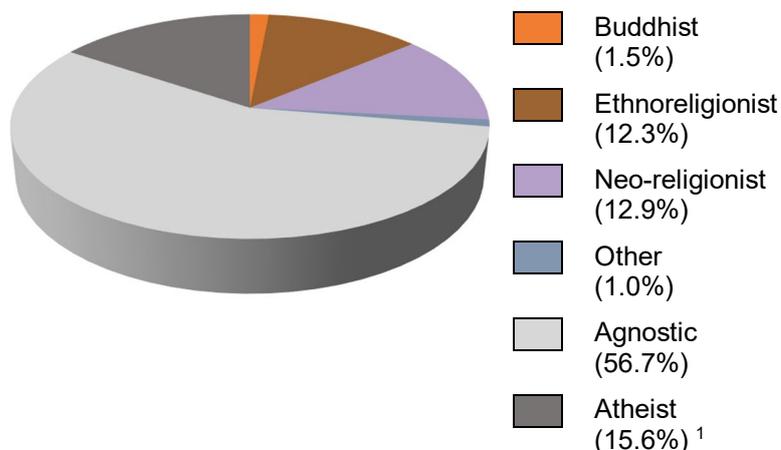


NORTH KOREA



Area: 120,540 km ²	Population: 24.5 million	Political system: Autocracy ²	Major Language(s): Korean
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Legal background on Freedom of Religion and actual application

The Democratic People's Republic of Korea (North Korea) is widely regarded as the world's most closed nation, ruled by the most repressive dictatorship, with one of the worst human rights records. The regime, based on the dynastic rule of the Kim family and the ideology known as "juche" (self-reliance), requires absolute loyalty from its citizens. Any North Korean suspected of adhering to a different set of beliefs, whether religious or political, or displaying anything other than total adoration of the ruling family, faces very severe consequences. Those who engage in religious activities are at risk of arrest, imprisonment, torture and sometimes execution.

The regime also practises a system of "guilt by association", punishing family members for the alleged "crimes" of their relatives, and a system of hereditary social classification known as "songbun", categorising people according to levels of loyalty to the regime. A person's "songbun" status determines daily need and opportunities, including access to food, education and health care. There are broadly three designated classes – the "core" or loyal class, the "wavering" class and the "hostile" class – with 51 sub categories. "Songbun" status is determined by family background, and those who are Christians, or have previous generations of relatives who were Christians, are typically in the "hostile" class.

North Korea has a notorious system of prison camps, where it is believed that between 100,000 and 200,000 prisoners are held. An unknown number of these prisoners include Christians imprisoned for possessing a Bible, holding prayer meetings in their homes or engaging in other religious activities.

In 2014, the United Nations Commission of Inquiry on North Korea, which had been established the previous year by the UN Human Rights Council, published a report which concluded that North Korea was committing crimes against humanity.³ The UN inquiry argued that "the gravity, scale and nature" of the human rights violations in North Korea "reveal a State that does not have any parallel in the contemporary world". A catalogue of crimes against humanity, including "extermination, murder, enslavement, torture, imprisonment, rape, forced abortions", as well as severe religious persecution, enforced disappearances, and starvation, should lead, the inquiry recommended, to a referral to the International Criminal Court (ICC).

The 400-page UN report concludes that these systematic and widespread violations, described as “unspeakable atrocities”, are continuing “because the policies, institutions and patterns of impunity that lie at their heart remain in place”. According to the inquiry, they amount to “crimes against humanity in international law” and that these crimes “clearly merit a criminal investigation”.

The inquiry also concludes that “there is an almost complete denial of the right to freedom of thought, conscience and religion, as well as the rights to freedom of opinion, expression, information and association”. The regime, according to the inquiry, “considers the spread of Christianity a particularly severe threat” and, as a result, “Christians are prohibited from practising their religion and are persecuted”. Severe punishments are inflicted on “people caught practising Christianity”.⁴

The constitution of the DPRK provides for freedom of religion, although this has been amended several times. In the original article 14 in the 1948 constitution, it simply stated that “citizens have freedom of religion and religious worship”. Numerous amendments were made, notably in 1972, 1992, 1998, 2009, 2010 and 2012, and the most recent version is contained in article 68, which states that: “citizens have freedom of religion. This guarantees the right to build religious buildings or hold religious services. Religion shall not be allowed to attract foreign intervention and disrupt the state’s social order.”

