



NGO: EUROPEAN CENTRE FOR LAW AND JUSTICE (ECLJ)

**UNIVERSAL PERIODIC REVIEW
47TH SESSION**

**STATUS OF HUMAN RIGHTS IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
FOR THE 47TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Status of Human Rights in North Korea for the 47th Session of the Universal Periodic Review

Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Democratic People’s Republic of Korea (North Korea) for the 47th session of the Universal Periodic Review (UPR).

Background

2. North Korea is located on the Korean Peninsula in Eastern Asia and has a population of approximately 26 million people.¹ It is thought to be one of the poorest countries in the world.² In North Korea, it is difficult to find official information about religions practiced as it is an officially atheist nation.³ It is estimated, however, that there are approximately 400,000 Christians living in North Korea.⁴ In its 2024 World Watch List, Open Doors ranked North Korea as the worst country in the world for Christians.⁵ This ranking stems from the fact that Christians are killed or sent to labor camps on a regular basis because of their faith.⁶

3. North Korea’s last review was held on May 9, 2019.⁷ As a result of the review, North Korea received 262 recommendations, 132 of which it accepted.⁸ It was recommended by Greece, and supported by North Korea, that the government “[r]espect the right to freedom of thought, conscience and religion by taking effective measures to prevent and eliminate all forms of persecution on the grounds of religion or belief and by promoting religious tolerance and dialogue in society.”⁹ It was further recommended by Ireland, and supported by North Korea, that the government “[a]llow Christians as well as persons belonging to any other religious community or group to exercise their religion independently and publicly, without fear of punishment, reprisal or surveillance.”¹⁰

¹ *North Korea Population*, WORLD POPULATION REVIEW, <https://worldpopulationreview.com/countries/north-korea-population> (last visited Feb. 21, 2024).

² *60% of North Koreans Live in Absolute Poverty – Higher Than Ever Thought*, PHYS (Mar. 18, 2020), <https://phys.org/news/2020-03-north-koreans-absolute-povertyhigher-thought.html>.

³ *North Korea Population*, *supra* note 1.

⁴ *North Korea*, OPEN DOORS, <https://www.opendoorsuk.org/persecution/world-watch-list/north-korea/> (last visited Feb. 21, 2024).

⁵ *World Watch List 2024*, OPEN DOORS, <https://www.opendoors.org/en-US/persecution/countries/> (last visited Feb. 21, 2024).

⁶ *North Korea*, *supra* note 4.

⁷ *Universal Periodic Review – Democratic People’s Republic of Korea*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/kp-index> (last visited Feb. 21, 2024).

⁸ *Democratic People’s Republic of Korea Infographic*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session33/KP/Infographics3rdCycle_DPRK.pdf (last visited Feb. 21, 2024).

⁹ *UPR of Democratic People’s Republic of Korea: Thematic List of Recommendations*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session33/KP/UPR33_DPRK_Thematic_List_of_Recommendations_E.docx (last visited Feb. 21, 2024).

¹⁰ *Id.*

Legal Framework

4. Under Article 68 of the Constitution of North Korea:

Citizens have freedom of religious belief. This right is granted through the approval of the construction of religious buildings and the holding of religious ceremonies. Religion must not be used as a pretext for drawing in foreign forces or for harming the State or social order.¹¹

5. In December 2020, the government enacted the Reactionary Ideology and Culture Rejection Act of The Democratic People’s Republic of Korea.¹² Under Article 28 of this law:

Any person who views, listens to, or possesses movies, video recordings, books, songs, drawings, or photographs of hostile countries, or who brings in and distributes songs, drawings, photographs, or designs of hostile countries shall be sentenced to reform through labor for up to 5 years.¹³

6. Further, under this same article, “[a]ny person who brings in or distributes movies, video recordings, compilations, and books of hostile countries shall be sentenced to reform through labor for 10 years or more.” Additionally, anyone who “supports or encourages other people to view or read them in a group shall be sentenced to reform through labor for life or the death penalty.”¹⁴

7. Moreover, under Article 30 of the same law, individuals can be sentenced up to five years of labor for viewing, listening, or possessing “movies, video recordings, compilations, books, songs, drawings, or photographs of foreign countries that go against socialist ideology and culture and [North Korean] lifestyle”¹⁵ Under this article, individuals are also prohibited from reading or encouraging others to read or view prohibited materials from foreign countries.¹⁶

8. North Korea is a party to the International Covenant on Civil and Political Rights (ICCPR).¹⁷ Under Article 18 of the ICCPR:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

¹¹ KOREA (DEMOCRATIC PEOPLE’S REPUBLIC OF)’S CONSTITUTION 1972 (amended 2016) art. 68, https://www.constituteproject.org/constitution/Peoples_Republic_of_Korea_2016.pdf.

