

## Human Rights Conditions under the Kim Jong-un Regime and International Cooperation

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Is there a correlation between North Korea's future and the improvement of human rights conditions under the Kim Jong-un regime? Following the death of North Korean leader Kim Jong-il on December 17, 2011, Kim Jong-un appears to have stably concluded the mourning period and the succession process, and he formally took office in April. Although his accession over the regime can be evaluated from various perspectives and a range of angles, this paper limits its focus to human rights under the Kim Jong-un regime and international cooperation. Above all, Kim Jong-un's approach to human rights can be directly linked to North Korea's future, so this paper will address the importance of raising awareness on these violations from a political stance. Then, it will discuss the global community's efforts to improve the human rights conditions in North Korea. Finally, this paper will put into perspective the future of the Kim Jong-un regime in relation to human rights in North Korea.

### The Kim Jong-un regime and human rights

Some people associate North Korea's potential reforms and opening up with Kim Jong-un's experience studying abroad. This view stems from the assumption that, after having spent an extended time overseas since childhood, he has developed a positive attitude towards the Western values of reform, opening up, democracy, human rights, and so on. This opinion, however, seems to be unconvincing due to the current circumstances, in which Kim Jong-un has been on course to becoming the highest authority figure in North Korea. Following his father's death on December 17 last year, he was unofficially nominated as the sole

successor to the regime and the Supreme Commander of the Korean People's Army (KPA) during the condolence period in December. Kim Jong-un was later promoted to the First Secretary of the WPK Fourth Conference of the Worker's Party of Korea (WPK) on April 11 and to the First Chairman of the National Defense Commission (NDC) at the Supreme People's Assembly on April 13, which are positions that are essential to becoming the highest authority figure in North Korea. The first New Year's Address since Kim Jong-il's death was announced earlier this year, which can be summarized as "the beginning of the leadership of Kim Jong-un, who follows the teachings of the late leader Kim Jong-il." The Address prioritized the military above the Party and solidarity in "political ideology" for regime stability above "improving the living standards for of the people."

The Kim Jong-un regime has reinforced social control in order to consolidate power and internal stabilization, but in particular, he has been as highly sensitive to the issue of North Korean defectors as the late Kim Jong-il. This may be a strategic tactic formulated by the leadership, since a young leader like Kim Jong-un requires greater power to maintain and sustain the North Korean regime, which is in the middle of a transition period. After Kim Jong-un was nominated as the next leader, he received training for succession and participated in a rally called the "Military First All-Out Youth Rally" in February 2011. Kim Jong-un, who was the Vice-Chairman of the Central Military Commission at the time, appealed to the youth to unite and eliminate the "unusual phenomena" with a "concentrated fire of ideological warfare." Judging from this incident, it is not likely that the reigning Kim Jong-un regime will accept the universal values of democracy and human rights as well as plan reforms.

In addition, the Kim Jong-un regime appears to lack the resources and capacity to improve the human rights conditions of its people. On the contrary, it is moving away from general improvement of basic human rights, including the right to life, freedom, food and health, by fully allocating its limited resources to the reinforcement of state function and social control as well as the accumulation of foreign currency, actions which are aimed towards the stabilization of internal power. However, Kim Jong-un is attempting to preserve the regime by "improving the living standards of the people" in order to prevent the public from feeling neglected, which is a primary concern he cannot abandon. Thus, the regime is faced with a serious dilemma.

## The global community's efforts to improve human rights in North Korea

It appears that the international community is deeply concerned about the improvement of human rights under the Kim Jong-un regime, and consequently, the United Nations, regional organizations and individual nations have suggested comprehensive approaches to the issue.

During the opening address of the Human Rights Council on June 18th, Navanethem Pillay, the United Nations High Commissioner for Human Rights, urged the neighboring countries of North Korea to respect the principles of non-refoulement. This was recorded as the first time in the history that the High Commissioner for Human Rights officially mentioned the non-refoulement of North Korean defectors in the opening address. On a related note, Marzuki Darusman, the United Nations Special Rapporteur on North Korean Human Rights Issues, had previously stated in a report for the Human Rights Council that the

neighboring nations of North Korea should respect the non-refoulement principle. It has been predicted that the global community will submit more official complaints to address the human rights abuses in North Korea, including the issue of defectors. The United Nations specifically addressing the issue appears to have placed intense pressure on North Korea. Furthermore, the unanimous consensus on passing the resolution on North Korean human rights earlier this March indicates that the will of the global community to improve the human rights of North Koreans is stronger than ever.

It is important to note the trends in human rights advocacy in Europe. On June 25, the European Union (EU) adopted measures that link human rights with all foreign policies. In addition, Catherine Ashton, the current Senior Representative of the EU Foreign and Security Policy, will enact 96 various measures in 36 regions during her term. As part of these measures, the European Union appointed an EU Special Representative on Human Rights and planned to establish the European Endowment for Democracy, which will offer funds to promote democracy in countries that have diplomatic ties with Europe. As most member states of the European Union have diplomatic relations with North Korea, the European Union's recent actions are significant in regards to the international cooperation for North Korean human rights.

