

## **Report: DPRK Current Human Rights Violation**

### **I. Introduction**

The Korean peninsula was once a single nation in which both the North and South shared a common cultural heritage and experience under Japanese Colonialism. When Japan was defeated in World War II in 1945, the peninsula was divided along the 38<sup>th</sup> parallel and consequently, the North became occupied by the communist forces and the South by the United States. Unification efforts between the two states failed in 1948 and led to the Korean War in 1950. The war concluded in a cease-fire armistice between the two countries in which a permanent Demilitarized Military Zone was established.

The current human rights violations in the DPRK can be best understood by the state's carefully crafted and centrally planned economy, elaborate guiding ideology, and rigid enforcement structure. The DPRK maintains a socio-political structure and ideology unparalleled in the modern world. The DPRK is based on the concept of *Juche*, a creative application of Marxism and Leninism, which encourages principles of military and economic self-sufficiency apart from external forces. At its origin, the DPRK aims to create an idealistic socialist society based around the cult personality of Kim Il-Sung and his progenitors. Information is heavily censored and external influences strictly guarded from the general public. As analyst Charles Armstrong from the Center of Korean

Research states, DPRK's imposed isolation and paranoia makes "it a society in a constant siege mentality."<sup>1</sup>

Yet, the state's isolation from the world has preserved and facilitated its state imposed ideology without accountability or transparency. The DPRK maintains immense control over the daily lives of individuals severely limiting basic human rights such as: access to information, social/economic mobility, movement, and instituting prison camps. Failure to comply to institutional norms often lead to severe punishment and hard labor in DPRK's many state-run detention camps. The accumulative historical events and state-imposed ideology have shaped the structure leading to severe human rights abuses prevailing in the country today.

## **II. Restriction of Information**

One of the most striking features of the State has been its absolute control over information and freedom of expression. According the UN Human Rights Commission, there is almost complete denial of the right to the freedom of thought, conscience, expression, and religion in the DPRK.<sup>2</sup>

The State operates to propagate an official personality cult and manufacture absolute obedience to the Supreme Leader (*Suryong*) indoctrinating citizens at a young age through radio broadcasts, textbooks, education, and propaganda to incite animosity towards enemies of the State, which include Japan, the United States, and Republic of

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<sup>1</sup> Charles Armstrong, DPRK: Some Historical Perspective, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/kim/them/historical.html> (last visited Jan 15, 2015).

<sup>2</sup> *Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea*, UNITED NATIONS HUMAN RIGHTS, <http://www.ohchr.org/EN/HRBodies/HRC/ColDPRK/Pages/CommissionInquiryonHRinDPRK.aspx> (last visited Dec 21, 2014).

Korea and their nationals.<sup>3</sup>

*Inminban* usually monitors information within communities and functions as a watch cooperative to ensure that people follow state guidelines. Although meetings and social gatherings are permitted, the State uses these associations as a medium to further investigate into the citizens' daily activities. The *inminban* maintains the duty of monitoring members, providing ideological education, and serving as a conduit for various mobilization campaigns.<sup>4</sup> The *inminban* leader frequently communicates with State Security Department and Ministry of People's Security to report any suspicious activities.<sup>5</sup> Fellow citizens are encouraged to be vigilant of those conducting "anti-State" crimes. Surveillance at the micro level ensures state ideology intertwined in individual lives and communities.

In addition, State-controlled media are the only permitted source of information in the Democratic People's Republic of Korea.<sup>6</sup> Television and radio broadcasts are carefully orchestrated by the Workers Party and all media content must adhere to directives issued by the Workers' Party of Korea.<sup>7</sup>

In recent years, the DPRK has allowed students in Pyongyang access to the

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<sup>3</sup> Robert Collins, *Marked for Life: Songbun, North Korea's Social Classification System*, The Committee for Human Rights in North Korea (2012).

<sup>4</sup> Ken Gause, *The North Korea Police: State Second Edition*, Committee for Human Rights in North Korea (2013).