¹² Reactionary Ideology and Culture Rejection Act of The Democratic People’s Republic of Korea, 2020 (Order No. 1028), https://www.dailynk.com/english/wp-content/uploads/sites/2/2023/03/PDF-반동사상문화배격법_영한본.pdf (unofficial translation).

¹³ *Id.* art. 28.

¹⁴ *Id.*

¹⁵ *Id.* art. 30.

¹⁶ *Id.*

¹⁷ *Reporting Status for Democratic People’s Republic of Korea*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=PRK&Lang=EN (last visited Feb. 21, 2023).

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.¹⁸

9. North Korea also has an obligation under the Universal Declaration of Human Rights (UDHR) to uphold protections for freedom of thought, conscience, and religion.¹⁹

Religious Persecution

10. North Korea utilizes a class system known as Songbun, which classifies the population into three broad classes: core, wavering, and hostile.²⁰ Under this class system, Christians are classified as hostile, which means they are extremely disadvantaged and lack access to food, education, and employment.²¹ Further, this classification affects future generations, as someone can be labeled as hostile simply because his or her grandparent professed Christianity.²² Even individuals who associate with Christians or are relatives of Christians can be detained whether or not they profess the faith.²³ One individual reported that the “only way to survive in North Korea . . . is to hide or deny one’s religious belief [because] those who revealed their religious belief suffered terrible reprisals.”²⁴

11. Christians are specifically targeted and oppressed because the government views the religion as being incompatible with and even hostile to the current regime.²⁵ A UN Commission of Inquiry reported that

the messaging from the state to the people regarding Christianity clearly suggests that ordinary citizens in the DPRK are not permitted to practice Christianity. It has been described as a drug, a sin, and a tool of Western and capitalist invasion. Christians are portrayed as the product of USA capitalism and akin to vampires.²⁶

12. Christians are prohibited from gathering to meet and worship, even in their homes. If Christians are caught practicing their faith, even in private, they are either sent to labor camps or killed on the spot.²⁷ As of 2022, it is estimated that as many as 70,000 Christians have been imprisoned because of their faith.²⁸ Given the estimated population of Christians is

¹⁸ International Covenant on Civil and Political art. 18, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

¹⁹ G.A. Res. 217 (III) A, Universal Declaration of Human Rights, art. 18 (Dec. 10, 1948).

²⁰ Sokeel J. Park, *Songbun Social Class in a Socialist Paradise*, LIBERTY IN NORTH KOREA (Dec. 17, 2019), <https://libertyinnorthkorea.org/blog/songbun>.

²¹ *Explore Christian Prosecution by Country: North Korea*, GLOBAL CHRISTIAN RELIEF, <https://globalchristianrelief.org/christian-persecution/countries/north-korea/#:~:text=The%20State%20is%20the%20primary,to%20food%2C%20education%20and%20employment> (last visited Feb. 21, 2024).

²² *Id.*

²³ *Report: Inquiry on Crimes Against Humanity in North Korean Detention Centers*, THE COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA (June 2022), <https://www.hrnk.org/uploads/pdfs/Report%20Findings%20Inquiry%20on%20Crimes%20Against%20Humanity.pdf>.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *North Korea*, *supra* note 4.

²⁸ *North Korea: Two-year-old Sent to Life Imprisonment After Bible Found in Parents’ Possession*, THE ECONOMIC TIMES, <https://economictimes.indiatimes.com/news/new-updates/north-korea-two-year-old-sent-to->

approximately 400,000, this means North Korea has imprisoned 17.5% of the country's Christian population. Among the imprisoned Christians is a two-year-old girl who was sentenced to life in prison simply because her parents possessed a Bible.²⁹ A 2022 report by the International Bar Association and the Committee for Human Rights in North Korea found that:

Detention periods have been documented as being longer for Christians than other groups, and witnesses have reported that “identified Christians are interrogated for longer periods, usually under torture,” and subjected to some of the worst forms of torture to force them to incriminate others during interrogation.³⁰

