

Making Engagement Effective: The Politics of North Korean Human Rights in a Humanitarian Context

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This article deals with the issue of North Korean human rights in a humanitarian context. Humanitarianism can be defined as the activities and/or policies by which the purpose of rescuing the vulnerable in a society could be achieved. It is argued that by both reinforcing a humanitarian discourse and establishing a humanitarian principle, South Korea's engagement toward the DPRK as a primary and smart strategy could be more effective, thereby realizing a "true" sense of improvement in North Koreans' human rights. In conclusion, this article summarizes the main findings of the research and suggests a few policy implications for policymakers.

Keywords: North Korean Human Rights, Humanitarianism, South Korean Human Rights Policy toward the North, Engagement, Humanitarian Assistance

Introduction

The issue of North Korean human rights is of critical importance to solve the current inter-Korean stalemate. In 2014, the international community witnessed the evolution of North Korean human rights issues and various actors in the international arena came to pay attention to the deteriorating human rights situation in the Democratic People's Republic of Korea (DPRK).

The international community and, among others, the South Korean government, is very concerned about the North Korean situation, specifically focusing on the impact of human rights issues in the DPRK on the overall security landscape in the Northeast Asian

region. This human rights problem become the core of the so-called North Korean problem along with its nuclear issues, and accordingly, the Republic of Korea (ROK) proclaimed that the goal of its North Korea policy lies in suggesting solutions for these two issue areas.

In this article, it is argued that addressing the North Korean human rights issue is critical in solving the current stalemate on the Korean Peninsula in general and with inter-Korean relations in particular. More specifically, the South Korean government can increase its level of assistance towards the North since it is expected to align with the principle of humanitarianism. In other words, South Korea could take advantage of various opportunities for dialogues with the North by dealing with the issue of North Korean human rights in a humanitarian context. In order to improve the already deteriorating human rights in North Korea, the South Korean government should take the lead in concert with various efforts by the international community in the field of North Korean human rights.

In the following sections, the evolution of North Korean human rights issues will be explained, as well as South Korea's domestic discussions on these issues and the importance of the humanitarian principle in South Korea's strategic thinking toward the North, respectively.

The Evolution of North Korean Human Rights Issues and Various Efforts by the International Community

Since the 1990s, a number of North Korean escapees began to leave the DPRK and revealed the true nature of the North Korean human rights situation. Since then, the international community began to pay attention to the human rights situation in the DPRK. Various efforts by the international community have been poured into North Korean society, especially since the 1990s. In the 1990s, international efforts focused on North Korea's recurring problems, such as chronic food shortages, natural disasters, harsh social control, etc. where the DPRK desperately

needed international assistance.¹ Thus, a variety of NGOs, states, and individuals have been involved with discussions on the promotion and protection of human rights norms and practices in North Korea.²

A qualitative change in the discourse on North Korean human rights began in the 2000s. In 2012 both the United Nations Human Rights Council (HRC) and the General Assembly (GA), for the first time, passed resolutions on North Korean human rights issues without a vote.³ Again, in 2013 the HRC passed its resolution regarding the situation of human rights in the DPRK without a vote.⁴ The most notable point in this resolution was the decision to establish the Commission of Inquiry on the human rights situation in the DPRK (hereinafter, COI-DPRK) for the purpose of investigating North Korea's human rights violations and thus clarifying whether crimes against humanity had been perpetrated in the DPRK. After finishing its year-long investigation, the COI-DPRK concluded that crimes against humanity occurring in the DPRK had been perpetrated by "high authorities of the DPRK" "intentionally."⁵

That same year, the GA passed its North Korean human rights resolution with a stronger voice than ever before, including contents such as "referring to the North Korean human rights situation to the International Criminal Court (ICC)," "high authorities of the DPRK

