

## **North Korea: Country Without Freedom**

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### ***ABSTRACT***

The Democratic People's Republic of Korea, also known as North Korea, is a country in East Asia, with Pyongyang as its capital. Since the founding of North Korea with Kim Il Sung as the first leader, he created Juche as a state ideology derived from the absorption of Marxism and communism ideologies. According to John Locke, human rights are inherent privileges bestowed upon people by God. This paper aims to describe the basic rights that have been taken away in North Korea. This research uses a qualitative method, which is a method based on observation of accurate data collection from various trusted sources. Data collection is carried out through stages such as 1) reading and understanding the contents of journals and articles obtained from the internet. 2) sorting the data. 3) detailing the data. 4) data analysis. The notoriously closed communist nation of North Korea establishes its control and strength on its own. Conflicts and issues abound in this nation, including limitations on women's rights and the appropriation of both native and foreign labor. The North Korean government, in fact, has taken no real concrete action, there are still more human rights abuses happening. Human rights breaches persist despite the imposition of numerous sanctions by the international community and the UN Security Council. It is time for groups working with North Korea and the international community to organize and schedule more initiatives aimed at advancing human rights, if not bettering them.

**Keywords:** North Korea, Human Rights, UN.

### **INTRODUCTION**

The introduction should contain (1) General academic or background. The Democratic People's Republic, also known as North Korea, is a country in East Asia, with Pyongyang as its capital. The Korean Demilitarized Zone separates North and South Korea, while the Amnok River and Tumen River form the border between North Korea and China. A portion of the Tumen River in the northeast is the border with Russia. Locals call the country Pukchoson (Northern Choson), while South Koreans call it Bukhan (Northern Han). After being annexed by Japan in 1905, the Korean Peninsula was previously ruled by the Korean Empire. After World War II, Korea was



divided into Soviet Union and United States occupied territories. North Korea was split into two governments and a demilitarized zone in 1948 when it refused to participate in elections overseen by the UN. The Korean War broke out in 1950, and despite an armistice in 1953, the two countries remained in a state of war as no peace treaty was signed. In 1991, both countries were accepted into the United Nations. North Korea is a one-party state led by the Korean Labor Party. It announced itself unilaterally as a Juche state, which values liberty and self-reliance. (Bastian, 2014:27). The decision has attracted attention worldwide.

The government imposed in North Korea is known as a closed and cruel system of government by many countries. The nation is well-known for its leader, Kim Jong Un, who frequently seizes power by restricting his subjects' human rights. This raises many questions about the country of North Korea while this country is increasingly known the more questions arise. There are a lot of policies enforced in North Korea about this country and enough to make citizens there feel depressed.

Starting from the founding of North Korea with Kim Il Sung as the first leader, he created Juche as a state ideology derived from the absorption of Marxism and communism ideologies. (Rudolph, 2019). Juche is also applied as the basis of the economic system in North Korea. After the North Korean constitution was amended in 1982, Juche ideology became the official state ideology. In 1974, Juche was still known as Kim Il Sungism. The ideology was considered unique and revolutionary, reflecting the power of the next era. Juche was initially introduced as a guide to the direction of thought projects. However, the subsequent process continued to exclude some anti-Kim Il Sung factions within the Labor Party. The ideology was widespread and independently applied in areas such as the economy and defense.

Journalists from around the globe are interested in learning the real account of what actually occurred in this secretive nation. UN special correspondent was among the journalists who managed to reach the nation. He claimed that North Korea's emphasis on discipline sets it apart from other nations. The journalists concluded that the leaders had fostered a tremendous deal of terror in the populace due to their stringent and frequently nonsensical restrictions. For instance, the internet network in North Korea is limited to 28 websites. This is but one illustration of the stringent laws imposed by the government that impede development, innovation, and the nation's potential to prosper economically.