13. One witness shared that “[i]n North Korea, anyone accused of practicing religion is sent to the *Bo-wi-bu* interrogation/detention facility and treated as a political prisoner, which means after interrogation by the *Bo-wi-bu* . . . the person would be sent to a political prison.”³¹ Christians are then transferred to prison camps known as “Kwan-li-so,” which means “total control zone.”³² Prisoners are typically never released from these types of prisons.³³ These prisons are often overcrowded and prisoners are malnourished and some even die from starvation.³⁴ Prisoners are subjected to grueling labor and forced to work up to sixteen hours a day.³⁵ One Christian woman shared what it was like living in one of these prisons:

I saw moving, shapeless forms . . . It took me a moment to realise these were people. Some were bent over, others missed an arm or a leg. I looked at my own arms and legs, thin like matches. In the camp, I worked 12 hours a day, sometimes more. Every day is just one long nightmare.³⁶

14. Furthermore, Christian women and children are abused in these prisons. Christian women are targets of sexual violence and are raped by the guards.³⁷ Even children are not exempt from the horrors of these prison camps. One witness shared that children as young as seven years old were forced to perform hard labor, which included cutting large trees or harvesting rice for up to twelve hours a day.³⁸ The largest of these prison camps is Yodok, which is believed to be holding 55,000 prisoners and was described by one Christian as “a living mass grave.”³⁹

life-imprisonment-after-bible-found-in-parents-possession/articleshow/100552634.cms (last updated May 27, 2023).

²⁹ Isabel Keane, *North Korea Toddler, Parents Jailed for Life After Being Caught with Bible*, NEW YORK POST (May 28, 2023, 9:38 AM), <https://nypost.com/2023/05/28/north-korea-toddler-parents-jailed-for-life-after-being-caught-with-bible/>.

³⁰ *North Korean Christians Targeted in Prisons, Confirms New Report*, OPENDOORS (Aug. 10, 2022), <https://www.opendoorsuk.org/news/latest-news/north-korea-prison-report/#:~:text=%E2%80%9CDetention%20periods%20have%20been%20documented,to%20incriminate%20others%20during%20interrogation%2C%E2%80%9D>.

³¹ *Report: Inquiry on Crimes Against Humanity in North Korean Detention Centers*, *supra* note 23.

³² *The Appalling Inhumanity of North Korea's Prison State*, OPEN DOORS (Jan. 26, 2021), <https://www.opendoorsuk.org/news/latest-news/northkorea-prison-state/>.

³³ *Id.*

³⁴ *Report: Inquiry on Crimes Against Humanity in North Korean Detention Centers*, *supra* note 23.

³⁵ *Id.*

³⁶ *The Appalling Inhumanity of North Korea's Prison State*, *supra* note 32.

³⁷ *Id.*

³⁸ *Report: Inquiry on Crimes Against Humanity in North Korean Detention Centers*, *supra* note 23.

³⁹ *The Appalling Inhumanity of North Korea's Prison State*, *supra* note 32.

15. North Korea also utilizes a propaganda campaign to indoctrinate the population into believing that Christians are inherently evil.⁴⁰ Even from a young age, children are taught that Christians are evil and will kidnap, torture, and kill them.⁴¹ One North Korean defector explained how he was scared when he first met Christians because he believed that they would harvest his organs.⁴² In addition to teaching children that Christians are evil people who intend to harm them, they are even taught to report to their teachers if their own parents are Christians.⁴³ This means that, to avoid being found, parents have to keep their faith a secret, even from their own children.⁴⁴

16. On April 30, 2023, five Christians were arrested at a farmhouse for gathering to pray and study the Bible.⁴⁵ One resident who witnessed the Christians being arrested shared that “[t]hey were praying and reading the Bible together . . . They got together with their relatives and [prayed] ‘Oh Jesus, Lord Jesus . . . ,’ like that. And then they got arrested.”⁴⁶ While the whereabouts of the arrested Christians are unknown, they were likely taken to labor camps.⁴⁷

17. Some Christians are not even taken to prison but instead are killed. For example, in 2022, it was reported that several dozen Christians were discovered in an underground church in North Korea and were executed.⁴⁸

18. Further, since its last UPR, North Korea has taken action to further restrict the rights of Christians through the implementation of the Reactionary Ideology and Culture Rejection Act. This new Act restricts religious freedom by criminalizing any form of media or books that comes from “hostile countries” or that go against the “socialist ideology and culture.” Under this law, possessing any form of religious media or literature, including Bibles, is considered a criminal offense and clearly infringes on an individual’s right to exercise his religion.⁴⁹

