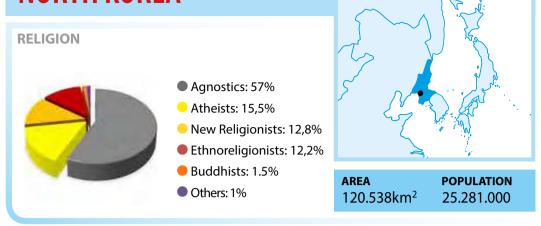
NORTH KOREA

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Legal framework on freedom of religion and actual application

The citizens of the Democratic People's Republic of Korea (DPRK) "have freedom of religious beliefs", according to article 68 of the 1972 constitution (revised in 1998).1 "This right is granted by approving the construction of religious buildings and the holding of religious ceremonies." However, "No one may use religion as a pretext for drawing in foreign forces or for harming the state and social order."

At the same time, article 3 states that "The DPRK is guided in its activities by the Juche idea, a world outlook centred on people, a revolutionary ideology for achieving the independence of the masses of people." Juche is an "immortal" idea, founded by the country's founding leader, Kim II Sung.

The preamble to the constitution enshrines Kim II Sung's place in the nation, stating that: "The great leader Comrade Kim II Sung is the sun of the nation and the lodestar of the reunification of the fatherland. Comrade Kim II Sung set the reunification of the country as the nation's supreme task, and devoted all his work and endeavors entirely to its realization. [...] The DPRK and the entire Korean people will uphold the great leader Comrade Kim II Sung as the eternal President of the Republic, defend and carry forward his ideas and exploits and complete the Juche revolution under the leadership of the Workers' Party of Korea."

Incidents

Despite the constitutional guarantee of "freedom of religious beliefs", North Korea is one of the few countries in the world where in practice there is absolutely no freedom of religion or belief at all. Citizens are required to show total devotion to the ruling Kim dynasty and the regime, and any deviance or suspected disloyalty – particularly by adopting a religious belief – is very severely punished. As the report of the United Nations Commission of Inquiry on the Human Rights Situation of the DPRK, published in 2014, noted: "The state considers the spread of Christianity a particularly serious threat, since it challenges ideologically the official personality cult and provides a platform for social and political organization and interaction outside the realm of the State. Apart from the few organised state-controlled churches, Chri-

stians are prohibited from practising their religion and are persecuted. People caught practising Christianity are subject to severe punishments in violation of the right to freedom of religion and the prohibition of religious discrimination." The commission concluded that: "There is an almost complete denial of the right to freedom of thought, conscience and religion, as well as of the rights to freedom of opinion, expression, information and association." 2

A new report by Christian Solidarity Worldwide (CSW), titled Movies, Markets and Mass Surveillance: Human Rights in North Korea After a Decade of Change, noted that although escapees from North Korea described some changes in the country, including a greater level of awareness of the outside world as a result of radio broadcasts and information smuggled in on USB sticks, the overwhelming majority said that there has been no change in regard to freedom of religion, which is non-existent. If anything, most believed the situation had worsened. One respondent said: "When it comes to religion, North Korean people just shudder because punishment is very severe". Another reported: "There has been no change. Religious activity was unconditionally punished and it is the same now. There has been no change at all."

The South Korea-based Database Centre for North Korean Human Rights (NKDB) estimates that there are 121 religious facilities in the country, approved and controlled by the state. These include 64 Buddhist temples, 52 Cheondoist temples, and five Christian churches. The churches are all in the capital, Pyongyang, and consist of three Protestant churches (Bongsu, Chilgol and Jeil churches), a Catholic church (Jangchung Cathedral) and Holy Trinity Russian Orthodox Church. There also exist state-sanctioned religious organisations, such as the Korean Christians' Federation (KCF), the Korean Buddhists Federation, the Korea Catholic Association (KCA), the Korea Cheondoist Society and the Korean Association of Religionists. The state-controlled KCA has no links with the Vatican, and although services take place at the Catholic Church, there are no Vatican-recognised Catholic priests or religious. Five Russian Orthodox priests serve at the Holy Trinity Russian Orthodox Church, principally meeting the needs of Russians in the country.⁴

The state-controlled places of worship are widely believed to exist simply to create a positive impression of freedom of religion for foreign visitors, as part of a Potemkin-style show. One escapee told CSW: "I visited a temple once, a Buddhist temple. There were 150 monks. I observed them closely. But it was not a real Buddhist temple – it was there to show the outside world that North Korea has religious freedom, but it was 100 percent fake! ... There is no awareness of religion at all; not in 2007 and not now. There is no religious freedom." 5

In 2015, the NKDB reported 1,165 violations of freedom of religion or belief in North Korea, including individuals charged with propagation of religion, possession of religious items, engagement in religious activities and contact with religious practitioners.⁶

Among religions in North Korea, Christianity is regarded with particular suspicion. In a report published in 2016 titled Total Denial: Violations of Freedom of Religion and Belief in North Korea, CSW notes that Christianity is identified as "a dangerous security threat and a tool of 'foreign intervention," and is seen as associated with South Korean and American intelligence agencies. A former North Korean security agent stated that Christianity is "so persecuted because basically, it is related to the United States … and is considered spying. Since Ameri-

cans conveyed Christianity and since they are the ones who attempted to invade our country, those who are Christians are spies. Spies are executed."⁷

The United States Commission on International Religious Freedom (USCIRF) confirms this. "The North Korean regime reviles Christianity and considers it the biggest threat among religions; the regime associates Christianity with the West, particularly the United States," USCIRF notes in its 2018 Annual Report. "Through robust surveillance, the regime actively tries to identify and seek out Christians practicing their faith in secret and imprisons those it apprehends, often along with their family members even if they are not similarly religious." Christians therefore worship and study the Bible in small numbers, in total secrecy. If they are discovered, they face certain imprisonment in a political prison camp, enduring hard labour and dire conditions, or in some cases face execution.

