

ISSN 2580 6378  
E-ISSN 2580 7048



JURNAL  
ASIA  
PACIFIC  
STUDIES

Journal of International Relations Study Program  
Faculty of Social and Political Sciences  
Universitas Kristen Indonesia

Volume 7 | Number 2 | July - December 2023

## **NORTH KOREA HUMAN RIGHTS VIOLATIONS AND THE ROLE OF THE COMMISSION OF HUMAN RIGHTS INVESTIGATION IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (COI-DPRK)**

Bernadine Grace Alvania Manek

International Relation, Faculty of Communication and Diplomacy, Universitas Pertamina, Jl. Teuku Nyak Arief, South Jakarta City, 12220, Indonesia

*alvaniagrace@gmail.com*

### ***Abstract***

*Human rights have become an international issue because human rights are closely related to the dignity of being a human being so that cases of human rights violations must be resolved on a humanitarian basis. North Korea is a country that has committed gross human rights violations. However, the discussion of issues related to North Korea only focuses on the nuclear issue, while North Korea's gross human rights violations against its people are a topic that is rarely discussed at UN meetings. The establishment of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (COI-DPRK) is a movement that will facilitate the discussion of North Korea's human rights issues in the international community. Researchers used a qualitative method in analyzing the role of COI-DPRK in raising North Korea's human rights violations and collected relevant data using document-based research and internet-based research techniques, the data collected by researchers will help researchers in analyzing the role of COI-DPRK using the theory of cosmopolitanism. The COI-DPRK is tasked with investigating human rights violations that have been committed and providing the results to the UN Council. The publication of the results of investigations conducted by the COI-DPRK has sensitized the universal humanity of the world community. As a result, North Korea has come under pressure from the international community demanding human rights reforms in North Korea and adding human rights issues to the agenda.*

*Key words: COI-DPRK, Human Rights Violations, North Korea, Cosmopolitanism*

### **Abstrak**

HAM telah menjadi isu internasional karena HAM berkaitan erat dengan martabat sebagai seorang manusia sehingga kasus pelanggaran HAM harus diselesaikan atas rasa kemanusiaan. Korea Utara menjadi negara yang telah melakukan pelanggaran HAM berat. Namun pada pembahasan isu terkait Korea Utara hanya berfokus pada isu nuklir sedangkan, kasus pelanggaran HAM berat Korea Utara kepada masyarakatnya menjadi topik yang jarang dibahas dalam pertemuan PBB. Dengan dibentuknya Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (COI-DPRK) menjadi sebuah gerakan yang akan memfasilitasi pembahasan isu HAM Korea Utara di komunitas internasional. Peneliti menggunakan metode kualitatif dalam menganalisis peran COI-DPRK dalam mengangkat pelanggaran HAM Korea Utara dan mengumpulkan data yang relevan dengan teknik document-based research dan internet-based research, data yang dikumpulkan oleh peneliti akan membantu peneliti dalam menganalisis peran COI-DPRK dengan menggunakan teori kosmopolitanisme. COI-DPRK bertugas untuk menginvestigasi pelanggaran HAM yang telah dilakukan dan memberikan hasilnya kepada Dewan PBB. Publikasi dari hasil investigasi yang dilakukan oleh COI-DPRK telah menyadarkan kepekaan terhadap kemanusiaan universal dari masyarakat dunia. Oleh karena itu, Korea Utara menerima tekanan dari komunitas internasional yang menuntut reformasi HAM di Korea Utara dan menjadikan agenda isu HAM ditambahkan dalam pembahasan terkait Korea Utara.

Kata kunci: COI-DPRK, Pelanggaran HAM, Korea Utara, Kosmopolitanisme

## **1. Introduction**

Human rights are currently one of the issues of international concern. Unfortunately, human rights issues in the Democratic People's Republic of Korea, better known as North Korea, are not given much attention because the North Korean nuclear issue is considered more urgent. This has resulted in the absence of an official and systematic response to human rights violations in North Korea. Meanwhile, human rights campaigns are still tied to politicization because there is a political nature rooted in the concept of human rights itself (Chubb 2014). The issue of human rights in North Korea has been ongoing since the division of the Korean Peninsula.

Until now, there have been several cases of human rights violations such as the absence of rights related to freedom of action, where North Koreans cannot travel without permission and strict guarding in border areas, if a violation occurs, unconditional shootings will be carried out. The unconditional shooting is based on the statement that traveling without permission is an act of treason against the state so that the perpetrator must receive the death penalty (Yong 2021).

North Korea also does not uphold the right to freedom of thought and information as the North Korean government strictly controls all access to phones, radio, TV, media content, computers and the internet. This is because North Korea has laws against reactionary ideology and culture (KCNA 2015). Forced labor is a regular agenda in North Korea as it needs to support its economy, targeting women and children using labor unions and schools as tools, as well as prisoners in prison camps (Human Rights Watch 2016). This forces most North Koreans to work without pay, which is considered normal as forced labor is considered a form of loyalty to the state (BBC News 2021). In addition to forced labor, women and children in North Korea are vulnerable to sexual violence due to acts of gender discrimination caused by stereotypical portrayals of gender roles.

The Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (COI-DPRK) is a commission established by the United Nations (UN) with the aim of investigating cases of human rights violations in North Korea (Chubb and Yeo 2018a). In 2022, there were 80,930 cases of human rights violations that had occurred in North Korea, data accumulated from 51,237 primary sources with the aim of cross-verification so that the reliability of the data could be analyzed (Insung Kim et al. 2022). Within the comprehensive Database Center for North Korean Human Rights (NKDB) Integrated Human Rights Database, a total of 80,930 cases have been documented, encompassing a range of human rights violations. Human rights violations are more common in military settings, this extensive dataset includes 695 instances of human rights abuses specifically taking place within the North Korean military. Through a comprehensive examination of 695 instances of human rights violations categorized by type, the findings indicate that the most prominent category is the Right to Individual Dignity and Liberty. This category encompasses various forms of transgressions, such as sexual violence, unlawful apprehension, improper confinement, torture, and physical assault, among others. Specifically, this category accounts for 268 cases, representing 38.6% of the total instances analyzed. The subsequent category, encompassing violations of the Right to Life such as public and hidden executions, committing murder, death through various violence, and similar acts, accounts for 133 cases, representing 19.1% of the total. Additionally, the Right to political involvement, which includes instances such as refusal to join a political party, rejection to work as a government employee (including refusal to serve in the military), and expulsion from a

political party, comprises 102 cases, equivalent to 14.7% of the overall occurrences (Insung Kim et al. 2022).

The results of the investigation of systematic human rights violations in North Korea occurred in the aspects of food, torture, arbitrary actions, freedom of expression, enforced disappearances, the right to life, and acts of discrimination. Song Geum-Ju was one of the victims of torture that resulted in death, the victim's sister who became the main informant confirmed that Song Geum-Ju was arrested and imprisoned for attempting to flee North Korea to China (최고관리자 2013). Another case is Lee Wang-guk who died as a result of summary execution, according to the main source, Lee Wang-guk was raised in a Christian family. Lee Wang-guk was suspected of secretly communicating with the Christian community in South Korea by the State Security Agency of Mundeok City, during the interrogation process Lee Wang-guk was hit with a hammer on the back of the head by an agent because Lee Wang-guk said that he would remain a Christian (최고관리자 2013b). Both cases are evidence of gross human rights violations in North Korea for taking away a person's right to life.

COI-DPRK operates out of Geneva, Switzerland and holds frequent meetings involving non-governmental organizations (NGOs), diplomatic missions and scholars to discuss strategies and approaches to carry out the mandate. The COI-DPRK has tried to contact North Korea's representatives in Geneva in an effort to invite transparent cooperation, but unfortunately, the COI-DPRK did not receive a positive response to the request. The COI-DPRK continues to seek the cooperation of North Korean representatives as North Korea has provided assurances to the Human Rights Council that it respects the UN Charter, international human rights instruments and promotes human rights (United Nations Human Rights Council 2023). The COI-DPRK has submitted recommendations to the UN Security Council to bring the human rights violations to the International Criminal Court, but North Korea has rejected the allegations and refused to cooperate with the COI-DPRK or the UN High Commissioner for Human Rights (Cho et al. 2013).

Cosmopolitanism is a normative theory in international relations that focuses on the human dimension so that cosmopolitanism aims to raise global awareness of actions to resolve global issues, especially humanity. Cosmopolitanism assumes that individuals occupy an important position in international relations because individuals cannot be an instrument to achieve goals and get different treatment based on artificial character differences, one of which is citizens (Rosyidin 2020). Cosmopolitanism theory does not agree with the notion of 'state individualism', instead it agrees with the idea of ethical universalism which states that the political and moral obligations of the state are not bound by the concept of sovereignty. Ethical universalism assumes that all humans have moral obligations and will create peace and justice because differences in humans are the result of social construction from the past (Rosyidin 2020). Thus, the foundation of international cooperation is not only tied to human morals but efforts to create peace and justice for the betterment of human life. COI-DPRK is a form of movement to raise global awareness of humanitarian issues that occur in North Korea. Human rights violations in North Korea are not in line with human moral values so, efforts are needed to realize peace and justice for North Koreans by urging North Korea to comply with human rights. The formation of COI-DPRK is not based on political interests alone but on human moral obligations that are moved by the injustice and suffering felt by the people of North Korea.

### 1.1 Research Question

COI-DPRK has important tasks as mandated by the United Nations to this organization. With this, the COI-DPRK should carry out a systematic investigation in order to obtain relevant information related to the investigation as well as collecting data on testimonies and statements from victims and survivors and if it can be done, COI-DPRK can hear the opinions of the North Korean people. Therefore, based on the perspective of Cosmopolitanism, the research question that arises is what is the role of COI-DPRK in raising human rights issues that are happening in North Korea to the world?

Researchers took this issue because the conversation about North Korea is always attached to the nuclear issue, because the nuclear issue has always been a priority in the international table, so that human rights issues that occur in North Korea are not heard. With the establishment of the COI-DPRK, it will help convey the urgency related to human rights issues experienced by the people of North Korea so that the issue of human rights is also one of the focuses in discussions related to North Korea, so according to researchers this is interesting to study. Therefore, the question of this research is What is the role of COI-DPRK in carrying out its mandate on the humanitarian dimension in raising North Korea's human rights issues to the world?.