<sup>5</sup> *Id.*

<sup>6</sup> A Changing North Korea, LIBERTY IN NORTH KOREA, <http://www.libertyinnorthkorea.org/learn-a-changing-north-korea> (last visited January 3, 2015).

<sup>7</sup> Ken Gause, *Coercion, Control, Surveillance, and Punishment: An Examination of the North Korean Police State*, The Committee for Human Rights in North Korea (2012).

Internet.<sup>8</sup> However, the extent and degree to which its citizens can use and manipulate the internet remains limited. Although DPRK flouts its technological capabilities, the citizens' access to technology or the internet remains nonexistent. According to one account, students who attend the Pyongyang University of Science and Technology do not have access to the internet as understood by ordinary citizens.<sup>9</sup> The students have access to an internal network, or intranet, but it's not connected; student use their computers mostly as dictionaries.<sup>10</sup> If permitted, any access to the internet is severely limited and most likely heavily censored and regulated.

### III. Social Structure

Institutional and social hierarchy is based on the *songbun* system, which classifies people on the basis of State-assigned social class, state loyalty, and birth.<sup>11</sup> The creation of this hierarchy stems from socialist efforts to classify and brand certain people as threats to the socialist state and consolidate state power.<sup>12</sup> One of the primary objectives for the *songbun* system is to politically assess whether each North Korean resident as a political asset or liability to the socialist regime.<sup>13</sup>

In the past, the *songbun* system was the most important factor in determining

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<sup>8</sup> Euny Hong, *Without You there is No Us*, NEW YORK TIMES, <http://www.nytimes.com/2014/12/14/books/review/suki-kims-without-you-there-is-no-us.html> (last visited Dec 25, 2014.)

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Robert Collins, *Marked for Life: Songbun, North Korea's Social Classification System*, The Committee for Human Rights in North Korea (2012).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

where individuals in the DPRK were allowed to live; what sort of accommodation they had; what occupations they were assigned to; and how much food they received; The special status of those residing in Pyongyang, reserved only for those most loyal to the State, exemplifies this system of segregation.<sup>14</sup> This system has created a socioeconomically and physically segregated society, where people considered politically loyal to the leadership can live and work in favorable locations, whereas families of persons who are considered workers of the state or politically suspect are relegated to marginalized areas.<sup>15</sup>

However, there is evidence that the *songbun* system is gradually eroding. Life in the capital has improved with looser restrictions on women's dress, greater access to entertainment, and seemingly greater autonomy among individuals.<sup>16</sup> There have been an increasing amount of automobiles in the streets, conspicuous consumption and use of cellular phones.<sup>17</sup> Numerous interviews indicate that the younger generation of defectors perceives *songbun* as having little importance while the older generation of defectors still maintains its importance.<sup>18</sup> Some analysts suggest that *songbun* has weakened in response to the collapse of the Public Distribution System, a system in which food was rationed out by the government.<sup>19</sup> The diminishing Public Distribution

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<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Andrew Jacobs, *North Koreans say life has not improved*, NEW YORK TIMES, <http://www.nytimes.com/2012/10/15/world/asia/north-koreans-say-life-has-not-improved.html?pagewanted=all> (last visited Jan 4, 2015).

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> Robert Collins, *Marked for Life: Songbun, North Korea's Social Classification System*, The Committee for Human Rights in North Korea (2012).

System has allowed increased socio-economic mobility especially to those in Pyongyang.<sup>20</sup>

Despite the relative erosion of the *songbun system*, in most rural parts the DPRK, *songbun* systems of discrimination continue to be reinforced.<sup>21</sup> This is evident from the disproportionate number of refugees who originate from certain areas within the DPRK. The North Hamgyong Province accounts for approximately 70% of refugees that cross the border, compared to 2.9% from North Pyongan Province, where Pyongyang is located in.<sup>22</sup> The DPRK prioritization food to the regime's elite and core class has left most of the provinces outside of Pyongyang competing for food.<sup>23</sup> Moreover, individuals outside of Pyongyang typically have negative *songbun*, which further compels them to leave because the DPRK has deprioritized their needs for those most loyal to the regime.