The most concerning issue, despite the nation's numerous disputes and issues, has been "nuclear" since Kim Il-sung's time. Any nation that faces the threat of nuclear weapons, particularly one that is at odds with North Korea, needs to exercise extraordinary caution. The leaders of North Korea assert that their nuclear weapons are ten times more powerful than the Hiroshima bomb

that detonated during World War II and can reach major cities like Washington, DC. This strengthens the nation's armed forces and jeopardizes other nations' security. Many individuals continue to have doubts about North Korea's intentions to build nuclear weapons and its ability to do so. The leadership of North Korea has a significant impact on the country's situation, which is important for its economy. Already well-known for being harsh, despotic, and authoritarian, Kim Jong Un is a formidable leader. He is worshipped and idolized by North Koreans, who regard him as a god. (Good, 2016). Previous leaders have passed this culture on to the following generation. The death sentence is one of the worst penalties that can be applied for breaking the laws of the nation. The fact that Kim Jong Un has murdered his own people is what makes his rule so contentious.

Kim Jong Un only permits four distinct looks for women in North Korea, and even their haircuts are subject to limitations. Women were also required to be the backbone of their family, serve in the military forces, and not be permitted to utilize public transit. Despite being forbidden from speaking to outsiders, North Koreans follow stringent regulations.

Stability and security are vital to the countries that make up this region. When a nation gives up its collective security, new issues and conflicts emerge. For nations all across the world, North Korea's erratic legal system and security pose serious challenges (Talib, 2021). Consequently, the United Nations Security Council, tasked with maintaining international peace, is exploring multiple approaches to address this issue. The international community expects everyone to be able to safely carry out domestic and international trade commitments without worrying about regional security in order to ensure that each nation preserves the security and well-being of its inhabitants. It appears that despite its efforts, North Korea has not yet succeeded in bringing about regional peace. North Korea should work to preserve and enhance its citizens' security as a remedy. However, the selected course of action is thought to violate humanitarian ideals that ought to be upheld, such as rejecting aid from other nations and holding the view that every person is an autonomous individual with the right to exist on their own without assistance.

## **RESEARCH METHODS**

In analyzing the government system implemented by the country of North Korea, researchers use a qualitative method, which is a method based on observation of accurate data collection from various trusted sources. The purpose of this qualitative research is to explain the phenomena that occur in the North Korean government by collecting data.

## **RESULT AND DISCUSSION**

According to John Locke, human rights derive from the inherent rights that God bestowed upon us. (Rahman and Mubarok, 2021). Therefore, there is no power in this world that can eliminate it. Because they are necessary for human life, these rights cannot be taken away. Human rights are universally applicable, irrespective of an individual's place of birth. We must first comprehend the fundamental notion that natural rights are rights bestowed by God. Common guidelines are used by human rights organizations around the world. One way to achieve these freedoms and rights is through education and learning.

This certainly applies to jurisdictions in North Korea. However, in its implementation, many of these basic rights are not fulfilled by the state. In fact, it tends to violate these basic rights that have been internationally enforced.

### **Human Rights in North Korea**

Korea was split into North and South Korea following World War II. North Koreans were happy to see this split. But this division was only short-lived because the two nations held different Cold War-era ideologies. North Korea: North Korea put into practice the Juche theory, which was put forth by the nation's former leader, Kim Il-sung. Juche gained popularity with the nation's 1972 adoption of a new constitution (Ha and Shin, 2022).

Despite being the first president of North Korea, Kim Il-sung is today revered as the country's immortal leader by the Korean people. North Korea's fight for independence was extremely arduous at the time, and the country was occasionally divided into South Korea and North Korea. For forty-five years, Kim Il-sung, often known as the "Iron Hand," has been the leader of North Korea. Consequently, the Workers' Party of North Korea was the sole political entity. In addition, violence and harsh punishments were a result of Kim Il-sung's autocratic administration. Concentration camps and prisons were the sites of the majority of North Korea's cruelty and punishment. In addition to experiencing emotional and bodily suffering, prisoners receive different treatment than non-prisoners.

North Korea is notorious for its extremely poor human rights record, according to several human rights organizations. For a variety of crimes against state or party rules, such as trying to escape, breaking state or party regulations, listening to foreign broadcasts, and writing letters or articles critical of the government, North Korea applies the death penalty and confiscates assets. North Koreans become afraid of this and refrain from disobeying the authorities.

The leadership of North Korea indoctrinates its citizens politically and ideologically, leading them to assiduously and fiercely venerate Kim Jong Il (North Korea Human Rights Act, 2004).