### 1.2 Purpose and Objective

The purpose of this study is to determine the role of COI-DPRK based on the humanitarian dimension in raising human rights issues that occur in North Korea. Academically, this research is expected to increase knowledge for the public regarding how human rights operate in North Korea and theoretically can find out the theory of Cosmopolitanism as the basis for humanity's moral obligations so that the COI-DPRK was formed with a mandate to raise cases of gross human rights violations in North Korea. By raising North Korean human rights cases, it is hoped that efforts can be made to help North Koreans to get the peace and justice they deserve as human beings.

## 2. Literature Review

In a study conducted by Roberta Cohen which was later published in 2015 with the title "Human Rights in North Korea: Addressing the Challenges", this study discusses how COI-DPRK takes an important role in responding to human rights violations that occur in North Korea. Cohen argues that the findings of evidence from the COI-DPRK can convince the international community and have a significant impact on the international community in responding to the issue of systematic human rights violations (2015). In addition, Cohen also provides strategies related to the involvement of the international community in raising cases of North Korean human rights violations. This research is the main reading for the author in researching the topic of the role of COI-DPRK because in this reading it has been discussed how COI-DPRK provides evidence reports which will have an impact on the international community. Thus, researchers can analyze the role of COI-DPRK in raising the issue of North Korean human rights to the international community.

The second research refers to another study conducted by Roberta Cohen published in 2016 with the title "An R2P Framework for North Korea" which discusses the implementation of The Responsibility to Protect populations (R2P) in North Korea. Cohen examines the obstacles that are the reason why R2P is difficult to implement in North Korea, Cohen argues that North Korea is not immune to pressure related to cases of human rights violations that occur from international parties because of the role of the COI-DPRK which has succeeded in providing reports so that the international community pays attention to cases of human rights violations that occur in North Korea (2016). However, due to North Korea's reluctance to cooperate, cases of North Korean human rights violations are not proceeding smoothly at the International Criminal Court. In the study, Cohen provides an R2P framework that could be applied in North Korea that involves strong participation from the Secretary-General and the entire UN cabinet. The R2P framework that could be applied to North Korea is designed with humanitarian-related diplomatic dialog so that North Korea does not see the R2P framework as a threat to its regime. This is based on the fact that military involvement in the R2P framework can be a threat to the North Korean regime because military action can be interpreted as coercive force against the regime (Cohen 2016). Thus, the research conducted by Cohen is an additional reading for researchers in analyzing the role of the COI-DPRK in carrying out its mandate and the increasing cases of human rights violations in North Korea to the international community.

Research conducted by David Hawk in 2014 with the title "North Korea's Response to the UN Commission of Inquiry (COI) Report on the Situation of Human Rights in the Democratic People's Republic of Korea" discusses North Korea's rejection response to the COI findings. Over the course of ten years, many credible and comprehensive testimonies from North Korean refugees fleeing through China to South Korea, as well as detailed reports from non-governmental organizations, research institutions, and academics, have been documented. In addition, the UN Special Rapporteur on human rights in North Korea and the UN Secretary-General have consistently submitted reports to the Human Rights Council and the General Assembly. Furthermore, resolutions addressing human rights violations in North Korea have been passed in the General Assembly and the UN Human Rights Council. Despite these extensive efforts, North Korea has consistently responded with outright denials, offering no substantial engagement or recognition. The repeated refusal by North Korea to acknowledge these reports and resolutions has consistently been accompanied by longstanding and oft-repeated claims by the Democratic People's Republic of Korea that human rights concerns do not exist within their socialist system, which prioritizes the well-being of its citizens. In his analysis, Hawk states that Korea rejected the allegations of human rights violations from the COI's findings by conducting a series of rhetorical attacks against the UN, the UNSC, former North Koreans who made statements before the UNSC, the EU, Japan, and especially the U.S. through North Korean media (TV, etc.). S through North Korean media (TV, publications, KCNA, and of course public radio and loudspeakers), mobilizing citizens to oppose the UN vote and "vow to ruthlessly revenge against the U.S. and its allies," releasing American citizen prisoners to deny the UN threat, and the closure of Prison Camp 15 which was a major issue in the COI report so that, allegedly, Prison Camp 15 was closed to erase evidence (2015). Thus, it is difficult to get recognition from North Korea regarding human rights violations that occur in accordance with the COI report even though the international public is aware of these human rights violations, but in the absence of a positive response from North Korea, prevention and termination of human rights violations cannot be effective. Hawk's research is useful for the author in seeing how North Korea

responds to the COI report on human rights violations and can help the author in seeing the role of COI and its implications.