#### **IV. Economy**

In the mid 1990's, the structure and control of the DPRK government markedly declined. In 1994, the DPRK absorbed almost 90% of the country's GDP including

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<sup>20</sup> Mass Starvations in North Korea, North Korea Now, <http://www.northkoreanow.org/the-crisis/mass-starvations-in-north-korea/> (last visited Jan. 19, 2015).

<sup>21</sup> Stephen Haggard, Marcus Noland, *Hunger and Human Rights: The Politics of Famine in North Korea*, The Committee for Human Rights in North Korea (2005).

<sup>22</sup> Robert Collins, *Marked for Life: Songbun, North Korea's Social Classification System*, The Committee for Human Rights in North Korea (2012).

<sup>23</sup> *Id.*

PDS, to preserve the socialist economic system.<sup>24</sup> However, natural disasters flood and drought caused further deterioration to North Korea's economic situation. The centralized economic planning no longer functioned as seamlessly as before and eventually led the PDS to collapse.

The traditional structure of the *songbun* system has been increasingly overtaken by marketization and the growing influence of foreign currency. In recent years, North Koreans have relied less on the government ration system and began to find supplies of food elsewhere such as from local and private markets.<sup>25</sup> The government's ineffectiveness had led to the growing influence of the private economy. A report by the South Korea Ministry of Unification estimated that almost three quarters of urban households are now meeting their needs through these markets.<sup>26</sup> Many operate private markets, particularly if they neither had the resources nor favorable *songbun* to survive. People operate small business stalls and food stands by secretly bartering goods from across the border. As analyst Pinkston states, the people who are truly making a profit in this economy are those who smuggle in high demand goods and sell them in the black market.<sup>27</sup> Among the population, speculators have hoarded staples in anticipation of reforms. The price of rice has doubled and the chronic shortages of fuel, electricity, and

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<sup>24</sup> Ahn Choong-yong, Nicholas Eberstadt, Lee Young-sun, *A New International Engagement Framework for North Korea?* <http://keia.org/sites/default/files/publications/04Deok-ryong.pdf> (last visited Jan 25, 2015).

<sup>25</sup> *Id.*

<sup>26</sup> Stephen Haggard, Marcus Noland, *Hunger and Human Rights: The Politics of Famine in North Korea*, The Committee for Human Rights in North Korea (2005).

<sup>27</sup> Andrew Jacobs, *North Koreans say life has not improved*, NEW YORK TIMES, <http://www.nytimes.com/2012/10/15/world/asia/north-koreans-say-life-has-not-improved.html?pagewanted=all> (last visited Jan 4, 2015).

raw materials are leaving millions unemployed.<sup>28</sup> However, discrimination against these merchants increased, primarily driven by the fear that they would gain economic leverage. The State fines the owners for frivolous conduct such as trading beyond set hours and charging excessive fees to sell goods.

Despite pronouncements of change by the new administration under Kim Jung Un, conditions have only minutely improved for a subset of the population.<sup>29</sup> Daniel Pinkston, a North Korea expert with the International Crisis Group, states much of the talk about change was fueled by Kim Jung Un's pronouncements, which appear to be far more optimistic than Kim Jong-il.<sup>30</sup> Those changes include a pilot project that the State introduced to allow farmers keep 30 percent of their yield. The government has also reportedly begun a guest-worker program with the goal of giving thousands a chance to earn a living in Dandong, a Chinese city across the Yalu River.<sup>31</sup>

Nevertheless, some citizens express that they distrust the new proposals for reform.<sup>32</sup> The State has consistently failed in its obligation to use its available resources

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<sup>28</sup> David Sanger, *Inside North Korea: A reporter's journey*, NEW YORK TIMES, <http://www.nytimes.com/times-insider/2014/12/30/inside-north-korea-a-reporters-journey/> (last visited Jan 9, 2015).

<sup>29</sup> David Sanger, *Inside North Korea: A reporter's journey*, NEW YORK TIMES, <http://www.nytimes.com/times-insider/2014/12/30/inside-north-korea-a-reporters-journey/> (last visited Jan 9, 2015).