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1. For a succinct explanation of North Korea in the 1990s, see Hazel Smith, *North Korea: Markets and Military Rule* (Cambridge: Cambridge University Press, 2015), pp. 186-208.
 2. For an analysis of various actors that affect the improvement of human rights situations in a certain country in general, see Margaret E. Keck and Kathryn Sikkink, *Activist beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998); for an explanation of general human rights conditions and environments of North Korea, see Roberta Cohen, "Human Rights in North Korea: Addressing the Challenges," *International Journal of Korean Unification Studies*, Vol. 22, No. 2 (2013), pp. 29-62.
 3. Lee Geum-soon and Dong-ho Han, *Current Trends of Discussion on North Korean Human Rights in International Society* (Seoul: KINU, 2012).
 4. UN Doc., "Report of Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea," (February 7, 2014).
 5. *Ibid.*

should be held accountable," etc.⁶ Furthermore, the UN Security Council (SC), based on the various recommendations from the UN COI report and resolutions from the HRC and the GA, decided to select the issue of North Korean human rights as its official agenda.⁷

It is particularly important to note that the GA passed a stronger resolution than ever before, which dealt with North Korean human rights abuses in view of international criminal law. In this context, it seems clear that North Korean human rights issues are not only in the domain of political criticism but also in the area of legal judgment based on multilateral consensus. Now the international community is concerned about various issues such as accountability, responsibility, and criminality that North Korean human rights issues seemingly pose. Specifically, the GA resolution recommends that the SC refer the North Korean human rights case to the ICC and a number of member states agreed to pass this resolution. Although it is not likely for the SC to influence the North Korean situation due to veto powers by Russia and China, the international community has thus far strengthened its pressure on the North's human rights situation.

Given the international community's efforts to improve the North Korean human rights situation, it is no exaggeration to say that the North Korean human rights issues have become the concern of the entire international community. Specifically, it should be noted that the North Korean human rights issue has evolved from the target of international monitoring to that of international criminal justice. Since the release of the COI report in February 2014, concerned governments, international organizations, and various NGOs have tried to follow a number of recommendations, which the COI-DPRK suggested in its report.⁸ Specifically in South Korea there are various efforts to

6. UN General Assembly, North Korean Human Rights Resolution (December 2014).

7. UN Security Council's agenda is regarded as one of the most important world affairs in view of the international community. This agenda is supposed to be discussed on the international arena for the following 4-5 years.

8. This is not to say that before the release of the COI report there have been no meaningful efforts at all to improve North Korean human rights on the parts of

get involved in the discussions on North Korean human rights from both progressives and conservatives in the field of Korean politics.

South Korea's Domestic Discussions on North Korean Human Rights

Despite the international community's concerted efforts for improving North Korean human rights, South Korea also lacks a consensus regarding the basic concepts of human rights and approaches to improve them when addressing North Korean human rights. Perhaps due to this lack of consensus, discussions on North Korean human rights in South Korean society are becoming more frequent and increasingly animated.

Generally speaking, there are two ways to improve human rights conditions in a certain country and/or area. The first approach is advocacy. According to this approach, the role of external influence is essential for improving internal human rights conditions. Thus, various international human rights movements such as naming and shaming, criticism, sanctions, etc. should be used as tactics to change the nature of political dictatorships which would seemingly be the main cause for the deteriorating conditions of human rights. Advocacy and pressure based on international solidarity could play a key role in fundamentally changing the overall human rights records in a target country.⁹

governments, NGOs, and civil society. It should be noted, however, that after the release of the COI report, various efforts by concerned actors have been more enhanced at the international level. Regarding the COI recommendations and various efforts by South Korea to follow these recommendations, see Han, Dongho, "North Korean Human Rights and Role of South Korea," *Vantage Point* (April 2015), pp. 27-30.