In December 2017 the War Crimes Committee of the International Bar Association published a report on crimes against humanity in North Korea's political prison camps. The report noted that: "Christians are heavily persecuted and receive especially harsh treatment in prison camps", where they are "tortured and killed on account of their religious affiliation". Christians are "incarcerated in specific zones within the prison camp at which prisoners were subjected to more severe deprivation".9

At the heart of the system of repression in North Korea are the brutal prison camps, known as kwan-li-so and sometimes referred to as "gulags", where it is estimated that over 100,000 prisoners are held in dire conditions, subjected to systematic and severe torture, deprived of adequate food and subjected to a harsh system of forced labour in violation of international law, including mining, logging and intensive factory labour on minimal rations, causing extreme fatigue and sickness and eventually leading, in many cases, to death. It has been suggested that at least 25 percent of North Korea's Christians are held in prison camps. Guilt by association is applied to detainees' families, so that up to three generations can be punished.

A former inmate of Ordinary Prison Camp (kyohwaso) No. 1 at Kaechon, who was sent to prison for "expressing her Christian religion", told the UN Commission of Inquiry that she was punished 10 times with solitary confinement during her seven years of detention. She was also assigned to pull the cart used to remove excrement from the prison latrines. Several times the guards made her lick off excrement that had spilled over in order to humiliate and discipline her.¹⁰

Access to the camps for international monitors has been impossible, and so information is only available from survivors of the camps and from satellite images and other intelligence. A detailed analysis of the camps was written by David Hawk, in The Hidden Gulag: The Lives and Voices of 'Those Who are Sent to the Mountains, first published by the Committee on Human Rights in North Korea in 2003, with an updated second edition in 2012.¹¹ In 2011 Amnesty International released satellite images showing the scale of the prison camps, ¹² and in 2013 Amnesty International published new information suggesting an attempt by the authorities to hide the existence of the camps by merging them with existing villages.¹³

North Korean society is governed by a class structure known as "songbun", which classifies people on the basis of family background and loyalty to the regime. Citizens are grouped into categories within the three main classes – the "core" class, which is the elite; the "wavering"

class; and the "hostile class". According to the US State Department, Christians are restricted to the lowest class. The "songbun" system determines every aspect of life, including education, employment, access to health care and residence. A major report by the Committee on Human Rights in North Korea called Marked for Life: Songbun – North Korea's Social Classification System, published in 2012, provides detailed analysis of this system.

Most escapees become Christian after they escape across the border into China, where they come into contact with Christian missionaries helping refugees. However, China has a policy of forcibly repatriating North Koreans, a violation of the international principle of "non-refoulement". For North Korean defectors who are sent back across the border to North Korea, among the first questions they are asked are whether they have met a missionary, possess a Bible, or had contact with South Koreans. Pregnant women face forced abortion and, for newborn babies, infanticide. North Koreans face a particularly grave fate if they are suspected of having had contact with Christian missionaries.

According to USCIRF, in June 2017 North Korean authorities arrested Kim Seung-mo, and charged him with espionage after learning that he had come into contact with Christian relatives during a visit to China.

On 4th November 2017 10 North Koreans were arrested after police raided the house where they were sheltering in Shenyang, northeast China, and were forcibly repatriated to North Korea. The group included a child aged four years old.¹⁶

In April 2016, a Christian pastor, Han Choong Yeol, was murdered close to the China-North Korea border. According to news reports, it is suspected that he was killed by North Korean agents, because of his work helping North Korean refugees to escape.¹⁷

In 2017, two US citizens, Kim Hak-song and Kim Sang-duk, who were teaching at the Pyongyang University of Science and Technology (PUST), a foreign-funded institution whose faculty and ethos is Christian, were arrested for alleged "hostile acts". In May 2018 they were released, along with Kim Dong-chul, a South Korean-born naturalised American citizen who had been arrested in 2015, after diplomatic efforts by the US administration ahead of potential talks between Kim Jong-Un and US President Donald Trump.

While some foreign Christian humanitarian organisations are able to work in North Korea, and the faith-based PUST has existed since 2008, they are tightly controlled. Similarly, international religious organisations such as the World Council of Churches and some Buddhist organisations have engaged with North Korea, but usually only by ignoring or minimising concerns for human rights and freedom of religion or belief.

Prospects for freedom of religion

North Korea continues to be one of the very worst places in the world for freedom of religion or belief. It is one of the few countries where there is an almost complete denial of this basic human right, and systematic violation of every freedom set out in the Universal Declaration of Human Rights. Unless there is systematic change in the country, the prospects for freedom of religion remain unfavourable.

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