<sup>30</sup> Andrew Jacobs, *North Koreans say life has not improved*, NEW YORK TIMES, <http://www.nytimes.com/2012/10/15/world/asia/north-koreans-say-life-has-not-improved.html?pagewanted=all> (last visited Jan 4, 2015).

<sup>31</sup> Lucy Williamson, *Dandong, North Korea's most surprising border*, BBC NEWS, <http://www.bbc.com/news/magazine-25452941> (last visited Dec 23, 2014).

<sup>32</sup> Andrew Jacobs, *North Koreans say life has not improved*, NEW YORK TIMES, <http://www.nytimes.com/2012/10/15/world/asia/north-koreans-say-life-has-not-improved.html?pagewanted=all> (last visited Jan 4, 2015).

to feed those who are hungry. The people understand military spending and elite sustenance is heavily prioritized, even during periods of mass starvation.<sup>33</sup> Large amounts of State resources, including parallel funds directly controlled by the Supreme Leader, have been spent on luxury goods and the advancement of his personality cult instead of providing food to the starving general population.<sup>34</sup>

## V. Restriction of Movement

Escaping hunger by illegally crossing into China appears to be less viable since Kim Jung Un came to power. According to Open Radio for Korea, North Korean government has recently erected miles of electrified fencing at the border and sent as many as 20,000 additional guards.<sup>35</sup> The number of defectors who arrived in South Korea after traveling through China had dropped to 751 during the first six months of 2012, a 42 percent decline from the same period from the previous year.<sup>36</sup>

Despite the fact that the repatriated person will face gross human violations, China pursues a staunch policy of forcibly repatriating citizens of the Democratic People's Republic of Korea.<sup>37</sup> In some cases, Chinese officials also appear to facilitate

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<sup>33</sup> Stephen Haggard, Marcus Noland, *Hunger and Human Rights: The Politics of Famine in North Korea*, The Committee for Human Rights in North Korea (2005).

<sup>34</sup> *Id.*

<sup>35</sup> "China Extends North Korean Border Fences to Bolster Security". Radio Free Asia. 5 August 2013. Retrieved 15 May 2014.

<sup>36</sup> *Id.*

<sup>37</sup> *Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea*, UNITED NATIONS HUMAN RIGHTS, <http://www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/CommissionInquiryonHRinDPRK.aspx> (last visited Dec 21, 2014).

their capture.<sup>38</sup> In 2012, an estimated 200,000 Korean defectors fled the border to China.<sup>39</sup> In recent months, the Chinese government has also begun a crackdown on defectors who live in the three Chinese provinces closest to North Korea.<sup>40</sup> China does so in pursuance of its view that these persons are crossing the border illegally. Nationals of the Democratic People's Republic of Korea are not recognized as refugees fleeing persecution and entitled to international protection.<sup>41</sup>

Within the DPRK, citizens are not even allowed to leave their province temporarily or to travel within the country without official authorization.<sup>42</sup> This policy is driven by the desire to maintain disparate living conditions and to limit the flow of information from crossing the border. This is particularly the case when previously agreed temporary reunions of separated families are cancelled for wholly unsubstantiated reasons.<sup>43</sup> The severe impediments put in place by the Democratic People's Republic of Korea may be considered a breach of the State's obligations under

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<sup>38</sup> *Id.*

<sup>39</sup> "China Extends North Korean Border Fences to Bolster Security". Radio Free Asia. 5 August 2013. Retrieved 15 May 2014.

<sup>40</sup> Andrew Jacobs, *North Koreans say life has not improved*, NEW YORK TIMES, <http://www.nytimes.com/2012/10/15/world/asia/north-koreans-say-life-has-not-improved.html?pagewanted=all> (last visited Jan 4, 2015).

<sup>41</sup> Lee Hae Young, *Lives for Sale: Personal Accounts of Women Fleeting of North Korea to China*, The Committee for Human Rights in North Korea (2009).