The international community views this as a blatant infringement of human rights (Commission, 2010). North Korean defectors have testified that in prisons and detention institutions, between 150,000 and 200,000 detainees, or 0.85% of all inmates, described experiences with torture, malnourishment, rape, murder, medical experimentation, forced labor, and forced abortions. (Weatherley and Jiyoung, 2004). (Weatherley and Jiyoung, 2008).

North Koreans also find it difficult to express their voices publicly due to the lack of freedom of speech. The North Korean leader, Kim Jong Un, uses fear to suppress his people with the aim of upholding the government he leads. Examples of cases of violation of the right to freedom in North Korea are as follows:

#### 1. Right to Freedom of Action

The right to freedom of action in North Korea is very limited. The security system there is known to be very strict and they always monitor every activity of their citizens. North Koreans are not allowed to travel and move from North Korean territory, the sanction given is the death penalty.

#### 2. Right to Freedom of Speech

Criticism of authority or leadership is prohibited and can result in detention for political reasons. Although authorities deny it, the existence of four political prison camps, also known as kwanliso, is still in question. Thousands of prisoners, allegedly as many as 120,000 people, were subjected to forced labor, torture, and other ill-treatment.

#### 3. Right to obtain health services

According to a Unicef research 200,000 children in North Korea are undernourished, with 60,000 of them suffering from severe malnutrition. The North Korean regime has made developing cutting-edge nuclear weapons and missiles a top priority, which is the reason for this. In 2022, the South Korean government launched 71 missiles with the expenditure of over \$2 million; this sum could be used to purchase 500,000 tons of rice, which would account for 60% of North Korea's 2023 food crisis. This demonstrates how the North Korean leadership disregards the human rights of its citizens.

#### 4. Right to Freedom of Religion

Although North Korea officially declares that it is an atheist country, the North Korean government allows freedom of religion as long as it does not damage the country. Places of worship in North Korea are monitored by the state and are not allowed to hold open religious activities. But actually this freedom is just a nonsense because of the many issues that say Kim Jong Un executes people who are doing religious activities. When viewed from his family history, the family

of the North Korean leader was a religious family, but because of excessive ambition for politics, they turned religious beliefs into an ideology that worships the dynasty.

#### 5. Right to Freedom of Movement

The world recognizes the right to move freely. The International Covenant on Civil and Political Rights (ICCPR) guarantees this in Article 12. Part 1 says anyone legally in a country can move around and choose where to live. Part 2 adds that everyone can leave any country, even their own. Basically, if you're lawfully there, you can pick where you stay, move within the country, and even leave altogether. However, there's a catch. This right can be limited in certain situations. Laws restricting movement must be absolutely necessary to protect things like national security, public health, or the rights of others. These limitations also need to follow other rights outlined in the Covenant.

North Korea's constitution guarantees freedom of movement for its citizens. However, this right is heavily restricted by other laws. While the constitution added an article about this freedom in 1998, other laws, like the Law on Enforcement of People's Security, give authorities broad power to control movement in the name of public order. People who violate these restrictions face punishments ranging from warnings to forced labor. In short, North Korea's laws contradict the constitutional right to move freely.

North Korea has a serious problem with violence against women. This includes forced marriage, abuse, and rape. The situation is particularly bad because many of the perpetrators are government officials, who are supposed to uphold the law. There have been many reports of violence against women in recent years. The North Korean government downplays the problem, but the international community believes that their reported figures are much too low. This suggests that the North Korean government is not doing enough to address this serious human rights issue.

Beyond violence against women, North Korea has a dark record of human rights abuses. This includes illegal political activities like bribery and corruption, workers are forced to labor without proper pay or clothing, often exceeding their scheduled hours. Any resistance is met with harsh punishment, even death, as they're deemed state-devoted "volunteers." North Korea's isolation goes beyond human rights. They refused UN-supervised elections in 1948, leading to the divided Korean peninsula. Both North and South claim the entire territory, sparking the Korean War in 1950. Though an armistice ended the fighting in 1953, a formal peace treaty remains unsigned, keeping the two Koreas technically at war (Hoshino and Hiraiwa, 2020).

South Korea has taken steps towards human rights by ratifying five key treaties, including those protecting children, women, and people with disabilities (Yoon, 2020). However, some

within South Korea, known as progressives, argue against raising human rights issues with North Korea. Their primary concern is that it would be ineffective. They believe North Korea's internal policies are unlikely to change based on South Korea's actions. Additionally, progressives fear public criticism could worsen relations between the two Koreas. They advocate for a focus on gradual reconciliation and peaceful reunification, which they see as hindered by the presence of foreign troops stationed on the Korean peninsula after the division.

