aid during that time can be understood as a decision to separate political and security issues from


87 Ibid., pp. 268.
humanitarian issues.  

<table>
<thead>
<tr>
<th>Year</th>
<th>95</th>
<th>96</th>
<th>97</th>
<th>98</th>
<th>99</th>
<th>00</th>
<th>01</th>
<th>02</th>
<th>03</th>
<th>04</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aid</td>
<td>0.29</td>
<td>0.5</td>
<td>77.6</td>
<td>59.9</td>
<td>34.8</td>
<td>33.4</td>
<td>27.9</td>
<td>41.1</td>
<td>26.0</td>
<td>65.0</td>
<td>302.0</td>
</tr>
</tbody>
</table>


The South Korean government should approach towards North Korea with respectful attitude. Although South and North Korea are different in many ways, the South Korean government needs to recognize those differences and regards North Korea as a legitimate counterpart and not a rogue, a source of evil, and a terrorist menace. Because North Korea expresses strong distrust in South Korea and the United States and feels extreme uneasiness about its security, the South Korean government should not attempt to instruct them as a developed country. Instead, the government must treat them as an equal, legitimate negotiating partner.

INGO, and NGO can work together to press China into officially recognizing the North Korean defectors as political refugees rather than economic migrants. China holds a key to North Korean problems because China is the only remaining ally to North Korea. However, the South Korean government bears the risk of disrupting diplomatic relations with China regarding the North Korean human rights crisis and specifically the North Korean refugee problems. The South Korean governments during Kim Dae-Jung and Roh Moo-

---


Hyun periods had even asked South Korean NGOs to refrain from promoting the defection of North Koreans to the South and supported South Korean NGOs in Chinese provinces in the roundabout way.\textsuperscript{92} Because the South Korean government feels reluctant to work with the Chinese government regarding the North Korean human refugee problems, INGOs and NGOs can tackle the Chinese government on this issue. INGOs and NGOs need to press China to treat North Korean refugees in accordance with international law and international humanitarian principles. In particular, INGOs and NGOs need to file complaints, petitions or appeals to the relevant UN bodies and the governments, and disseminate the information with other relevant organizations.\textsuperscript{93} In this way, they press China to honor its international obligations, make efforts to identify and protect refugees among North Korean migrants, and provide refugees with a reasonable opportunity to petition for asylum. Moreover, INGOs and NGOs can urge China to live up to its emerging role as a great power in the Northeast region by ending forcible repatriation of North Korean refugees.\textsuperscript{94} By cooperating with INGOs and NGOs, China would gain credit both regionally and globally.

**Conclusion:**

The North Korean political leadership limits individual fundamental rights and violates the rights of live by failing to prevent egregious famine. Although North Korea argues that the famine in the 1990s happened because of natural disasters, the North Korean government was irresponsible to solve the fundamental problem. Even with its seven years of economic growth starting 1999 and the largest aid from the United Nations in UN’s history,

\textsuperscript{92} Ibid., pp. 11
\textsuperscript{93} Ibid., pp. 16.
the North Korean government failed to alleviate the food shortage. Instead, the food shortage was getting worse, representing North Korea’s ineffectual government system. The North Korean political leadership’s first priority was not assisting its citizens to overcome the difficulty but securing its regime and the leadership’s power. Furthermore, North Korea’s centralized authoritarian rule prevents the political leadership to make appropriate policies to eradicate the bad cycle of floods and droughts, which eventually cause the shortage of food and famine. North Korean political leadership cannot make appropriate policies to prevent the shortage of food because the country rejects any democratic practices, including the free press and the opposition. As a result, those in political authority do not have to worry about public criticism and suffer the political consequence of failure to prevent famines. Therefore, the lack of democratic practices and information distribution often mislead governmental leaders to take inappropriate policies that are ineffectual and dangerous.

To ameliorate North Korean human rights problems, one must understand differences between North Korean values and the Western values. North Korea advocates collective human rights, whereas the West advocates individual human rights. North Korea also put sovereignty before human rights and treats any actions that provoke its regime as a declaration of war against North Korea. After the Soviet bloc collapsed and China became to value capitalistic economic system, the North Korean political leadership began to suffer extreme uneasiness in its security. Then, the North Korean political leadership propagates its people to believe that the West attempts to use human rights as a political instrument to intervene North Korean domestic concern and lead to collapse its regime. North Korea uses human rights as its political tool to influence people and spread message to unify idea and strengthen its political leadership. Therefore, if the South Korean government and its partners, such as the United States and Japan, confront North Korea with its human rights
abuses and take harsh stance against the problem, North Korea would take more provocative actions, including launching long range ballistic missiles, against South Korea and its partners. Approaching to the North Korean human rights problems must be careful and different from any past events. The South Korean government must adopt engagement policy as its foreign policy to approach the North Korean human rights crisis, and INGOs and NGOs can handle sensitive matters that the South Korean government feels reluctant to do.

The South Korean government should not attempt to collapse North Korean regime because the collapse of current North Korean regime would threaten not only South Korea but also Northeast Asia. Instead, the South Korean government needs to treat North Korea as an equal negotiating partner and respect their differences. The government also can establish an Asian version of Helsinki process to encourage North Korea to engage in multilateral talk. Within the process, South Korea and its partners can find common interests with North Korea and solve human rights problems together. INGOs and NGOs can press the Chinese government to honor its international obligations and live up to its emerging role as a great power in the Northeast region by ending forcible repatriation of North Korean refugees. Solving the North Korean human rights crisis is difficult, and would not be solved immediately. However, the South Korean government and the international community must be patient, and design long-term and constructive plans to approach to the North Korean human rights crisis.
Reference:

Articles:


35


**News Papers:**


**Online News Papers:**


**Web Pages:**


**Books:**


**Interviews:**

Honorable Wu Yea Hwang, interview by Jae Yong Kim, Seoul, South Korea, 2009.

Honorable Oak Yim Jung, interview by Jae Yong Kim, e-mail, Seoul, South Korea, 2009.

Patrick Joseph Linehan, Minister-Counselor for Public Affairs at the U.S. Embassy in Seoul, interview by Jae Yong Kim, e-mail, Seoul, South Korea, 2009.