<sup>42</sup> Ken Gause, *The North Korea Police: State Second Edition*, The Committee for Human Rights in North Korea (2013).

<sup>43</sup> Kim Kwang Jin, *After Kim Jong II: Can We Hope for Better Human Rights Protection?*, The Committee for Human Rights in North Korea (2009).

international human rights law.<sup>44</sup>

## VI. Punishment and Prison Camps

Although the DPRK has denied the existence of prison camps, they have existed in the DPRK for decades. Recent satellite imagery prove that the camp system continues to be in operation.<sup>45</sup> According to former officials, there are now six *kwan-li-so* in operation. *Kwan-li-so* are penal forced labor facilities, which consist of a series of sprawling encampments surrounded by barbed wire punctuated with guard towers and armed guards.<sup>46</sup> The most prominent features of prison camps is it's below subsistence food rations, forced labor, and arbitrary punishment and abuse.<sup>47</sup> While the number of political prison camps and inmates has decreased owing to deaths and some releases, it is estimated that between 80,000 and 120,000 political prisoners are currently detained in four larger political prison camps.<sup>48</sup>

The vast majority of inmates are victims of arbitrary detention, since they are usually imprisoned without trial. Most detentions result from kidnapping and are orchestrated with a high degree of centralized coordination between governmental

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<sup>44</sup> Robert Collins, *Marked for Life: Songbun, North Korea's Social Classification System*, The Committee for Human Rights in North Korea (2012).

<sup>45</sup> David Hank, *The Hidden Gulags: Exposing North Korea's Prison Camps*, The Committee for North Korean Human Rights (2003).

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> Anne Applebaum, *North Korea's True Crimes*, SLATE, [http://www.slate.com/articles/news\\_and\\_politics/foreigners/2015/01/north\\_korea\\_s\\_decades\\_of\\_human\\_rights\\_abuses\\_pyongyang\\_s\\_attack\\_on\\_sony.html](http://www.slate.com/articles/news_and_politics/foreigners/2015/01/north_korea_s_decades_of_human_rights_abuses_pyongyang_s_attack_on_sony.html) (last visited Jan 5, 2015).

agencies.<sup>49</sup> The State Security Department, the Ministry of People's Security and the Korean People's Army Military Security Command regularly subject persons accused of political crimes to arbitrary arrest and detention for prolonged periods of time.<sup>50</sup> Their families are not informed of their fate or whereabouts. Persons accused of political crimes therefore become victims of enforced disappearance.<sup>51</sup> Making the suspect disappear is a deliberate feature of the system that serves to instill fear in the population.<sup>52</sup> The State also employs public executions, which were common in the 1990s and continue to be carried out today. In late 2013, there appeared to be a spike in the number of politically motivated public executions.<sup>53</sup>

For inmates caught crossing the border, punishment is usually more severe. The government of the DPRK regards them as traitors for leaving; their return means political persecution.<sup>54</sup> Once persons are arrested in China, they are sent to a Chinese prison where they are interrogated at an intelligence agency office at the border.<sup>55</sup> Starvation, torture, and other inhumane conditions of detention are deliberately

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<sup>49</sup> Ken Gause, *Coercion, Control, Surveillance, and Punishment: An Examination of the North Korean Police State*, The Committee for Human Rights in North Korea (2012).

<sup>50</sup> Ken Gause, *The North Korea Police: State Second Edition*, The Committee for Human Rights in North Korea (2013).

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea*, UNITED NATIONS HUMAN RIGHTS, <http://www.ohchr.org/EN/HRBodies/HRC/ColDPRK/Pages/CommissionInquiryonHRinDPRK.aspx> (last visited Dec 21, 2014).

<sup>54</sup> A Changing North Korea, LIBERTY IN NORTH KOREA, <http://www.libertyinnorthkorea.org/learn-a-changing-north-korea> (last visited January 3, 2015).