9. For an analysis of the power and influence of human rights norms and practices on the political world, see Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, ed., *The Persistent Power of Human Rights: From Commitment to Compliance* (Cambridge: Cambridge University Press, 2013); for an explanation of states' policy influence on human rights changes in other countries, see C. William Walldore,

The second approach is assistance. According to this perspective, pressure and/or advocacy in itself has a clear limit for improving human rights conditions. Rather, the international community should focus on general conditions as an underlying cause for dire human rights situations and support the development process in a society. By providing assistance based on the idea of humanitarianism, the international community could contribute to the promotion and protection of human rights in a target country.¹⁰

Of course, these two approaches should be intermingled. The pursuit of both civil and political rights, on one hand, and economic, social, and cultural rights, on the other, is an essential part of the promotion and protection of human rights in a given situation.¹¹ In South Korea, with regard to the issue of North Korean human rights, different approaches to ameliorate the general North Korean situation have become more contentious, rather than harmonious. In other words, different opinions and approaches to analyze the problem of North Korean human rights have been so politicized that no one could easily suggest a kind of negotiated outcomes based on a consensus. In the South Korean situation, the problem is that various human rights discourses are based on the phenomenon of politicization among different political parties, rather than constructive discussions on how to promote North Korean human rights using different approaches. As a result, what is left are conflict and tension between the ruling and opposition parties, which have prevented suggesting any practical solutions for improving human rights in the DPRK.

Despite the increasing gap between different schools of thought, South Korea's domestic discussions on North Korean human rights

Jr., *Just Politics: Human Rights and the Foreign Policy of Great Powers* (Ithaca: Cornell University Press, 2008); Alison Brysk, *Global Good Samaritans: Human Rights as Foreign Policy* (Oxford: Oxford University Press, 2009).

10. For an excellent analysis of the close relationship between humanitarianism and international aid, see Michael Barnett and Janice Gross Stein, *Sacred Aid: Faith and Humanitarianism* (Oxford: Oxford University Press, 2012).

11. Jack Donnelly, *Universal Human Rights: In theory and Practice* (Ithaca: Cornell University Press, 2003), pp. 27-33.

have been based on various motivations. The launching of the COI-DPRK, increasing international pressure on North Korean human rights, discussions on North Korean Human Rights Act, and the establishment of the North Korean Human Rights Office in Seoul, all contributed to the rise of vivid discussions on North Korean human rights in South Korean society. Specifically, the establishment of the COI-DPRK and the passage of the North Korean Human Rights Act played a key role in discussing North Korean human rights issues in South Korea. In the following section, the impact of the international community's efforts to improve North Korean human rights in South Korea's domestic context will be explained.

Conservatives vs. Progressives in the Area of North Korean Human Rights

Generally speaking, there are progressives and conservatives regarding the North Korean human rights issues in South Korean society. In order to solve the so-called North Korean human rights problem, progressives suggest that politicians in both South and North Korea should agree to a peace regime on the Korean Peninsula, thereby officially finishing the Korean War and the subsequent division on the peninsula. Underlying this argument, there is a perception that the nature of the North Korean human rights problem stems from not only the dictatorial nature of the northern regime but also the international structure such as the divided political and social culture between the two Koreas.¹²

The conservatives, however, believe that a main reason for deteriorating human rights conditions is that the North is facing the failing system of its own regime. To conservatives in Korean politics, attributing the cause of the North's dire human rights situation to the division structure itself could not be an excuse for the North Korean regime's responsibility to its citizens. Therefore, according to conservatives, the

12. Regarding this line of reasoning, see Suh Bo-hyuk, "The Division of the Korean Peninsula and Human Rights: Reframing Discussion on the North Korean Human Rights Issue," *Vantage Point* (July 2015), pp. 31-42.

North Korean regime and leadership, first and foremost, should be criticized and the international community could provide a solution for that.

In other words, the conservatives in South Korea regard human rights in North Korea as a synonym of civil and political rights such as the problem of the North's political prison camp system and violations of freedoms concerning movement and expression. The progressives in South Korea argue that economic and social problems such as the North's food crisis and health and nutrition problems of its vulnerable people should be a priority of North Korean human rights issues.

