



# General Assembly

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## Human Rights Council

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Agenda item 4

### Human rights situations that require the Council's attention

## **Written statement\* submitted by Christian Solidarity Worldwide, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2024]

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\* Issued as received, in the language of submission only.



## **The Situation of Human Rights in the Democratic People's Republic of Korea**

Christian Solidarity Worldwide (CSW) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB) for all. The situation of human rights in the Democratic People's Republic of Korea has been an important focus of Christian Solidarity Worldwide's work for over 22 years. This submission focuses on the situation of FoRB in the Democratic People's Republic of Korea.

### **The Situation of Freedom of Religion or Belief**

Ten years after the United Nations (UN) Commission of Inquiry (COI) report on Human Rights in the Democratic People's Republic of Korea in 2014, the situation for FoRB remains dire.

The Democratic People's Republic of Korea's constitution (adopted in 1972, and most recently revised in 2019) guarantees many basic human rights. However, in practice, the constitution's articles remain insufficient in accommodation and interpretation to protect the rights of citizens; human rights are viewed as a gift from the leader to his people, rather than as intrinsic freedoms belonging to every person.

Article 68 of the constitution pertains to the right to FoRB: '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.' While elements of Article 68 offer positive protections, it fails to comply with international standards as FoRB is qualified by the need for the approval of the state before constructing religious buildings or holding religious ceremonies. The flawed protections provide primarily for the forum externum rather than the forum internum dimensions of FoRB. The clause forbidding religion 'used as a pretext for drawing in foreign forces or for harming the State or social order' renders FoRB, which should be absolute and equal for all citizens, conditional, and therefore open to restriction, violation, and abuse.

Individuals caught or suspected of religion or belief affiliation face harsh punishment, including detention in the Democratic People's Republic of Korea's brutal political prison camp system, torture, forced labour, and even execution.

Although all religions and beliefs are repressed under the Kim regime, Christianity is understood to be particularly harshly targeted. In part, this is likely due to the extent to which Christian ideology runs counter to Juche (roughly translated as 'self-reliance') ideology. It may also be, in part, because of the threat that free expression and assembly pose to the regime's stability. Any activity that takes place outside of the state's control – be it political, religious, economic – is deemed impermissible by the Kim regime.

Antichristian propaganda is systematically taught and propagated by the Democratic People's Republic of Korea regime. Citizens are taught from a young age that Christians are 'spies' and 'enemies of the state'.

While there are a small number of state-approved places of worship in Pyongyang, including Protestant and Roman Catholic churches, there is little evidence to suggest that citizens who attend gatherings at these buildings are permitted practise their religion or belief with any level of freedom. Most assert that the state-approved places of worship in Pyongyang are purely symbolic, designed to project a certain image to the international community. In addition to those considered highly loyal to the regime, attendees are largely foreigners.

## Engagement with Religious Materials

Individuals suspected of exposure to and engagement with religious materials in the Democratic People's Republic of Korea – particularly Bibles – face severe punishment. There are anecdotal reports of citizens, who have been in contact with religious texts, being forcibly disappeared, imprisoned, and even publicly executed. CSW sources suggest that these risks are largely known and understood by the Democratic People's Republic of Korea citizens inside the country.

Despite the severity of the consequences, sources suggest that engagement with Christian materials within the Democratic People's Republic of Korea may have increased slightly over the past decade. One individual working for a Christian organisation in the Republic of Korea particularly linked this increase to the Covid-19 pandemic and its associated lockdowns. It is understood that the regular house searches by the Democratic People's Republic of Korea authorities were suspended under Covid-19 measures, and so people of the Democratic People's Republic of Korea were more able to store and transport materials, including Bibles, using their homes as 'waystations'. However, transmission of religious materials or any form of proselytising is understood to be carried out on a very small scale and with extremely high levels of secrecy.