While progressives might dismiss efforts to pressure North Korea on human rights, conservatives see things differently. They offer three main arguments. First, they point to historical examples where international pressure has demonstrably led to improvements in human rights. Second, they believe that documenting abuses by the North Korean regime serves as a deterrent, discouraging officials from committing them in the first place. Finally, conservatives believe that by shining a light on these atrocities, they can spark calls for change from within North Korea itself.

Several countries are concerned about human rights abuses in North Korea. The US and Japan have similar laws (North Korean Human Rights Act) to address this (Dang et al., 2022). The US seems more general in its approach, while Japan is particularly focused on its abducted citizens and raising awareness. European nations mostly have diplomatic ties with North Korea, and some try to include human rights concerns in these interactions. The European Union provides significant humanitarian aid to North Korea. Even China, due to North Koreans fleeing famine, is impacted by the situation.

China's aid to North Korea, including oil and food, props up the struggling regime. While China is a major humanitarian donor to North Korea, after South Korea, the presence of North Korean refugees creates problems for them (Dang et al., 2022). Firstly, the refugees draw international scrutiny towards China's handling of the situation. Secondly, China worries about the refugees forming a strong Korean identity within China. Thirdly, they don't want a large, unsettled refugee population. Finally, China has to balance its relationships with both North and South Korea, who are important partners. China responds to the refugee flow with a two-pronged approach: friendliness or toughness depending on the situation. Initially, they cracked down, hunting refugees and offering rewards for their capture. However, with a rising number of refugees, China has had to adopt a more practical approach, despite facing increased international pressure for their handling of the situation.

Hiraiwa (2020) emphasizes the urgent need for North Korea to address its human rights issues. If the country fails to do so, the international community can take steps to pressure them for improvement. These actions include:

1. Granting unrestricted access to North Korea by various UN agencies and officials. This includes the World Food Program, UNICEF, human rights experts, and the UN Special Rapporteur on human rights in North Korea. (An example of such access was granted in 2017 to the UN Special Rapporteur on the rights of persons with disabilities).
2. Addressing the dire conditions in North Korean detention facilities and prisons. This involves allowing access by international humanitarian organizations, relevant UN bodies, and independent NGOs.
3. Engaging with UN human rights efforts. This includes cooperating with the upcoming Universal Periodic Review (UPR) and reviews under human rights conventions North Korea has already ratified, such as the ICCPR and ICESCR. Furthermore, North Korea should seriously address recommendations for improvement made during these reviews.
4. Ratifying additional human rights treaties, including those against torture and enforced disappearance.
5. Collaborating with the International Labor Organization (ILO) to improve worker rights in North Korea. This could involve allowing ILO officials to visit factories and ratifying key ILO conventions.
6. International organizations like the UN and others should be approached to discuss setting up permanent representatives in North Korea. These representatives would focus on helping North Korea develop in various ways. This includes building their government's ability to function effectively (capacity building), improving the country's long-term economic and social outlook (long-term development), and establishing a strong legal system (rule of law). Additionally, they would work to create independent institutions like NGOs (non-governmental organizations) and a free press (independent media). A key focus would be ensuring basic human rights for North Koreans. This includes access to clean water, sanitation, and reliable food sources (food security). They would also work to improve healthcare by ensuring access to hospitals and essential medical care, as well as promoting equal access to quality education.

The United Nations tackles human rights concerns in North Korea through its Security Council, dedicated to maintaining international peace. However, the UN's human rights efforts can be complex. In 2013, the UN Human Rights Council established a commission to investigate human rights abuses in North Korea, some potentially reaching the level of "crimes against humanity" (Goedde, 2018). The UN often sets universal human rights standards through independent bodies. However, the argument exists that each nation has its own unique history and

situation. If imposing these standards is seen as a human rights violation, then perhaps the application itself needs to be more flexible and consider individual circumstances.