This ideological difference from both sides engenders different approaches to solve the North Korean human rights question. Their differing definitions of North Korean human rights make it difficult for both sides to agree with a sound approach to improve the North's dire human rights situation. Thus, differing ideas of human rights conditions in North Korea lead to disagreements on strategies to solve this difficult problem.

More specifically, the conservatives emphasize the approach of advocacy as a strategy to improve the North's dire human rights conditions. In this sense, various NGOs and civil organizations are supposed to play a more active role in empowering the North Korean people and educating international audiences about the abuses of North Korean human. On the other hand, the progressives oppose unconditional criticism toward the North regime for its human rights record. Rather, the North Korean leadership needs to cooperate with the international community and get involved in the process of technical cooperation and human rights dialogue so that social, economic, and legal conditions can be prepared for the improvement of human rights conditions in North Korean society as a whole.

The Impact of the International Movement to Improve the North's Human Rights Conditions on Domestic Discussions in South Korea

The international community's efforts to improve North Korean human rights have influenced South Korea's domestic environment

concerning the discussion of DPRK's human rights issues in various ways. Specifically, the establishment of the COI-DPRK and subsequently the UN North Korean Human Rights Office in Seoul have stimulated the rapid rise of the North Korean human rights issue as an important and, at the same time, controversial one in South Korean intellectual society.

First, as the international community decided to set up the COI-DPRK in March 2013, in South Korean society various NGOs and civil society tried to cooperate with each other in order to support the efforts of the international community so that the North Korean human rights situation would be improved. Given the fact that North Korea denies the very existence of the COI-DPRK, let alone its activities, it became almost impossible for the COI-DPRK to visit the DPRK.¹³ As a result, the role of South Korea was becoming crucial. This is especially true since information about North Korean human rights is relatively more accessible in South Korea than any other part of the world and a number of North Korean escapees have settled down in South Korea.¹⁴ In August 2013, the COI-DPRK visited South Korea and relevant governmental agencies such as the Ministry of Unification, the Ministry of Justice, the Ministry of Foreign Affairs, etc. and tried to cooperate with each other in order to support the visit and activities of the COI-DPRK. In this sense, the very visit of the COI-DPRK to South Korea provided a good opportunity for various governmental agencies to explore ways of responding effectively to the international community's efforts to enhance the North Korean human rights situation and to identify South Korea's role in the global movement of improving North Korean human rights.

13. For more information on the activities and public hearings led by COI-DPRK, see Dong-ho Han, "Commission of Inquiry on Human Rights in North Korea: Evaluation and the Tasks Ahead," KINU Online Series CO 13-21, 10-10-2013.

14. Since Kim Jong-un took office in 2011, the number of North Korean escapees coming into South Korea has sharply decreased. For instance, the number of North Korean escapees coming into South Korea in 2011 reached up to 2,701, while the number dropped to 1,502 in 2012. Republic of Korea Ministry of Unification (MOU), *Unification White Paper 2015* (Seoul: MOU, 2015), p. 160.

Before and after the visit of the COI-DPRK, the South Korean government, civil society, and a number of NGOs provided various forms of assistance such as information gathering, information sharing, North Korean escapee interviews, etc. From this process there arose various issues such as the importance of objectively investigating human rights violations in the DPRK, the necessity of a control tower to monitor and implement South Korea's human rights policy toward the North in a systematic way, ways to guarantee the validity and credibility of various testimonies from North Korean escapees, and ways to support the international community's efforts to improve North Korean human rights more systematically. Civil society also supported these international efforts in terms of North Korean democratization, the improvement of North Korean human rights, and humanitarian assistance in an indirect way. Specifically, the two issues of advocacy and assistance are often discussed among various NGOs in South Korea.¹⁵ Generally speaking, the former (advocacy) is related to the possible punishment of DPRK's top leadership for its human rights violations while the latter (engagement) tends to focus on how to support and improve the rights of the vulnerable groups such as the disabled, the elderly, women, and children within the DPRK.