19. The Constitution of North Korea states that “[c]itizens have freedom of religious belief. This right is granted by approving the construction of religious buildings and the holding of religious ceremonies.”⁵⁰ In order to give the appearance that the country is open to religion, the government has set up a religious federation for Christians that oversees two Protestant churches and one Catholic church.⁵¹ However, these churches are predominantly used as show churches for foreign visitors.⁵² Father Philippe Blot, who works in China to help North Korean

⁴⁰ Abigail Hart, *How Persecuted Christians in North Korea Survive*, GLOBAL CHRISTIAN RELIEF (Sep. 7, 2023), <https://globalchristianrelief.org/christian-persecution/stories/how-persecuted-christians-in-north-korea-survive/>.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Son Hyemin, *North Korea Arrests 5 Christians During Underground Church Service*, RADIO FREE ASIA (May 28, 2023), <https://www.rfa.org/english/news/korea/church-05262023115519.html>.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Secret Believers in North Korea Discovered and Killed*, OPEN DOORS (Mar. 22, 2022), <https://www.opendoorsuk.org/news/latest-news/north-korea-church/>.

⁴⁹ ICCPR art. 18, *supra* note 18.

⁵⁰ KOREA (DEMOCRATIC PEOPLE’S REPUBLIC OF)’S CONSTITUTION 1972 (amended 2016) art. 68, *supra* note 11.

⁵¹ *North Korea, Prosecuted and Forgotten? A Report on Christians Oppressed For Their Faith 2015-17*, AID TO THE CHURCH IN NEED, <https://acnuk.org/north-korea/> (last visited Feb. 21, 2024).

⁵² *Id.*

refugees, described these churches as “just facades” and are used to present a “sham religious liberty.”⁵³

20. As demonstrated above, there is no religious liberty in North Korea. This is despite the fact that the Constitution of North Korea enshrines a right to religious liberty and North Korea is a party to the ICCPR, which likewise enshrines a right to religious liberty. Further, during its last UPR, North Korea even supported recommendations that called for allowing “Christians as well as persons belonging to any other religious community or group to exercise their religion independently and publicly, without fear of punishment, reprisal or surveillance.”⁵⁴ North Korea’s declared support for this recommendation has been demonstrated by its actions since its last UPR to be just for show for the international community. North Korea’s continued egregious violations of religious freedom were noted in 2022 by the UN Secretary-General who stated that “the right to freedom of thought, conscience, and religion [in North Korea] also continues to be denied, with no alternative belief systems tolerated by the authorities.”⁵⁵

21. It is clear that North Korea fears religious freedom and sees it as a threat that would undermine its existence. In reality, as North Korea is thought to be one of the poorest countries in the world, it should realize that countries that allow religious freedom are the ones that actually thrive. The connection between religious freedom and economic growth has been well documented.⁵⁶ Religious freedom has a positive impact on economies and such freedom should be seen by North Korea as a way forward instead of a threat.

Recommendations

22. North Korea must immediately release all Christians who have been unjustly imprisoned, a number that could be over 100,000. North Korea must immediately change its practices, follow its own Constitution, and allow Christians to peacefully practice their religion according to the tenets of their faith, which at the very minimum includes meeting and worshiping together, reading the Bible, building churches, and sharing their faith. We further want to remind North Korea of its obligations under both the UDHR and the ICCPR, which state that everyone has the “right to freedom of thought, conscience and religion” and this includes the right for everyone to “individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”⁵⁷ North Korea must ensure that everyone can publicly live out his or her faith without fear of being arrested or killed.

⁵³ *Id.*

⁵⁴ *UPR of Democratic People’s Republic of Korea: Thematic List of Recommendations, supra* note 9.

⁵⁵ Christine Lee, *Human Rights in North Korea: Christian Persecution and the Right to Religious Freedom*, UNSW AUSTRALIAN HUMAN RIGHTS INSTITUTE, <https://www.humanrights.unsw.edu.au/students/blogs/human-rights-north-korea-religious-freedom-christian-persecution#:~:text=North%20Korea%27s%20suppression%20of%20religious%20freedoms&text=In%20July%202022%2C%20the%20UN,systems%20tolerated%20by%20the%20authorities> (last visited Feb. 21, 2024).

⁵⁶ Brian J. Grim, Greg Clark & Robert Edward Snyder, *Is Religious Freedom Good for Business?: A Conceptual and Empirical Analysis*, INTERDISCIPLINARY JOURNAL OF RESEARCH ON RELIGION (2014), <https://www.religjournal.com/pdf/ijrr10004.pdf>.

⁵⁷ ICCPR art. 18, *supra* note 18.