The Universal Declaration of Human Rights (UDHR) establishes a universal standard for human rights that all nations and peoples should strive towards. It calls on individuals and institutions to actively promote respect for these rights through education and ongoing efforts, both nationally and internationally. This ensures these rights are recognized and observed by everyone, everywhere. The vast majority of countries have committed to upholding these principles. These commitments are outlined in the UN Charter, which obligates members to prevent aggression, protect human rights, maintain international law and justice, and work together through world organizations to achieve these shared goals (De Castro, 2022).

The United Nations is taking a two-pronged approach to address the human rights crisis in North Korea. The UN Security Council, focusing primarily on the nuclear threat, has imposed sanctions on North Korea. These sanctions include travel restrictions and embargoes on arms and economic activity against the North Korean government and individuals deemed a threat to international peace. This action reflects the Council's view that the proliferation of weapons of mass destruction is a major security concern (Hong, 2021).

Meanwhile, the UN Human Rights Council has taken a more human rights-focused approach. Deeply disturbed by a report detailing widespread abuses, they have called for accountability for those responsible for crimes against humanity. Since 2013, a team has been investigating these violations and plans to request prosecution through the International Criminal Court.

### **The Impact of Human Rights Violations in North Korea on the Mental Health of its Citizens**

Due to stigma and lack of expert help, mental health issues in North Korea often go untreated. As a result, people don't like talking about mental health. In North Korea, people who are considered mentally ill are admitted to "Hospital Number 49" only at the request of the family, without getting psychiatry or counseling. Long-term techniques, such as insulin coma therapy, are still used there. Due to the stigma of "49", employees are also considered outsiders. Additionally, many North Korean defectors experience stress from famine, execution, the murder of family members, physical attacks, and arrest following their defection. They also have a hard time adjusting to South Korean society because of the stark cultural and linguistic disparities. The starvation of the 1990s also had an impact on North Korea's mental health. Substance abuse and mental disease caused trauma to a large number of famine victims. Severe malnourishment also

had detrimental effects on mental health, including anxiety, depression, and trouble focusing. Although it can be challenging for foreign organizations to offer mental health support to North Koreans inside the nation, organizations like Crossing Borders assist defectors from North Korea who are fleeing to China. They offer medical assistance, lodging, and counseling to refugees who are at danger of being trafficked or abused (Brancato, 2022).

### **Analysis of International Relations Theories**

The field of International Relations often analyzes global issues and events through the lens of dominant perspectives like realism. Realist thinkers believe human nature inherently drives conflict, leading states to pursue power and dominance. This resonates with North Korea's history of conflict and its existence as an independent state within a seemingly anarchic international system.

Realism emphasizes the state as the key player in international affairs, with subordinate actors following its lead. State decision-making prioritizes security, which is seen as the paramount global concern and a critical factor for a nation's well-being. This perspective also posits a natural human condition of constant insecurity and distrust. This, in turn, fuels the "Security Dilemma," exemplified by North Korea's development of nuclear weapons - a strategy to deter perceived threats and ensure national survival.

North Korea aligns with the realist theory of international relations, acting as a self-sufficient state with minimal external cooperation. This isolation extends to its citizens' fundamental rights. Freedoms of speech, religion, assembly, and even basic communication are heavily restricted. The COVID-19 pandemic further tightened their grip, with border closures and travel bans effectively shutting out any external assistance. Despite repeated offers of international aid, North Korea adheres to a policy of self-reliance, rejecting dependence on other countries. This desire for autonomy fuels their isolation and limits their access to external support. (LALE and KARABULUT, 2023).

Second, Frustrated by the lack of progress on North Korean human rights, a new theory emerged: radical universalism. This theory argues that human rights values are fundamental and unchanging, regardless of culture or history. Proponents believe that due to North Korea's unique cultural and historical background, international efforts to improve human rights will fail unless North Korea itself addresses the issues. They reject the idea that shared history or cultural similarities justify outside intervention in North Korean human rights affairs. This theory represents a second approach alongside the previously discussed theories, with constructivism being the third perspective to be analyzed.