<sup>55</sup> Ken Gause, *Coercion, Control, Surveillance, and Punishment: An Examination of the North Korean Police State*, The Committee for Human Rights in North Korea (2012).

imposed on suspects to pressure them to confess and to incriminate other persons. They are then sent to their hometown where an officer determines punishment, usually to prison camps under wretched conditions, beatings, ill-treatment, and torture.<sup>56</sup>

While most inmates are imprisoned for anti-state conduct, some inmates in the prison camps are there because of their biological relationship to the convicted. DPRK pursues a policy of incriminating relatives and family members to exploit familial bonds and physically illustrate the grave consequences of anti-state conduct<sup>57</sup> As one defector stated, “grandchildren and even great grandchildren of landlords, capitalists, collaborators with the Japanese colonial government or others with a tainted family name” were imprisoned.<sup>58</sup> It is common that the authorities send entire families to political prison camps for political crimes committed by close relatives on the basis of the guilt by association. Such cases still occur, but appear to be less frequent now than in past decades. The PRC does not permit the UN or other international groups to investigate conditions on the border, although China is party to treaties that should permit such investigation.<sup>59</sup> It reported that 120,000 men, women and children were in the country's prison camps and said that the horror and intensity of the actions of DPRK and its human rights record is "without parallel in the contemporary world."

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<sup>56</sup> David Hank, *The Hidden Gulags: Exposing North Korea's Prison Camps*, The Committee for North Korean Human Rights (2003).

<sup>57</sup> North Korea's Gulags, NORTH KOREA NOW, <http://www.northkoreanow.org/the-crisis/north-koreas-gulags/> (last visited Jan 20, 2015).

<sup>58</sup> Anne Applebaum, *North Korea's True Crimes*, SLATE, [http://www.slate.com/articles/news\\_and\\_politics/foreigners/2015/01/north\\_korea\\_s\\_decades\\_of\\_human\\_rights\\_abuses\\_pyongyang\\_s\\_attack\\_on\\_sony.html](http://www.slate.com/articles/news_and_politics/foreigners/2015/01/north_korea_s_decades_of_human_rights_abuses_pyongyang_s_attack_on_sony.html) (last visited Jan 5, 2015).

<sup>59</sup> *Id.*

## VII. Human Rights and the Law

North Korea has binding legal obligations as a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights. Further, Article 2 of the United Nations Universal Declaration of Human Rights specifically states that every individual is entitled to rights outlined in the declarations “without distinction of race, social origin, or birth.” Nevertheless, DPRK has violated basic human rights for many years and been irresponsive to International community.

As recently as December 2014, the UN Resolution called for targeted sanctions as well as for cooperation from DPRK. The briefing was an outcome of a landmark report by a United Nations Commission of Inquiry chronicling widespread and systematic abuses, including infanticide, executions and torture in North Korean prison camps. The UN landmark report pinned responsibility for crimes against humanity on North Korea’s leadership.<sup>60</sup> Secretary of State John Kerry convened a meeting on North Korean rights abuses on the sidelines of the General Assembly and the United Nations General Assembly urged the Security Council to take up the situation in North Korea, including a referral of the country to the International Criminal Court. Rights activists who have long

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<sup>60</sup> *North Korea asks United Nations to investigate CIA torture crimes*, THE GUARDIAN. <http://www.theguardian.com/world/2014/dec/16/north-korea-united-nations-cia-torture-report> (last visited Dec 20, 2014).

pressed for North Korean accountability said the meeting itself was an important advance.<sup>61</sup>

However, North Korea has refused inclusion of its human rights record on the security council's agenda fearing a possible referral to the ICC. UN ambassador to North Korea Ja Song-Nam claimed that these referrals were are politically motivated and not relevant to regional or international peace and security. However, after a two-thirds member requested it, the council has placed the DPRK human rights situation on the agenda.<sup>62</sup>

The DPRK is surrounded by China and the DPRK both have had a long history in East Asia. Both were communist strongholds and China became a major supporter of the DPRK during the Korean War. Today, China is DPRK's main trading partner and accounts for 57% of the DPRK imports.<sup>63</sup> However, the relationship is no longer as strong as it once was because China has imitated new economic reforms and no longer needs the DPRK alliance. Evidence of a strained relationship between North Korea and China can be found from commentary by former deputy commander Lt. Gen. Wang

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<sup>61</sup> Somini Sengupta, *UN Security Council Examines North Korea's Human Rights*, NEW YORK TIMES, <http://www.nytimes.com/2014/12/23/world/asia/united-nations-security-council-examines-north-koreas-human-rights.html> (last visited Dec 28, 2014).