Meanwhile, Robert King, the US Special Envoy for North Korean Human Rights, visited Brussels, Belgium near the end of May to discuss cooperative measures with authorities of the European Parliament to resolve human rights issues in North Korea. Later in June, he visited South Korea to participate in the "KINU Chaillot Human Rights Forum 2012," hosted by the Korea Institute for National Unification (KINU). King stressed the importance of the US-Korea partnership, an international alliance, and free flow of information inside and outside of North Korea as a means to alleviate the human rights conditions. Furthermore, on June 19<sup>th</sup>, the United States Senate extended the "North Korean Human Rights Act" until 2017, which aims to assist defectors in resettling and substantially improve the human rights conditions in North Korea. The strategies recommended by the global community are difficult to apply in the short-term, so we must approach the issue with medium to long-term goals. On an international level, the main problem with the issue of defectors is that the proposed solutions have one-time results, so it is necessary to strategize mid to long-term goals to form solidarity and realize the goals of improving human rights in North Korea.

The reinforced global solidarity to resolve the human rights issue in North Korea appears to be one of the most important factors in determining North Korea's future. Currently, North Korean authorities are impeding the flow of information from outside as well as making efforts to prevent people from changing their perceptions. Despite their control over society and information, the global community - with the United States and Europe spearheading these efforts - is relentlessly proposing plans regarding the non-refoulement and human rights violations against North Koreans, by using and applying the United Nations' various human rights mechanisms. The actively discussed topics include the conditions of North Korea's political prison camps and its inhumanity, which has provoked the United Nations to form the Commission of Inquiry as a means to investigate the real state of human rights violations in the DPRK.

## Improvement of Human Rights Conditions in North Korea and the Future of the Kim Jong-un Regime

Recognizing the human rights violations under the Kim Jong-un regime is not only directly connected to the improvement of human rights in North Korea, but also to the future of the country. Although many experts discuss the possibility of North Korea opening up and reforming, the correlation between North Korea's future and human rights is not often discussed. The improvement of North Korea's democracy, freedom and human rights is directly linked to North Korea's reform, and it will also serve as a cornerstone of the unified Korea. The procedures for unifying the two Koreas will be determined through an agreement from both parties, which will be centered on the human-to-human relationship to allow citizens of both sides to unite as one. It is not an intervention in domestic affairs but a flow of the international community's lofty humanitarian goals by discussing human rights in North Korea. It is also one of the most important processes in preparing for the unified Korea.

Whether the Kim Jong-un regime will succeed or fail is closely related to the improvement of human rights, which remains the top priority. When Kim Jong-un officially took office, there were no signs of change in human rights conditions. Rather, his goals of maintaining strong social control and stabilizing the systems persist despite the fact that the succession process is officially over. Although the right to freedom has regressed and the food crisis has worsened due to the prolonged drought, there are no signs of improvement in either the right to food or economic rights. With Kim Jong-il's death as a turning point, the regime organized the 14 Economic Acts in an attempt to expand the introduction of foreign capital, but whether the North Korean Special Economic Zone policy will succeed remains uncertain. Since the currency reform in November 2009, the North Koreans' perception of their government has rapidly deteriorated. The Jasmine Revolution, which erupted in late 2010 and is currently ongoing, demonstrates the people's resistance against dictatorships that oppose change. As the matter stands, the chances that North Korea will follow the footsteps of Tunisia or Egypt are certainly small, but the current circumstances do not determine the North Korean government's future. When the time is right, North Korea will no longer be an exception among the worldwide popular movement for international democratization, human rights and freedom - ideals that have been sweeping across the global through the Middle East and Southeast Asia.

In this sense, the ultimate goal of the international cooperation is to bring realistic changes into the North Korean peoples' lives, while helping the North Korean government recognize the correlation between human rights conditions and the preservation of its state system. That is, the control-based policies, which are institutions that have sustained North Korea thus far, will have significantly less effects, as people become more open to different perspectives. Therefore, Kim Jong-un must adopt new policies suitable for the new era. Although it is already addressing North Korea's human rights violations on the basis of the universality of human rights and international cooperation, the global community should also emphasize the improvement of human rights as a national goal that the Kim Jong-un regime must achieve. In order to overcome international isolation, pursue reform and opening, North Korea must initiate specific actions to improve human rights and the living conditions of its people to respectable

international standards. Although the First Secretary Kim Jong-un promised an “improvement of the people’s living standards” in his speech at the 4/15 military parade, he must introspectively reflect on the fundamental rights of his people in order to realize the true meaning of this statement.