An article entitled "Human Rights in North Korea: A European Perspective" written by Hanns Günther Hilpert and Frédéric Krumbein in 2016 discusses the issue of human rights violations that occurred in North Korea but did not get much attention from the European media. Numerous human rights violations and crimes against humanity were committed by North Korea on a massive scale. These violations were detailed in reports published in 2014 by the UN Commission of Inquiry and many other human rights groups. However, the European public and media paid little attention to the issue, and the reports were widely ignored. Hilpert and Krumbein assume that there are three reasons for this: first, North Korea's professional control of data and photos seems to work well; second, from a European perspective, North Korea is a backward, distant and culturally alien place; and third, European foreign policy actors have always prioritized preventing nuclear weapons and promoting peace. But on the other hand, the EU and Germany have an agenda related to human rights issues in North Korea (2014). Germany has been offering approximately 41 million Euros in humanitarian assistance to North Korea since 1995, with a specific focus on addressing the issue of hunger. Yet, Germany encounters similar challenges to other nations in terms of its human rights approach towards North Korea. The German Human Rights Commissioner submitted multiple requests to visit North Korea and engage in discussions regarding the nation's human rights situation. However, the North Korean government has consistently denied these appeals. Germany and the European Union have engaged in human rights dialogues with North Korea; however, North Korea decided to terminate these dialogues due to the support of European countries for critical human rights resolutions within the former United Nations Human Rights Commission and its subsequent iteration, the United Nations Human Rights Council (Hilpert and Krumbein 2016). This research helps the author to see how the international public, especially Europe, responds to the case of North Korea's human rights violations, the factors that influence the media's neglect of this issue because basically North Korea is not a prominent country and also the North Korean nuclear issue is more dominant in the international public. Nevertheless, government actors such as the European Union continue to carry out agendas related to humanitarian issues in North Korea and continue to look for the right approach to invite North Korea to discuss the issue of human rights violations.

And the last research taken by researchers is the work of Sarah A. Son, published in 2018 with the title "North Korea's Human Rights Insecurity: State Image Management in the Post-UN COI Era", in this study discusses how the COI-DPRK has an impact on the development of cases of human rights violations in North Korea in the eyes of the international community, causing pressure on North Korea from the international community, resulting in a response from North Korea which tends to be restless and feel threatened. Son argues that North Korea is not a country that is immune to international pressure, on this side it can be seen that North Korea feels threatened by the existence of the COI-DPRK, giving rise to a North Korean response that seeks to maintain its image in the eyes of the international community (2018). In addition, Son also discusses the understanding of North Korean identity which will then become a reference in creating change. The research conducted by Son is useful for researchers to examine the response given by North Korea regarding the intervention carried out by the UN through COI-DPRK, so this reading is an additional reading to support this topic.

## 2.1 Theoretical Concepts

Cosmopolitanism is a theory that is categorized as a normative theory in International Relations because the main vision of cosmopolitanism lies in emancipation. So it can be concluded that cosmopolitanism is a view that focuses on the human dimension in international relations. Linklater argue that western tradition believe that individuals possess horizontal moral responsibilities towards each other as human beings, which endure and are equally significant despite their division into independent nation-states. As individuals become citizens, they assume distinct responsibilities that are exclusive to their political community and are shared with other members of that community (1982). It is necessary to establish a clear boundary between individual obligations and a citizen's duties.

Following the perspective of cosmopolitanism, individuals hold a significant role in the realm of international relations. The ultimate objective of international relations is, to a certain extent, centered on the individual and their inherent characteristics. It is not justifiable to view individuals as mere instruments for accomplishing specific objectives or to subject them to differential treatment solely on the basis of constructed characteristics such as their citizenship status (Rosyidin 2020).

Cosmopolitanism is divided into two schools, namely thin cosmopolitanism and thick cosmopolitanism. It is pertinent to note the differentiation between narrow and broad interpretations of transnational citizenship, as this dichotomy also applies to the concept of global citizenship. Cosmopolitan citizenship can be understood in two ways: thin and thick. Thin conceptions of cosmopolitan citizenship are centered on exhibiting compassion towards vulnerable groups, but they do not address the underlying power and wealth imbalances. On the other hand, thick conceptions of cosmopolitan citizenship aim to bring about changes in the structural conditions faced by vulnerable groups. The thicker version of world citizenship places great importance on collective political action aimed at dismantling unjust systems of exclusion and establishing communicative frameworks that promote greater autonomy for marginalized groups. Each of these ideological perspectives plays a role in the evolution of the global community. The proposal for expanding the scope of compassion, through the adoption of a thin form of cosmopolitan citizenship, represents a crucial transitional phase between the limited ethical considerations afforded to fellow citizens and the more substantial changes that can be achieved through the adoption of more comprehensive models of global citizenship. The aforementioned state of affairs can be deemed to be present when unambiguously delineated civil, political, social, and cultural entitlements are ensured by global communities of dialogue (Linklater 1998).

The case of human rights violations committed by the North Korean government is not a case that can be underestimated because it focuses more on the nuclear issue. So that the role of the COI-DPRK is needed to promote the case to the international community in order to find a solution in stopping the human rights violations that occurred in North Korea.



### **3. Research Methods**

The method used by the author in conducting this research is a qualitative method. Qualitative method is a research method that focuses on understanding the phenomena that occur. Qualitative methods tend to use in-depth analysis in examining phenomena so that in this research, the author will analyze case studies related to the role of COI-DPRK in raising cases of human rights violations that occurred in North Korea.

In conducting qualitative research, the author acts as a human instrument and will collect data to support the research, thus the author uses document-based-research and internet-based-research data collection techniques. By using document-based research techniques, the author collected documents in the form of printed books, e-books, journals and news related to COI-DPRK. The author has collected 32 documents related to the topic of this research and used them as references in examining the role of COI-DPRK with the theoretical basis of Cosmopolitanism.