Second, on June 23, 2015 the United Nations Human Rights Office in Seoul was established in the ROK. The establishment of the North Korean Human Rights Office in Seoul itself could be seen as both a challenge and an opportunity for the Seoul government. On one hand, in terms of inter-Korean relations the OHCHR local office in Seoul would be a barrier to ameliorate the current stalemate. In fact, the North has consistently criticized the South's government for its decision to have the North Korean Human Rights Office in its soil. On the other hand, the Seoul government could have an upper hand for taking the lead in international cooperation for the cause of improving North Korean human rights through various channels with OHCHR personnel residing in Seoul and communicating with the OHCHR in Geneva. Therefore, in the view of the South Korean government, now

15. As strategies to approach the North Korean human rights issue, advocacy and assistance are two pillars of South Korea's human rights policy toward the North.

is the time to think strategically and make a plan to develop further strategic thinking regarding North Korean human rights.

It should be noted that the UN Office in Seoul was established as part of the extension of the COI-DPRK which, first and foremost, tried to investigate whether crimes against humanity were perpetrated by the DPRK regime. In this respect, the primary task of the office would be strengthening the results of the COI report and supporting its recommendations. In other words, the UN Office cannot help but devote its time and resources to pressuring the North regime by further proving conclusions, which the COI-DPRK had in its report. At the same time, of course, the UN Office in Seoul is expected to nurture various efforts by civil organizations to communicate with the North as an endeavor to provide technical assistance based on the spirit of equal partnership with North Korean officials and civil servants. In sum, the establishment of the UN Office would have a dual impact on South Korea's efforts in the area of North Korean human rights. On one hand, this UN office could provide various legal grounds for pressuring the North regime based on its own investigation and collection of information.¹⁶ On the other hand, it could provide various channels for technical cooperation either between the two Korean governments or between a number of civil organizations in South Korea and their North Korean counterparts.

The North Korean Human Rights Act and Its Impact on South Korea's Policy toward North Korean Human Rights

What are the implications of this global movement for South Korea's North Korean human rights policy? What kind of solutions could be suggested amid the vivid discussions between progressives and conservatives in the field of North Korean human rights?

In South Korea there have been numerous discussions regarding the passage of the North Korean Human Rights Act. In the last decade

16. For an excellent explanation of technical cooperation as one of the OHCHR strategies, see UN Doc., "Technical Assistance and Capacity-Building Options for Integrating Human Rights into National Policies, Report of the Office of the United Nations High Commissioner for Human Rights," (24 July 2014).

there have been various efforts to pass the North Korean Human Rights Act in South Korea's national assembly. As a result, South Korea now has the North Korean Human Rights Act. The North Korean Human Rights Act could be an institutional mechanism to guarantee the consistency and effectiveness of South Korea's policy toward the North. The passage of this act in and of itself does not necessarily mean, however, that tensions and problems surrounding all the different opinions regarding North Korean human rights issues have been perfectly solved in South Korea. Rather, quite the opposite is true.

As mentioned above, in South Korean society there is a confrontation between conservatives and progressives with regard to the North Korean issues in general and North Korean human rights issues in particular. The conservatives tend to emphasize the civil and political rights of the North Korean people while the progressives tend to focus on social, economic, and cultural rights. Thus it is natural that the conservatives' group asks for advocacy activities to stop ongoing violations of North Korean human rights whereas the progressives' group calls for assistance for the North Korean people.

These different positions naturally led to different suggestions for South Korea's North Korean human rights bill. In the discussion on North Korean human rights bill, the conservative party intended to include the establishment of various organizations such as the Report Center of North Korean Human Rights and the National Endowment for Human Rights in North Korea. The progressive party tried to include clauses such as the Center for Humanitarian Assistance and support for infant and maternal health and nutrition, etc.