In October 2014, the DPRK released its own “2014 Report of the DPRK Association for Human Rights Studies”, which states that: “Freedom of religion is allowed and provided by the State law within the limit necessary for securing social order, health, social security, morality and other human rights. Especially, the Government prevents the religion from being used to draw in foreign forces or harm the state and social order.”⁵

The implication of this is a politicisation of religion, and an association by the regime of religion with security threats. According to former security agents who have escaped from the country and testified over the years, the authorities differentiate among different religions and beliefs, treating Buddhism and Shamanism more leniently as types of “superstition”, whereas Christianity is regarded as a tool of foreign intervention, associated with South Korean and American intelligence agencies. A former security agent said that Christianity is so severely persecuted “because ... it is related to the United States ... and is considered spying. Since Americans conveyed Christianity and since they are the ones who attempted to invade our country, those who are Christians are spies. Spies are executed.”⁶

North Korea acceded to the International Covenant on Civil and Political Rights (ICCPR) in 1981, which enshrines in article 18 that: “everyone shall have the right to freedom of thought, conscience and religion” and that this “shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” However, according to surveys, most North Koreans are unaware of the existence of these rights. A report by the Korean Bar Association in 2014 found that, of the 100 North Korean escapees interviewed for the survey, only 34 percent, of those that said that they lived inside the DPRK, said they “did know” that North Korea has “laws and policies that guarantee human rights”, while 66 percent said either “no” or “I don’t know”.⁷

Reverence of the Kim family – in particular the “Great Leader” Kim Il Sung, the “Dear Leader” Kim Jong Il, and the current ruler Kim Jong Un – is at the centre of the regime’s propaganda and policies. In 1974 the regime introduced “The Ten Principles for the Establishment of the One Ideology System”, and when Kim Jong Un succeeded to the supreme leadership he revised the Ten Principles in 2013 to legitimise his succession and consolidate his power. The Ten Principles are taught in pre-school through to middle school and focus on loyalty to the ruling family. Every home and public building is required to have portraits or photographs of the three Kims in a public display of worship. They are cleaned regularly and their conditions are inspected frequently by the authorities.

Despite the regime's hostility towards religion in general, and Christianity in particular, there are four official churches in the capital, Pyongyang, which function under tight control as State-approved institutions. These include two Protestant churches, known as Bongsu and Chilgol, one Catholic church and one Russian Orthodox church. There is no Catholic priest at the Catholic church, but in December 2015 the Bishops' Conference of Korea (South Korea) announced that South Korean priests would travel "on a regular basis" to Pyongyang to celebrate Mass. If this goes ahead, this will be a significant breakthrough, although it remains the case that these four churches in Pyongyang remain largely "Potemkin"-style, designed to create the impression for foreign visitors of a veneer of religious freedom.

The government of the DPRK itself claims that there are around 500 "house churches,"⁸ though this is not independently verified. The South Korean-based Database Centre for North Korean Human Rights (NKDB) recognises the existence of 121 religious facilities in total, including 64 Buddhist temples and 52 Chondoist temples, and one other Protestant church in Pyongyang, known as Jeil church, in addition to the two already mentioned.⁹

Accurate statistics on the numbers of religious believers in North Korea are impossible to verify, though in 2002 the regime reported to the UN Human Rights Committee that there were 12,000 Protestants, 10,000 Buddhists and 800 Roman Catholics in the country. The UN estimates between 200,000 and 400,000 Christians.¹⁰

Despite its antipathy towards religion, the North Korean regime has established some centres for the study of religion, including at Kim il-Sung University, though it is believed these exist to educate elite students in how to communicate with foreign religious institutions from other countries. There are also state institutions existing to represent the official religious bodies, and state-approved religious educational institutions, including the Pyongyang Seminary and the Korea Catholic Association (KCA). The KCA, according to the U.S. State Department, provides basic liturgical services at the Catholic Church in Pyongyang but has no ties to the Vatican. The KCA declined to send North Korean Catholics to attend Pope Francis' Mass in August 2014, despite an invitation.¹¹

The Pyongyang University of Science and Technology (PUST) was established in 2008 by a group of foreign Christians, although there are strict restrictions on their ability to engage in religious activities. Some other foreign Christian organisations function in North Korea, including World Vision, Christian Friends of Korea and the Mennonite Central Committee.

Incidents

The closed nature of North Korea means that accurate information about specific incidents inside the country affecting North Korean citizens is very difficult to obtain. In this reporting period there were no specific individual cases of North Koreans to highlight, but this should not be interpreted as any improvement in the situation, but rather a reflection of how closed the country is. There are, however, several cases of foreigners who have been detained in North Korea after being engaged in religious and humanitarian activity. These include the case of the Reverend Hyeon Soo Lim, a 60-year-old South Korean-born Canadian citizen and pastor. The Reverend Lim was sentenced to life in prison and hard labour, on charges of subversion, accused, among other things, of using religion to overthrow the state and harming the dignity of the supreme leadership.¹² He had made many visits to North Korea previously, engaged in humanitarian work supporting an orphanage, a nursery and a nursing home, according to media reports. "It is this tremendous love for the people of the DPRK that motivated Mr Lim to travel (there)," family spokeswoman Lisa Pak told CNN. In January 2016, very unusually, Mr Lim was able to give an interview to CNN, in which he described being forced to work for eight hours a day digging holes. He is believed to be in poor health, but has said that all he asks for is a Bible and letters from his family. It has been reported that Canadian government officials have so far been denied access.¹³