Furthermore, the internet-based research technique is used by the author by collecting data and information relevant to the topic under study and searching for additional data contained on the internet in the form of news articles and official websites from relevant sources. In searching the internet, the author used the keywords 'COI,' 'North Korea,' 'COI-DPRK,' 'Human Rights and North Korea,' 'UN and North Korea,' 'Human Rights Violations in North Korea,' and 'North Korean Regime.' Using these keywords, the author obtained one million internet search results. The data and information obtained were then filtered based on the credibility of the data and information, topics similar to this research and official websites. Thus, the author obtained documents, data and information that can be trusted as references for this research.

### **4. Results and Discussion**

#### **4.1 Human Rights Violations in North Korea**

##### **4.1.1 Indoctrination, propaganda and the role of PBK**

Article 18 of the International Covenant on Civil and Political Rights (ICCPR) regulates the right to freedom of thought and choice and to embrace religion according to beliefs, based on this rule North Korea has violated human rights by indoctrinating its people (Lee et al. 2023). North Korean society has been indoctrinated from a young age with a single state ideology and ten principles believed by the supreme leader and the Workers' Party of Korea (PBK) therefore making North Korea suppress the minds and consciences of the people who should emerge and develop freely (Kim 1969).

There is a basic theme that is at the heart of North Korea indoctrination namely instilling loyalty and commitment to the supreme leader and instilling hatred and hostility in South Korea, the United States and Japan (Lee et al. 2023). The intentional cultivation of hatred and hostility has turned national hatred into incitement, propaganda, discrimination, hostility and war so that North Korea has violated article 20 of the ICCPR.

North Korea in its law provides for the right to freedom of association and claims that if it wants to form a social organization it can report at least one month in advance to the Cabinet. The report to the Cabinet includes the purpose of the organization, the date of inauguration, the name of the leader, the organizational structure and a copy of the proposals that have been proposed. COI-DPRK reports that several associations have been formed in North Korea such as the Unified Culture and Arts League, the Democratic Attorneys' Association, the Anti-Nuclear Peace Committee and the Africa-Asia Coalition Committee (K. S. Lee et al. 2005). However, in practice these organizations cannot run effectively because they are under the supervision of the PBK. PBK is a supervisor for people who are members of organizations and mass associations, starting from children to adults.

#### 4.1.2 Restrictions and Controls Over External and Non-Political Information

North Korea only has four television broadcasts that are allowed to be broadcast, this is because the broadcasts watched by the public are controlled by the Government, the broadcasts broadcast in the form of propaganda broadcasts, even in the broadcast of songs and dramas, and messages are also inserted about loyalty to the country and the role of revolutionary fighters (S. A. Kim et al. 2012). The people of North Korea are not allowed to own a radio because of the difficulty of the Government in controlling radio transmission, the radio contained in the car will be removed by the Communications Maintenance Bureau and the Ministry of People's Security (MPS) because cars produced from outside have radio features so that before people buy a car, the radio feature will be released first (K. S. Lee et al. 2005). The use of radio is strictly limited by the Government, therefore, only certain organizations and the military with special purposes can use the radio.

North Korea in 2009 reported to the United Nations Human Rights Council that there were 480 newspapers in circulation in North Korea (K. S. Lee et al. 2005). In the COI-DPRK report, the witness stated that the news published in the newspapers, even though they had different publishers and authors, had the same subject. This is due to government control, namely the Department of Publishing and Broadcasting, which operates under PBK. The Department of Publishing and Broadcasting will provide a monthly plan regarding reports and publications so that publishers and news broadcasters will carry out their work plans in accordance with the direction of the Department of Publishing and Broadcasting.

#### 4.1.3 Intimidation of Freedom of Expression and Opinion

North Korea told the United Nations Human Rights Council that North Koreans have the right to freedom of expression and opinion as enshrined in the law and the constitution (Lee et al. 2023). However, the right to freedom of expression and opinion in question in fact has limitations because of the form of expression that seeks to incite to overthrow damage and disturb the state and leak state secrets that can

damage the honor of the state. Therefore, the establishment of a supervisory apparatus with the aim of monitoring the expression of sentiments that are considered anti-revolutionary and anti-state.

There is a network of secret informants scattered in public life such as community organizations and the Neighborhood Supervision which will report to the State Security Department (SSD) or the police if they find suspicious activity (Hassig and Oh 2015). As for villagers receiving orders from the police to monitor their neighbors, this action is commonly known as Neighborhood Watch. Neighborhood Watch has the purpose of checking relationships in the family and has the authority to make home visits at any time if it is suspected of hosting unregistered guests and adultery activities and will then report to the authorities for further action.

#### 4.1.4 Prohibition on Freedom of Religion and Religious Expression

Article 68 of the North Korean constitution stipulates freedom of religion which states that if the right to build religious buildings and hold religious ceremonies must meet the conditions according to the agreement, then religion is prohibited from being used as an excuse in order to attract foreign powers and harm the social and state order (S. A. Kim et al. 2012). The people of North Korea have several churches which were built with the approval of the Government (Hassig and Oh 2015). However, the Church is not open to followers of the Christian religion because it is considered a narcotic, sin, drug, and is an implementation of capitalists and the West.