<sup>62</sup> *North Korea asks United Nations to investigate CIA torture crimes*, THE GUARDIAN, <http://www.theguardian.com/world/2014/dec/16/north-korea-united-nations-cia-torture-report> (last visited Dec 20, 2014).

<sup>63</sup> Aiden, Foster-Carter, *South Korea has lost the North to China*, FINANCIAL TIMES, <http://www.ft.com/intl/cms/s/0/f8fca490-9a23-11e3-a407-00144feab7de.html#axzz3PgO7zDM2> (last visited Jan 13, 2014).

Hongguang who attested to how much the relationship had deteriorated in a state-run newspaper.<sup>64</sup>

According to Chinese analysts, the heightened debate in China is spurred in part by fears that North Korea could collapse even though economic conditions in the agriculture sector seemed ready to improve.<sup>65</sup> To improve its image, North Korea launched a charm offensive by releasing three detained Americans and saying it is open to nuclear and reunification talks. The DPRK is bound to submit to external pressure if it is to survive. It has made some improvements by publicly admitting the nuclear missile failure and promising increased human rights at least in negotiations.<sup>66</sup> As Param Singh, senior counsel with the Human Rights Watch states, “however sincere or insincere DPRK actions may be, it’s a reflection it does care what the international community thinks.”<sup>67</sup> The North Korea resolution was adopted by a clear majority, which is significant considering that this time the resolution includes an ICC referral reference for the first time in the U.N.'s human rights resolutions.<sup>68</sup> European Union U.N. spokesman

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<sup>64</sup> David Sanger, *Inside North Korea: A reporter's journey*, NEW YORK TIMES, <http://www.nytimes.com/times-insider/2014/12/30/inside-north-korea-a-reporters-journey/> (last visited Jan 9, 2015).

<sup>65</sup> Jane Perlez, *Chinese Annoyance with North Korea bubbles to the surface*, NEW YORK TIMES, <http://www.nytimes.com/2014/12/21/world/asia/chinese-annoyance-with-north-korea-bubbles-to-the-surface.html> (last visited Dec 27, 2014).

<sup>66</sup> Kim Kwang Jin, *After Kim Jong II: Can We Hope for Better Human Rights Protection?*, The Committee for Human Rights in North Korea (2009).

<sup>67</sup> Nick Cumming-Bruce, *North Korea Agrees to weigh in steps on human rights*, NEW YORK TIMES, <http://www.nytimes.com/2014/09/20/world/asia/north-korea-agrees-to-weigh-steps-on-human-rights.html> (last visited Dec 27, 2014).

Christopher Matthews stated that this resolution, supported by the international community, “encourages the U.N. Security Council to take appropriate action to ensure accountability.”<sup>69</sup>

## VIII. Conclusion

The DPRK is undergoing changes within its socio-political structure. The major shift occurred after the famine of the 1990’s when the DPRK government failed to adequately respond to the famine and people could no longer rely on the PDS system for subsistence. The need for food led to increased marketization and significant erosion of *songbun* system. The increased trade between the DPRK and China and private markets have given rise to a new class of individuals who can gain leverage through profits rather than title or birthright. In addition, increased hostility seems to be mounting below the surface as most North Koreans realize that resources and funds are re-directed to the elite and select few instead of the general public. Communication and smuggled goods from across the border give credence to the hope that there is a world outside of the DPRK, which affords people basic rights and autonomy.

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<sup>68</sup> Pamela Falk, UN Push against North Korea on Human rights moves ahead, CBS NEWS, <http://www.cbsnews.com/news/un-push-against-north-korea-on-human-rights-moves-ahead/> (last visited Jan 2, 2015).

<sup>69</sup> *Id.*