The main problem in this division would be the lack of consensus regarding the improvement of North Korean human rights. There are still various definitions of the meaning of human rights in North Korea. Some argue that the core of North Korean human rights is civil and political rights. Others argue that economic, social, and cultural rights are more urgent than the other rights. Still others suggest that without solving the Korean question seemingly coming from the division structure of the Korean Peninsula, no meaningful efforts could be possible for enhancing North Korean human rights. In order to fill the

gap between conservatives and progressives, a minimum consensus in terms of the core principles of humanitarianism would be needed since it seems reasonable for South Korean policy-makers to base policy guidelines on universal values such as humanitarianism. It is believed that the South Korean government could implement a more consistent and effective policy toward North Korean human rights thanks to the power of human rights as universal values.¹⁷

Inserting Humanitarianism into South Korea's North Korean Human Rights Policy

In this section I argue that the emphasis on the principle of humanitarianism is very important in South Korea's North Korean human rights policy. Accepting humanitarianism as a guiding principle of South Korean human rights policy toward North Korea could be regarded as a sound and intelligent strategy both domestically and internationally.

Humanitarianism as a Guiding Principle of the Human Rights Policy of South Korea

South Korea proclaimed that peace and cooperation in inter-Korean relations would be the key concepts for improving security conditions in the Northeast Asian region. The reality, however, is that the North harshly refuses any attempts to begin a talks on the part of the South. One way to solve this stalemate on the Korean Peninsula is to stick to important principles and to emphasize these in the process of inter-Korean dialogue.

In this perspective, the South Korean policy on North Korean human rights is expected to be based on an important principle – the principle of humanitarianism. Humanitarianism by definition refers to “the independent, neutral, and impartial provision of relief to victims of armed

17. For a succinct explanation for the relationship between human rights values and foreign policy in a comparative perspective, see David P. Forsythe, *Human Rights in International Relations* (Cambridge: Cambridge University Press, 2012), pp. 197-239.

conflicts and natural disasters.”¹⁸ Of course, this definition is primarily related to activities of non-state actors such as Non-Governmental Organizations (NGOs) and/or Non-Profit Organizations (NPOs), etc. However, the roles and support of nation-states are crucial to the work of humanitarian organizations. In South Korea, there are a number of civil organizations working in humanitarian assistance for the North.¹⁹ The South Korean government is able to interact with these organizations and influence their activities to help those in need in the DPRK.

The South Korean government is trying to include the idea of humanitarianism as an important factor in its human rights policy. In other words, the South Korean government could insert the spirit of humanitarianism in its foreign policy goals in general and its North Korea policy in particular. If South Korea seriously considers the agenda for inter-Korean integration as well as inter-Korean cooperation, then the idea of humanitarianism could be one good indicator to assess South Korea’s North Korean human rights policy while making South Korea more focused on the quality of life of North Koreans. This emphasis on the human dimension of the inter-Korean relationship equation could enable South Korea to take the lead in its relationship with the North and to spread its national image of ‘Global Good Samaritans.’²⁰ At the same time, the South Korean government could proclaim that it is sticking to the principle of humanitarianism regarding inter-Korean relations

18. Michael Barnett and Thomas G. Weiss, *Humanitarianism Contested: Where Angels Fear to Tread* (London: Routledge, 2011), p. 9. For more on humanitarianism, see David Kennedy, *The Dark Side of Virtue: Reassessing International Humanitarianism* (Princeton: Princeton University Press, 2004); Michael Barnett, *The Humanitarianism in Question: Politics, Power, Ethics* (Ithaca: Cornell University Press, 2008); *The Empire of Humanity: A History of Humanitarianism* (Ithaca: Cornell University Press, 2011).

19. For an analysis of various roles and functions of a number of non-state actors in the domain of the inter-Korean relationship, see Jihwan Hwang, “The Paradox of South Korea’s Unification Diplomacy: Moving beyond a State-Centric Approach,” *International Journal of Korean Unification Studies*, Vol. 23, No. 1 (2014), pp. 49-72.