Therefore, Christian missionaries are considered a product of Western capitalism and a practice of vampirism (Taylor 2014). Kim Il-Sung also stated that if religion is a myth and religious people if they want to cure their habits, then they must die (Hawk, Won, and Kim 2005). The practice of Christianity in North Korea is not openly discriminated against but, on the part of the Government, sees the practice as an act of political crime. SSD seeks to identify people who believe in Christianity, and the security forces will suppress religious activities. If identified as a Christian, they will be arrested and interrogated under torture.

#### 4.1.5 Gender Discrimination

The value of Confucianism is very closely embedded in Korean society, which requires a woman to have virtue by obeying her father, husband and son. Although Kim Il-Sung appreciated the participation of women in the liberation movement and stated that women were equal to men, it did not change their status in a society that had ties to Confucian values. North Korea adopted the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW) in the beginning of 2001 and formed the National Coordination Commission to carry out the regulations of the Convention (S. A. Kim et al. 2012).

Unfortunately the law cannot promote women's economic status in public society, women will get fewer wages than men because the husband's income distribution structure must be higher than the wife's (S. A. Kim et al. 2012). This distribution structure has become a stumbling

block for the development of a culture of gender equality in North Korea. North Korea also places restrictions on markets that are generally a place for women because women tend to receive threats such as harassment, pickpocketing and mugging in the market.

Report based on multiple sources, including OHCHR's in-depth interviews with over 100 women who were forcefully repatriated and detained in the Democratic People's Republic of Korea from 2009 to 2019. Issues faced by the witnesses in prison include inadequate sanitation, the dominance of male prison officers, food deprivation, physical violence committed during interrogation and as a means of enforcing discipline, forced labor, also known as bonded labor, referring to forms of labor where individuals are forced to work against their will, sexual violence which includes behaviors such as rape, and forced abortion and infanticide (United Nations High Commissioner for Human Rights 2020).

#### 4.2 Impact of COI-DPRK Report Results

The United Nations Human Rights Council established the COI-DPRK with the aim of investigating systematic human rights violations for which North Korea should be held accountable (Narayan 2016). The COI-DPRK has conducted rigorous investigations and submitted reports to the UN Human Rights Council. The witnesses who gave statements were able to convince the council of the veracity of their testimonies, and the information obtained was declared valid because the testimonies received were very detailed, and the witnesses gave the same information (Chubb and Yeo 2018a). The COI-DPRK report was submitted to the United Nations Human Rights Council in order to take action in holding North Korea accountable for the results of the COI-DPRK report. The COI-DPRK report has been on the agenda of the UN General Assembly and Human Rights Council and has become an official statement on human rights violations committed by the North Korean government.

The report issued by the COI-DPRK has influenced the North Korean Government's efforts in seeking aid, foreign investment and strategic political talks. In 2013, the President of Mongolia visited Pyongyang to conclude a cooperation agreement in the economic field, when the Mongolian President made a speech, he stated that tyranny cannot last forever and also linked the relationship between economic development opportunities and tyrannical rule (Cohen 2015b). The United States previously separated human rights issues from political interests and nuclear issues when dealing with North Korea, but in 2013, the United States stated that the United States-North Korea relationship would not reach mutual agreement if it was not based on continuous improvement of Korean Peninsula relations and human rights issues (Cohen 2015b). Subsequently, Congress passed a bill containing sanctions against North Korea for nuclear production and human rights violations.

The G8, which consists of advanced industrialized nations, urged North Korea in 2013 in an attempt to assuage the international community's concerns regarding human rights violations committed by North Korea (G8 2013). Furthermore, the UN raised the issue of human rights violations, especially in the case of prison camps, public executions, torture, abductions in discussions with North Korea (Hyon-hee 2013). As North Korea is under international scrutiny, it has adopted laws relating to child protection, changes to procedures regarding

arrests, and protection for people with disabilities, although it still has certain limitations (Narayan 2016). North Korea also adopted laws related to women's rights as a result of pressure exerted by the international community, and also signed the UN Convention on the Rights of Persons with Disabilities. North Korea also reported in 2012 that there has been a decrease in the number of public executions due to international condemnation and also the offspring of convicts have been released due to innocence, the previous rule was that if a person was declared a convict, the children and grandchildren of the perpetrator would also be sanctioned (Park et al. 2021).

In this case, cosmopolitanism emphasizes that humans have sensitivity to universal humanity so that human rights violations committed by the North Korean government arouse the sensitivity of the international community. COI-DPRK is present to raise the case of North Korean human rights violations to the eyes of the world so that this case becomes important in addition to the nuclear issue. The phenomenon of intervention by the COI is in line with the argument of ethical universalism which suggests that there are moral obligations regardless of sovereignty boundaries. COI-DPRK conducts investigations to provide evidence of human rights violations and make the international community pressure North Korea for human rights violations. Thus, COI's involvement in investigating and reporting on North Korea's human rights violations in the perspective of Cosmopolitanism is a form of global moral obligation where cooperation from the international community is needed to help realize peace.