Constructivism, a theory in international relations, emphasizes how history and societal perceptions shape the interactions between political systems. North Korea, known for its isolationist policies, serves as a prime example. This theory helps us understand North Korea's strained relationship with the United States. North Korea views the US as its archenemy, blaming the failed reunification on American intervention during the Korean War. They perceive the US as an occupying force violating their sovereignty in South Korea. This image was further cemented when President Bush labeled North Korea part of an "axis of evil" and a state sponsor of terrorism (Chubb and Zadeh-Cummings, 2023). However, a shift occurred under President Obama. His engagement policy created an environment where North Korea saw the US as a potential partner for talks. Despite Obama's focus on dialogue, North Korea's stance on nuclear weapons remained firm, leading to a renewed perception of US hostility. The Obama administration's criticism of North Korea's human rights record further fueled this shift. The deployment of THAAD (Terminal High Altitude Area Defense) in South Korea under President Trump further worsened North Korea's view, labeling the US an aggressor. President Bush's approach aimed at dismantling North Korea's nuclear program while highlighting human rights abuses. The continued violation of agreements further hampered trust building between the two nations. In contrast, President Obama believed international cooperation, not demonization, could address the North Korean threat. This aligns with constructivism's core principle: historical experiences and perceptions heavily influence the survival and interactions of political systems.

Among the various frameworks used to analyze North Korea, feminism offers a distinct and valuable perspective. It highlights the struggle for women's equality in areas like status, work opportunities, and basic freedoms, mirroring the global women's rights movement (Goedde, 2010). This resonates strongly considering the widespread acceptance of feminism as a driver of globalization and development. Feminist analysis suggests a desire within North Korea for a women's rights movement that prioritizes human rights and equality, not self-serving desires or perpetuating a space for male violence. Specifically, feminist perspectives raise concerns about North Korean laws that restrict women's fundamental rights and freedoms. The discrimination women face is particularly disturbing for countries with strong records of gender equality. This perspective argues that North Korea should prioritize addressing human rights violations, particularly those affecting women, which have been neglected for far too long.

The North Korean government claims progress on human rights, yet violence and harassment remain prevalent. Prioritizing human rights doesn't weaken national security; in fact, it strengthens it. However, the reality on the ground contradicts the government's claims. Violence

against women, a critical human rights issue, continues unabated. This disconnect between rhetoric and reality demands action to address these ongoing problems (Sonnenberg and Goedde, 2023).

## CONCLUSION

In contrast to John Locke's belief that human rights are natural and divinely bestowed, the application of these rights can vary across countries. North Korea, for example, presents a stark contradiction. Despite ratifying five major human rights treaties, including those protecting children, women, disabled individuals, and both civil and economic rights, North Korea's actions paint a different picture. The reality on the ground reveals human rights violations that directly contradict the very treaties they have signed.

Isolated and ruled by a dictator with a ruthless reputation, North Korea faces numerous problems with roots extending back to past leadership. While Kim Jong-un's pursuit of nuclear weapons attracts headlines, the country's human rights abuses are equally concerning. A disturbing sign of this is the prevalence of violence against women, including harassment, rape, and forced marriage.

North Korea's human rights abuses extend beyond the suppression of women's rights. The country is also accused of exploiting both local and foreign workers. This has drawn international condemnation, with the UN labeling it a severe human rights violation. In response, the United Nations Security Council established a commission to investigate these widespread abuses. Since most countries are obligated to uphold the principles of the UN Charter, this compels them to cooperate in addressing this issue.

The ongoing human rights violations in North Korea demand a strong international response. Governments around the world must pressure North Korea to finally implement the UN's long-standing recommendations. This situation can be analyzed through different international relations lenses. Realists, for example, would argue that North Korea's pursuit of nuclear weapons stems from a constant fear for its survival, a classic "security dilemma." On the other hand, those subscribing to radical universalism believe outside intervention wouldn't work. They argue North Korea's unique cultural and historical background necessitates a domestic solution, suggesting the country should be left to address its own human rights issues.

The third theory is Constructivism offers a historical perspective on how past interactions shape relationships between countries. This theory applies to North Korea's relationship with the US, which has a rocky history. While President Obama aimed for international cooperation to address the North Korean threat, progress is hampered by North Korea's rigid ideology that limits

its diplomacy. This aligns with constructivism, where a country's past heavily influences how it interacts with others, as seen in the strained US-North Korea relations.

Feminist scholars are particularly troubled by the situation in North Korea. They point to widespread abuses, violence, and severe restrictions placed on women's fundamental rights and freedoms. These harsh realities have been a persistent source of suffering for North Korean women for a significant amount of time.

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