20. Here, this term was borrowed from Alison Brysk’s book – *Global Good Samaritans: Human Rights as Foreign Policy* (Oxford: Oxford University Press, 2009).

so that it can actively respond to the North's humanitarian crisis.²¹

In regard to the principle of humanitarianism, the South Korean government could emphasize independence, neutrality, and impartiality as guidelines for its North Korean human rights policy.²² These guidelines are all the more important given that in the history of inter-Korean relations, political dynamics has always impacted either the process or the result of humanitarian assistance.

South Korea's North Korean Human Rights Policy²³

It should be noted that the South Korean government's human rights policy toward the DPRK is closely related to consolidating the foundation for peaceful reunification. This is because concerns about human rights in North Koreans could be directly linked with the living conditions of the North Korean people, which, in turn, could possibly facilitate the unification process of the two Koreas by improving the policy environment surrounding the issue of Korean unification.

A close look at the history of inter-Korean relations, however, shows that South Korea's human rights policy toward the North

21. Since the 1990s, many North Korea watchers have described the deteriorating North Korean situation as a crisis. For example, in 2006, Stephen Haggard and Marcus Noland described the issue of North Korean escapees as a crisis in view of the relationship between human rights and the international response, see *The North Korean Refugee Crisis: Human Rights and International Response*, edited by Stephen Haggard and Marcus Noland (D.C.: U.S. Committee for Human Rights in North Korea).

22. For a detailed analysis of each principle, see David P. Forsythe, *The Humanitarians: the International Committee of the Red Cross* (Cambridge: Cambridge University Press, 2005), pp. 162-192. Forsythe suggests that humanitarian organizations such as the International Committee of the Red Cross (ICRC) have rigid principles such as humanity, neutrality, and independence. Based on these founding principles, humanitarian works could be defined as relatively independent of humanitarian relief in any political and/or social circumstances. Based on this definition, if states and/or non-state actors could stick to humanitarian principles in a certain period of time, then they would be regarded as "humanitarian actors."

23. Here, this term was borrowed from Alison Brysk's book – *Global Good Samaritans: Human Rights as Foreign Policy* (Oxford: Oxford University Press, 2009).

lacked consistency and effectiveness. Even some North Korea watchers pointed out that there has been no solid North Korean human rights policy at all on the part of South Korea.

True, South Korea's human rights policy toward the North has largely depended on changes in the inter-Korean relationship and in most cases political factors determine human rights policy in South Korean strategic thinking toward its northern counterpart. To alter this situation, South Korean policymakers, first of all, should consider general principles of human rights policy such as consistency and effectiveness.²⁴ While consistency and effectiveness are principles related to the implementation stage of the policy process, the principle of humanitarianism could be inserted into the stage of policy planning. Therefore, the ideal form of South Korea's North Korean human rights policy could be summarized as follows: a consistent and effective human rights policy toward North Koreans based on the spirit of humanitarianism through solid legal and institutional mechanisms such as the North Korean Human Rights Act.

For the success of South Korea's North Korean human rights policy, it seems necessary to overcome the domestic ideological division regarding the issue of North Korean human rights and to suggest proactively constructive principles and practical solutions in this area. Moreover, South Korea's human rights policy needs to be related to a discourse on the gradual integration between the two Korean societies, which could lead to the recovery of homogeneity among the Korean people.

Tasks Ahead

In terms of humanitarian politics, it is of the utmost importance to note that regardless of the ups and downs in inter-Korean relations and the changing political situations on the Korean Peninsula, the Seoul government would continue humanitarian assistance toward the North regime. The reality, however, is not so easy to keep this policy option

24. Peter Baehr and Monique Castermans-Holleman, *The Role of Human Rights in Foreign Policy* (New York: Palgrave Macmillan, 2004), pp. 45-68,

on the part of the South Korean government. Currently, North Korea refuses all sorts of suggestions regarding South Korea's provision of humanitarian assistance to the North. Therefore, the South Korean government should develop a smart and effective strategy to overcome this difficult situation in inter-Korean relations.