Based on the attitudes and actions taken by the international community in inviting North Korea to stop human rights violations in the perspective of Cosmopolitanism is a thin cosmopolitanism school. This stream consciously does not seek to change the structure of the North Korean regime because international actors who seek to intervene in human rights in North Korea are limited to stopping acts of human rights violations and making North Korea to better consider the value of human rights to its people. Judging from the changes in the international response to North Korea's human rights violations, the role played by the COI-DPRK resulted in effective actions in raising cases of human rights violations. Thus, based on the perspective of Cosmopolitanism, the role of COI-DPRK is not based on pragmatic reasons alone but only to fight for individual rights regardless of sovereignty boundaries. COI-DPRK's role is to provide evidence based on credible sources of human rights violations in North Korea to the international community, with the aim of sensitizing the international community to the value of human rights. The response of the international community has provided evidence that it is sensitive to the value of human rights and that it is necessary to fight for the value of human rights so that the people of North Korea can be free and obtain individual rights that should be obtained by all human beings.

In the future, it is expected that countries will develop strategies to discuss human rights violations with the North Korean government. Although the nuclear issue is still the main topic, the COI-DPRK findings have helped place the issue of human rights violations on the agenda regarding North Korea, both multilaterally and bilaterally. It is important to have a dialogue with North Korea so that the issue of human rights violations is considered an agenda that must be discussed regularly by countries so that in the end, improving relations in the economic and political fields with North Korea does not only focus on denuclearization but on human rights reform in North Korea.

## **5. Conclusions**

Human rights are an important issue in the contemporary world so that human rights issues that occur will be an important concern by the international community because they violate the Universal Declaration of Human Rights. But unfortunately in the case of North Korea, human rights issues are not given much attention because the nuclear issue has always been the main topic discussed in the international community. The cases of human rights violations committed by North Korea have harmed its people and deprived the North Korean people of the rights they should have as human beings. The establishment of COI-DPRK by the UN Human Rights Council became a momentum for North Korea's human rights issues to be raised to the international public. COI-DPRK conducts investigations using testimonies from victims, witnesses, and survivors of North Korean atrocities with the assurance that those who give testimonies will receive protection.

The results of the COI-DPRK investigation were then submitted to the United Nations Human Rights Council with the aim of providing concrete evidence of human rights violations occurring in North Korea. After the report update was announced, there was a change in the international community that began to be moved by values and morals. With the theoretical basis of cosmopolitanism, it can be seen that COI-DPRK moves based on a sense of humanity and seeks to raise the case of North Korean human rights violations to the international community so that the human rights agenda becomes an important topic for countries in discussing the issue of North Korea. The role of COI-DPRK in fighting for human rights for the people of North Korea is not based on pragmatic reasons so that the COI-DPRK investigation report becomes a form of campaign in sensitizing humanity to their moral obligation to fight for individual rights for the people of North Korea without forcing regime change. The international community's efforts to lobby North Korea for human rights reform have been hampered by North Korea's denial of the COI-DPRK report. Nevertheless, with the adoption of the human rights agenda in the dialogue with North Korea, the role of COI-DPRK has been successful, even though it did not have an immediate but lasting impact.

## Bibliography

### Book

- Cho, Jung Hyun, Soo Am Kim, and Dong Ho Han. 2013. "The Establishment of the UN Commission of Inquiry on Human Rights in North Korea: Significance and Tasks." *Korea Institute for National Unification*.
- Choi, Sunyoung, Jina Yang, Nakyeong Lee, and Hanna Song. 2017. *The UN Universal Periodic Review and the DPRK: Monitoring of North Korea's Implementation of Its Recommendations*. Seoul: Database Center for North Korean Human Rights.
- Hassig, Ralph, and Kongdan Oh. 2015. *The Hidden People of North Korea: Everyday Life in the Hermit Kingdom*. Rowman & Littlefield.
- Kim, Insung, Hyun-min An, Hanna Song, and Seungju Lee. 2022. *Prisoners in Military Uniform: Human Rights In The North Korean Military*. <https://en.nkdb.org/researchreport/?q=YToxOntzOjEyOjRZXl3b3JkX3R5cGUiO3M6MzoiYWxsIjt9&bmode=view&idx=11073206&t=board>.
- Kim, Soo Am, Kook Shin Kim, Soon Hee Lim, Hyun Joon Chon, Kyu Chang Lee, and Jung Hyun Cho. 2012. "White Paper on Human Rights in North Korea 2012." Korea Institute for National Unification.
- Lee, Wootae, Kyu Chang Lee, Eunlee Joung, Jisun Yee, Yongwoo Na, Gyubin Choi, Ah Young Kim, and Hoon Hee Yoon. 2023. "White Paper on Human Rights in North Korea 2022." *Korea Institute for National Unification*. <https://www.kinu.or.kr/eng>.
- Linklater, Andrew. 1982. *Men and Citizens in the Theory of International Relations*. Springer.
- . 1998. *Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era*. John Wiley & Sons.
- Park, Ahyeong, Dan Bielefeld, Younghwan Lee, Scott Stevens, Yurim Choi, Hee-Seok Shin, Jeonghyun Kang, et al. 2021. "Mapping Killings Under Kim Jong-Un: North Korea's Response to International Pressure." The Transitional Justice Working Group.
- Rosyidin, Mohamad. 2020. *Teori Hubungan Internasional Dari Perspektif Klasik Sampai Non-Barat*. Depok: Rajawali Pers.