In March 2015, North Korean authorities detained two South Korean pastors, Kim Kuk Gi and Choe Gun Gil, on charges of espionage. They were accused of using underground churches to spy on the country.¹⁴

In April 2016, another South Korean-born Christian missionary who is now a U.S. citizen, Kim Dong Chul, was sentenced to 10 years in a labour camp for “unpardonable espionage”.¹⁵

Periodic threats and attacks on missionaries working with North Korean refugees in China are carried out, believed to be by North Korean agents. The most recent example was the murder of Korean-Chinese pastor, Han Choo-ryeol, who was found dead with knife and axe wounds in his neck. He was reportedly involved with establishing underground churches in North Korea and according to media reports, “activists and local journalists suspect he was assassinated by North Korean agents.”¹⁶

Prospects for Freedom of Religion

Until there is meaningful political change in North Korea, resulting in a complete change of ideology and political system, it is very difficult to conceive of any improvement in freedom of religion. The almost total denial of freedom of religion is a consequence of the regime’s requirement for absolute loyalty to the regime and its complete intolerance of any dissenting belief.

Engagement by international religious, cultural and political actors, if conducted with concerns for human rights in mind, may have some positive impact in opening up space for some limited freedom of religion, but it needs to be carried out extremely carefully without legitimising, appeasing or condoning the regime and its horrific violations of freedom of religion.

In 2007, Christian Solidarity Worldwide published one of the first in-depth reports on the human rights situation in North Korea, including violations of freedom of religion, titled: North Korea: A Case to Answer, A Call to Act,¹⁷ which detailed the horrific conditions in the prison camps, particularly for Christians, and described through extensive testimonies from survivors the appalling forms of torture used. Nine years on, there is no evidence that this has changed, and the evidence detailed in the UN Commission of Inquiry report and in reports by NKDB and others suggest that North Korea continues to be one of the worst violators of freedom of religion in the world today.

¹ http://www.thearda.com/internationalData/countries/Country_123_2.asp

² https://en.wikipedia.org/wiki/Democracy_Index

³ UN Report of the commission of inquiry on human rights in the Democratic People’s Republic of Korea – section IV Crimes against humanity (75) “, the commission finds that the body of testimony and other information it received establishes that crimes against humanity have been committed in the Democratic People’s Republic of Korea, pursuant to policies established at the highest level of the State.”

<http://www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/ReportoftheCommissionofInquiryDPRK.aspx>

⁴ Op. cit., A Violations of the freedoms of thought, expression and religion - (31)

<http://www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/ReportoftheCommissionofInquiryDPRK.aspx>

⁵ US State Department Annual International Religious Freedom Report 2014 -

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

⁶ US Commission on International Religious Freedom, *A Prison Without Bars: Refugee and Defector Testimonies of Severe Violations of Freedom of Religion or Belief in North Korea*, p.39 -

http://www.uscirf.gov/sites/default/files/resources/A_Prison_Without_Bars/prisonwithoutbars.pdf

⁷ Korean Bar Association (translated and edited by the International Bar Association) Report on Human Rights in North Korea, 2014 - <http://www.ibanet.org/HumanrightsNorthKoreareport.aspx>

⁸ UN Commission of Inquiry on North Korea report, 2014,

<http://www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/ReportoftheCommissionofInquiryDPRK.aspx>

⁹ NKDB, White Paper on Religious Freedom in North Korea, 2015

¹⁰ US State Department Annual International Religious Freedom Report 2014 -

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

¹¹ Ibid.,

¹² “North Korea sentences Canadian pastor Hyeon Soo Lim to life in prison,” CNN, 17 December 2015 - <http://edition.cnn.com/2015/12/16/world/hyeon-soo-lim-canadian-pastor-north-korea-sentence/>

¹³ "Jailed in North Korea, pastor Hyeon Soo Lim hopes to go home to Canada," CNN, 11 January 2016 - <http://edition.cnn.com/2016/01/10/asia/hyeon-soo-lim-canadian-pastor-north-korea-interview/>

¹⁴ US Commission on International Religious Freedom, Annual Report 2016 - <http://www.uscirf.gov/reports-briefs/annual-report-chapters-and-summaries/north-korea-chapter-2016-annual-report>

¹⁵ "Christian missionary sentenced to 10 years hard labour in North Korea," Ruth Gledhill, Christian Today, 2 May 2016 - <http://www.christiantoday.com/article/christian.missionary.sentenced.to.10.years.hard.labour.in.north.korea/85194.htm>

¹⁶ "Korean-Chinese pastor-activist killed on North Korean border," NK News, 2 May 2016 - <https://www.nknews.org/2016/05/korean-chinese-pastor-activist-killed-on-north-korean-border/>

¹⁷ "North Korea: A Case to Answer, A Call to Act," Christian Solidarity Worldwide, 2007 - <http://www.csw.org.uk/2007/06/20/report/35/article.htm>