

20230320 '유엔 COI설립 10주년: 북한인권운동의 중점 과제와 미래'-

기조연설, 주최:북한인권위원회, 세계변호사협회, 연세대

국제학대학원 국제학연구소 (장소: 연세대 국제학대학원 (10:00-15:00))

Sang-Hyun Song (Ex-President of ICC)

### Keynote Speech

Good morning, Ladies and Gentlemen

I would like to extend my congratulations to Ambassador Lee Jung Hoon, Yonsei University, The Committee for Human Rights in North Korea (HRNK) and the International Bar Association (IBA) for organizing this event and for their hard and continuous efforts in human rights and, in particular, advocating on the issue of North Korean human rights.

This year marks the 10th anniversary of the creation of the UN-mandated Commission of Inquiry on human rights in the Democratic People's Republic of Korea in 2013. The revolutionary COI Report issued in 2014 concluded that the ongoing patterns of systematic and widespread violations of human rights meet the standard of amounting to *crimes against humanity*. The COI urged the UN Security Council to refer the DPRK situation to the International Criminal Court (ICC) and to adopt targeted sanctions and other accountability measures against those who are responsible.

The COI Report has been a milestone in encouraging the North Korean regime to improve its human rights record. It has also been a major step forward in pushing the DPRK to recognize and uphold fundamental human rights.

I want to also congratulate and thank HRNK for its recent February 28 forum commemorating the UN COI and Report and hosting several experts, and reminding the world that it is time to regain momentum on the North Korean human rights issue.

Regrettably, there has been no improvement in the human rights situation in the DPRK since the UN COI report. Despite the work completed and documented by the UN COI, and despite several UN Human Rights Council and General Assembly resolutions, action is lacking. On this COI plus tenth anniversary, there

is an urgent need to draw attention back to North Korean human rights. It is regrettable that this issue has fallen off the agenda of the UN Security Council and has become *miscellaneous* - discussed as “any other business” since 2018. It is also regrettable that the issue of human rights has been left on the backburner of nuclear talks. All inaction by UN agencies and other groups since the release of the COI Report is a serious problem. Inaction ultimately allows the perpetuation of atrocities. Human rights are inherent to all people. We must commend civil society organizations and human rights defenders for continuing the hard work of advocating for the fundamental human rights of all North Koreans and for the transformation and reformation of a corrupt and tyrannical regime.

The 2014 COI Report found that systematic, widespread and gross human rights violations have been committed by the DPRK regime. In many instances, DPRK human rights violations amounted to crimes against humanity pursuant to policies established at the highest level of the regime. The Report categorizes the abuses as violations of the freedoms of thought, expression, and religion; discrimination; violations of the freedom of movement and residence; violations of the right to food and related aspects of the right to life; arbitrary detention, torture, executions and prison camps; abductions and enforced disappearances. Such criminality persists today. The DPRK remains one of the most isolated, reclusive, secretive and repressive countries in the world.

The regime continues to control the freedom of movement which is intrinsic to democracy. Whether North Koreans move within or between provinces, and especially across the national border, restrictions are strictly enforced. Border guards are even under strict orders to unconditionally *shoot on sight, shoot to kill*. The strict restrictions on movement have thwarted the efforts of UN agencies from gaining adequate access inside the country.

The current state of health rights in the DPRK is appalling. There is a particular threat to the sexual and reproductive health of women and girls in the DPRK. Women’s healthcare in the DPRK is in a poor condition and the majority of women are deprived of access to available healthcare. State-run hospitals and clinics are supposed to provide patients with access to free medical care under the country’s universal health system. However, the access to healthcare facilities with competent quality is only available to a limited number of people as prescribed by the DPRK’s entrenched *songbun* system, or to those able to bribe health officials. This means that the majority of women and girls in the DPRK cannot access adequate healthcare.

People in the DPRK are extremely isolated from the rest of the world. The North Korean regime does not permit freedom of thought, opinion, expression, association, or information. Media is strictly controlled and accessing phones, computers, televisions, radios, or media content that is not sanctioned by the regime is rendered illegal and punishable.

The DPRK continues to run its political prison camps and other unlawful detention facilities. Several satellite imagery investigations conducted by HRNK and others highlight the current activities at short-term hard labor detention centers (*rodong dallyeongdae*), forced labor camps (*kyohwaso*) and political prison camps (*kwanliso*). Satellite imagery analysis confirms that such facilities are fully operational. The conditions and medical treatment, especially sexual and reproductive healthcare of women and girls in such facilities reflects an even direr picture. In 2020, the United Nations released a report that focused on human rights violations perpetrated against women in North Korea, especially in prison camps. The report details a wide range of rights abuses against women and girls, including malnutrition, lack of obstetrical care, lack of female healthcare products, beatings while pregnant or forced labor while pregnant, as well as the murder of new-born children, among other human rights violations. The DPRK regime has denied the report findings.

With the advent of the Covid-19 pandemic, the DPRK has imposed tighter border controls and cracked down on information from the outside world. In fact, the regime has politicized and weaponized the pandemic to enact further draconian restrictions on basic human rights and freedoms.

We must continue to address these issues, to gather evidence and advocate for the realization of fundamental human rights in the DPRK, to encourage the regime to dismantle its totalitarian rule and to unclench its iron fist.

The 2014 COI Report made a recommendation that the case be referred to the ICC for judicial intervention. Ten years after the establishment of the UN COI, we are still grappling with the idea of holding perpetrators accountable. Proper investigation and prosecution of the alleged international crimes committed in the DPRK must remain a priority. A reinvigorated effort to bring justice to North Korean victims is needed. Accountability for human rights violations in the DPRK will end the cycle of impunity, bring justice and deter future violations. Most importantly, accountability will help achieve sustainable peace and stability on the Korean peninsula. Commendations must be made to the UN Office of the

High Commissioner for Human Rights and the UNHCHR Seoul Office for their efforts on documentation and accountability. Special commendation goes to HRNK and the IBA for their tireless efforts in promoting North Korean human rights, and also to promoting accountability through the 2022 mock trial held in Washington, D.C.

In closing I want to mention that there is an urgent need to remember the issue of North Korean human rights. Totalitarian regimes and the atrocities they perpetrate have no place in the 21st century. Every totalitarian regime has a lifespan, even the Kim regime in the DPRK, and all lifespans must eventually come to end. However, we cannot sit idle and watch human rights abuses being perpetrated while we wait for the end of the Kim regime's lifespan. We need to mobilize and rekindle the urgent fight for human rights in the DPRK. We should not be distracted by otherwise very important nuclear and missile talks, critical political, military, and security issues. We should focus on human rights. The fundamentals for promoting and protecting human rights in the DPRK are largely in place, so we should now harness these to make human rights a reality for all North Koreans. Thank you and congratulations to HRNK and the IBA, to civil society organizations and human rights defenders for tirelessly ensuring that this issue is not forgotten.

I thank you all for your time.