### Journals

- Cho, Jung Hyun. 2014. "The Report of the UN Commission of Inquiry (COI) on North Korean Human Rights: Some International Legal Analyses." In *Law and Policy on Korean Unification: Analysis and Implications*. 길잡이미디어.
- Chubb, Danielle. 2014. "North Korean Human Rights And The International Community: Responding To The Un Commission Of Inquiry." *Asia-Pacific Journal on Human Rights and the Law* 15 (1–2): 51–72. doi:10.1163/15718158-15010204.
- Chubb, Danielle, and Andrew Yeo. 2018a. "Adaptive Activism." In *North Korean Human Rights*, 1–28. Cambridge University Press. <http://dx.doi.org/10.1017/9781108589543.003>.
- Cohen, Roberta. 2015a. "Human Rights and Humanitarian Planning for Crisis in North Korea." *International Journal of Korean Studies*.
- . 2015b. "Human Rights in North Korea: Addressing the Challenges." In *Transitional Justice in Unified Korea*, 75–92. New York: Palgrave Macmillan US. [http://dx.doi.org/10.1007/978-1-137-53454-5\\_5](http://dx.doi.org/10.1007/978-1-137-53454-5_5).

- . 2016. “An R2p Framework for North Korea.” *Global Responsibility to Protect* 8 (4): 410–30. doi:10.1163/1875984x-00804006.
- Hawk, David. 2014. “North Korea’s Response to the UN Commission of Inquiry (COI) Report on the Situation of Human Rights in the Democratic People’s Republic of Korea.” *Law and Policy on Korean Unification: Analysis and Implications*, 213–50.
- Hawk, David, Jae Chun Won, and Byung Lo (Philo) Kim. 2005. “Thank You Father Kim Il Sung: Eyewitness Accounts of Severe Violations of Freedom of Thought, Conscience, and Religion in North Korea.” U.S. Commission on International Religious Freedom.
- Hilpert, Hanns Günther, and Frédéric Krumbein. 2016. “Human Rights in North Korea: A European Perspective.” *The Journal of East Asian Affairs* 30 (1): 67–92.
- Kim, Hyung-Chan. 1969. “Ideology and Indoctrination in the Development of North Korean Education.” *Asian Survey* 9 (11): 831–41. doi:10.2307/2642227.
- Son, Sarah A. 2018. “North Korea’s Human Rights Insecurity: State Image Management in the Post-Un COI Era.” *Asia & the Pacific Policy Studies* 5 (1): 138–49. doi:10.1002/app5.219.
- United Nations High Commissioner for Human Rights. 2020. “Human Rights Violations against Women Detained in the Democratic People’s Republic of Korea.” OHCHR.

## Websites

- BBC News. 2021. “North Korea Says Orphan Children Volunteering on Mines and Farms.” *BBC News*. May 29. <https://www.bbc.com/news/world-asia-57293167>.
- Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea. 2014. “Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea.” OHCHR. The United Nations Human Rights Council. <https://www.ohchr.org/en/hr-bodies/hrc/co-idprk/reportofthe-commissionof-inquiry-dprk>.
- G8. 2013. “G-8 Leaders Communique.” *Whitehouse.Gov*. June 18. <https://obamawhitehouse.archives.gov/the-press-office/2013/06/18/g-8-leaders-communique>.
- Human Right Watch. 2016. “UN: Seek Justice for North Korean Forced Labor Victims.” *Human Rights Watch*. March 11. <https://www.hrw.org/news/2016/03/11/un-seek-justice-north-korean-forced-labor-victims>.
- Hyon-hee, Shin. 2013. “U.N. Rights Panel Urges N. Korea to Grant Access.” *The Korea Herald*, August 27. <https://www.koreaherald.com/view.php?ud=20130827000930&np=12941&mp=1295>.
- KBS World. 2020. “Children’s Rights in N. Korea.” *KBS World*. [http://world.kbs.co.kr/service/contents\\_view.htm?lang=e&board\\_seq=392409](http://world.kbs.co.kr/service/contents_view.htm?lang=e&board_seq=392409).
- KCNA. 2015. “Newstream.” *KCNA Watch*. <https://kcnawatch.org/newstream/1607119391-783331900/12th-plenary-meeting-of-14th-presidium-of-dprk-supreme-peoples-assembly-held/?t=1640677940282>.
- Yong, Lee Sang. 2021. “North Korean Shot Dead near the China-North Korea Border Last Week.” *Daily NK*. October 6. <https://www.dailynk.com/english/north-korean-shot-dead-near-china-north-korea-border-last-week/>.
- 최고관리자. 2013a. *North Korean Human Rights Case Report: Victims’ Voices Volume 1*. Database Center for North Korean Human Rights.
- . 2013b. “North Korean Human Rights Case Report: Victims’ Voices Volume 2.” *NKDB*, October 31.



---

<https://en.nkdb.org/researchreport/?q=YToyOntzOjEyOiJrZXI3b3JkX3R5cGUiO3M6MzoiYWxsIjtzOjQ6InBhZ2UiO2k6MTt9&bmode=view&idx=13259431&t=board>.