One way to solve this problem is to focus on the vulnerable people in the North. The elderly, infants, the disabled, and women could be a target for the South's humanitarian assistance. If the Seoul government tries to focus more on this vulnerable group moving forward, then there could be two advantages from this policy stance.

First, it is more likely for the North to accept the South proposal regarding support for its vulnerable groups. In the second round of the Universal Periodic Review (UPR) for the DPRK in 2014, for instance, North Korea accepted 117 out of 268 recommendations from the international community and a large number of these recommendations were related to improving standards of living for women, children, and disabled people in the DPRK. Therefore, an emphasis on these groups of people would make it more likely for the North and the South to have a discussion on how to support these people in conjunction with human rights dialogue as suggested in the North Korean Human Rights Act.

South Korea's strategy to focus on the North's vulnerable groups and/or people based on the spirit of humanitarianism would work well given that the North officially stated that it "continues to hold its position to reject the politicization, selectivity, and double standards in the international field of human rights and remains committed to promoting sincere dialogue and cooperation based on the principle of impartiality and objectivity" in a national report submitted to the HRC in 2014.²⁵ This is all the more true, given that in this national report the North also emphasized its efforts to ameliorate general conditions for the rights of special groups such as children, women, older persons,

25. UN Doc., "National Report submitted in accordance with paragraph five of the annex to Human Rights Council resolution 16/21, Democratic People's Republic of Korea," (30 January 2014), p. 15.

and persons with disabilities.²⁶

Second, it is easier for the South Korean government to win domestic public support for this humanitarian assistance. Throughout the history of South Korea's North Korea policy, the conservative government, based on political support from the conservative camp, has been concerned about the effectiveness of the humanitarian assistance policy as a whole. That is why the South Korean government, regardless of its ideological orientation, tried to discern whether humanitarian assistance from the South would actually reach those in need in the DPRK. That is also why the international community is concerned with the inner workings of the monitoring system in the process of humanitarian aid toward the North. Despite several barriers that the issue of humanitarian assistance seemingly poses, the South Korean government should find various ways to reach out those in need in the DPRK. To effectively deal with those obstacles, an emphasis on the vulnerable groups in the DPRK should be continued.

At the same time, the South government could persuade its citizens of the merits of a close relationship between humanitarian assistance and integration of the two Korean societies. Since the division of the Korean Peninsula in 1945, more than seventy years have already passed. From that time, the two Koreas have experienced increasing heterogeneity in terms of the decline of ethnic nationalism and the rise of civic nationalism.²⁷ To fill the gap, it seems necessary for the South Korean government to pursue the recovery of national homogeneity, rather than heterogeneity as a top policy priority.²⁸

26. *Ibid.*, pp. 11-14.

27. For a distinction between civic and ethnic nationalism and their implications for political integration and separation, see Jack Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York: W.W. Norton, 2000), pp. 15-43.

28. I believe that recovering national homogeneity should be of utmost importance in South Korea's strategic thinking if South Korea is serious about preparing for Korean reunification in association with integrating the two Korean societies.

Conclusion

The South Korean government is now exploring ways to support various efforts by the international community to improve North Korean human rights. True, the role of the South Korean government is crucial and indispensable in upgrading the dire situation of North Korean human rights. The core task is that the South Korean government should be able to suggest more practical solutions for the question of North Korean human rights.

One strategy would be an emphasis on support for North Korean women and children on a humanitarian basis. The South Korean government should continue to help and support those in need in the DPRK, regardless of changing political situations on the Korean Peninsula. The consistency and effectiveness of human rights policies could lead to a more successful outcome such as achieving national homogeneity in the process of the integration of the two Korean societies.

Given the current inter-Korean stalemate and South Korea's internal disagreement on the issue of North Korean human rights, building a consensus on this important issue and implementing a policy in a systematic and strategic way is crucial for peace on the Korean Peninsula. In this sense, South Korea's future generations will remember their government's efforts to improve human rights conditions for the North as an essential part of consolidating the foundation for peaceful reunification as well as achieving a peaceful Korean peninsula for the next generations.

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