In December 2020, the Reactionary Ideology and Culture Rejection Law, more commonly known as the 'anti-reactionary thought' law, was adopted. The full text of the law was not made public outside the Democratic People's Republic of Korea until March 2023, when Daily NK, a Seoul-based news outlet, obtained and published the full 41 articles in Korean and in an unofficial English translation.<sup>1</sup> The 'anti-revolutionary thought' law tightens restrictions on both the entry of external information and on the outflow of internal information. It places a blanket ban on 'foreign published materials', thought to include the Bible, stating that anyone importing or distributing materials not approved by the state will face public trials.<sup>2</sup>

## Forced Repatriation of the Democratic People's Republic of Korea Refugees

People from the Democratic People's Republic of Korea who manage to escape the country are vulnerable to harassment, trafficking, and forced repatriation.

Very few people from the Democratic People's Republic of Korea are able to cross the southern border into the Republic of Korea. Refugees choose instead, the long and dangerous route of passing through China and the Lao People's Democratic Republic in the hopes of reaching Thailand, where a resettlement claim can be safely made. Christian Solidarity Worldwide remains concerned by China's and the Lao People's Democratic Republic policy and practice of forcibly repatriating the Democratic People's Republic of Korea refugees found transiting through their country.

Repatriated people of the Democratic People's Republic of Korea face severe treatment. The exact nature of the punishment will vary depending on the nature of the crime and the songbun (a socio-political class-based caste system), of the individual involved. It is common for punishment to extend to the families of those that escaped. Individuals face particularly harsh treatment if they are found or suspected of having contact with Christians. One of the first questions officials of the Democratic People's Republic of Korea ask repatriated citizens is whether they had contact with Christians while in China. For those in China for economic and trade purposes, the punishment tends to be less severe, whereas those found to have had contact with people of the Republic of Korea, churches or missionaries are known to experience more severe punishment.

Two defectors of the Democratic People's Republic of Korea Christian Solidarity Worldwide interviewed shared their experiences of repatriated people of the Democratic People's Republic of Korea being separated into groups on deportation from China. 'Political criminals', including those who had planned to travel to the Republic of Korea and those suspected of having contact with Christian missionaries or churches, were put into a specific group to be subjected to a different type of interrogation and treatment.

Christian Solidarity Worldwide is particularly concerned by credible reports that over 500 refugees of the Democratic People's Republic of Korea were forcibly repatriated from China in October 2023. Radio Free Asia reports that most of those who were repatriated were civilians and religious figures who were arrested while attempting to travel to the Republic of Korea from China.<sup>3</sup>

### **Recommendations to the Human Rights Council:**

Call on the Democratic People's Republic of Korea to release of all persons currently detained in prison camps immediately and unconditionally.

At every possible opportunity, in public and in private, urge the Democratic People's Republic of Korea government to respect, protect and promote the right to freedom of religion or belief for all people in the Democratic People's Republic of Korea.

Consider sanctions against policymakers responsible for human rights abuses in the Democratic People's Republic of Korea.

Ensure that the human rights situation in the Democratic People's Republic of Korea continues to be discussed annually at the UN, including at the UN General Assembly and UN Human Rights Council, and separately from the question of nuclear non-proliferation.

Implement the recommendations of report by the 2014 United Nations (UN) Commission of Inquiry (COI) on Human Rights in their entirety and provide technical assistance where possible to the Office of the High Commissioner for Human Rights (OHCHR) field office in Seoul.

Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on the Democratic People's Republic of Korea.

Provide asylum and sanctuary for refugees, in conformity with international obligations, in particular by taking active steps to prevent agents of the Democratic People's Republic of Korea from carrying out abductions; desisting from repatriating people from the Democratic People's Republic of Korea who have fled; and allowing access to asylum procedures and facilitating resettlement.

Provide treatment and assistance for victims of serious violations who have left the Democratic People's Republic of Korea, in particular for physical injuries and mental trauma suffered as a result of abuses or make financial provision for such support.

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1. Daily NK, 'Daily NK acquires full text of the anti-reactionary thought law', 23 March 2023  
<https://www.dailynk.com/english/daily-nk-acquires-full-text-of-the-anti-reactionary-thought-law/>
  2. Daily NK, 'A deep dive into N. Korea's new "anti-reactionary thought" law', 15 December 2020  
<https://www.dailynk.com/english/deep-dive-north-korea-new-anti-reactionary-thought-law/>
  3. Radio Free Asia, 'China repatriates North Korean defectors', 12 October 2023  
<https://www.rfa.org/english/news/korea/china-repatriates-north-korean-defectors-10122023004404.html>