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**Joint Submission of the International Bar Association's Human Rights Institute and the
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North Korea

Submission by:

Dr Ewelina Ochab

International Bar Association's Human Rights Institute

Chancery House 53-64 Chancery Lane

London WC2A 1QS United Kingdom

Email: ewelina.ochab@int-bar.org

I. Introduction

1. This report, produced by the International Bar Association's Human Rights Institute (IBAHRI) and the Coalition for Genocide Response, focuses on the atrocities perpetrated in the Democratic People's Republic of Korea (DPRK/North Korea).
2. Established in 1947, the International Bar Association (IBA) is the world's leading international organisation of legal practitioners, bar associations and law societies. The IBAHRI works with the global legal community to promote and protect human rights and the independence of the legal profession worldwide.
3. Coalition for Genocide Response is a UK-based charity that works towards a comprehensive response to genocide and other international crimes, engaging the UK, regional and international actors.
4. The submission below focuses on some of the most egregious atrocities in North Korea, including the issue of genocide against Christians.

II. Atrocity Crimes in North Korea

5. The human rights situation in North Korea is one of the worst in the world, although it rarely receives adequate attention from the international community. In 2024, ten years after the Commission of Inquiry (COI) on Human Rights in the DPRK, led by the Honourable Michael Kirby AC CMG, published its reports (the 2014 COI report), the atrocities continued to disappear from the agenda of the international community. This should not be understood as the situation in North Korea is improving. On the contrary, the dire situation persists to this day and flourishes in impunity.
6. The 2014 COI report classified the atrocities perpetrated in North Korea as crimes against humanity. The report further considered the issue of genocide stating, however, it did not make any findings on the issue. The report considered the atrocities to be 'politicide' as:

In the case of the DPRK's political prison camps, extermination has been based principally on imputed political opinion and state-assigned social class. Such grounds are not included in the contemporary definition of genocide under international law.¹

7. In 2022, the Inquiry into Crimes Against Humanity in North Korean Detention Centers (the 2022 Inquiry), led by the War Crimes Committee of the IBA and the Committee for Human Rights in North Korea (HRNK), found that there are reasonable grounds to conclude that crimes against humanity have been, and continue to be, committed on a

¹ See: <https://www.ohchr.org/en/hr-bodies/hrc/co-idprk/commission-inquiryon-h-rin-dprk>.

massive scale in North Korean detention centres.² The 2022 Inquiry found that there are reasonable grounds to conclude that the following ten of the eleven crimes against humanity listed in the Rome Statute of the International Criminal Court (Rome Statute) have been, and continue to be, committed:

- murder,
- extermination,
- enslavement,
- forcible transfer,
- imprisonment or severe deprivation of physical liberty,
- torture,
- sexual violence,
- persecution,
- enforced disappearance, and
- other inhumane acts.

8. Based on the evidence collected, the 2022 Inquiry found that there are reasonable grounds to conclude that the following classes of individuals are responsible for some or all of the above-referenced crimes, including:

- Kim Jong-un in his capacity as Head of State;
- Members of the Organization and Guidance Department (OGD);
- Members of the State Affairs Commission (SAC);
- Members of the Ministry of Social Security (MPS, formerly known as the Ministry of People's Security);
- Members of the Ministry of State Security (MSS).

9. As the 2022 Inquiry indicated, the legal basis for holding the above individuals accountable for crimes against humanity under the Rome Statute may include modes of individual criminal responsibility, under Article 25(3)(a) (i.e., direct perpetration, co-perpetration, indirect perpetration, and indirect co-perpetration), or superior responsibility under Article 28 (i.e., liability of military commanders and civilian superiors for the failure to prevent or punish the crimes of their subordinates).

10. The full report is included as **Appendix A**.

11. The atrocities targeting certain groups may fall within the purview of Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention).

² See:

<https://www.ibanet.org/document?id=Inquiry-on-Crimes-Against-Humanity-in-North-Korean-Detention-Centers-2022>.

12. The 2014 COI report commented that:

[It] established, based on the [DPRK]’s own figures, that the proportion of religious adherents among the DPRK’s population, who were mainly Christians, Chondoists and Buddhists, dropped from close to 24% in 1950 to 0.016% in 2002. The Commission also received information about purges targeting religious believers in the 1950s and 1960s. However, the Commission was not in a position to gather enough information to make a determination as to whether the authorities at the time sought to repress organised religion by extremely violent means or whether they were driven by the intent to physically annihilate the followers of particular religions as a group. This is a subject that would require thorough historical research that is difficult or impossible to undertake without access to the relevant archives of the DPRK.³

13. The issue of genocide has been further considered by Hogan Lovells in 2014⁴ and the All-Party Parliamentary Group (APPG) on North Korea in 2021 (the APPG Inquiry).⁵ The below analysis does not consider historic persecution, instead, it considers recent examples of persecution to provide a basis for the finding of genocide against religious groups, specifically, Christians.

Genocide

14. North Korea’s Christian population is the most virulently persecuted segment of North Korean society. The Kim regime’s decades-long effort to eradicate Christianity may constitute a genocide under the Genocide Convention. The 2014 COI report, citing North Korea’s own figures, noted the Christian population plummeted from roughly 24% in 1950 to 0.016% in 2002, despite the absence of any significant emigration of North Koreans during this period, whether Christian or otherwise. This steep decline in the Christian population has been achieved by the Kim regime’s relentless persecution of Christians, which began under the leadership of Kim Il Sung and continues to this day.

15. Christians constitute a disproportionate percentage of the population in North Korea’s political prisons, with the mere possession of a Bible serving as grounds for imprisonment in a political prison. North Korea’s political prisons are widely acknowledged to function as death camps. There, free labour is extracted for a few weeks, months or years before prisoners perish, mostly from overwork, torture, beatings, executions, and lack of adequate nutrition and medical care. Further, under the Kim regime’s evil seed’ policy, three generations are routinely imprisoned for the supposed

³ Ibid., 1159.

⁴ Hogan Lovells, ‘Crimes Against Humanity’ (May 2014).

⁵ APPG North Korea, Inquiry into Human Rights Violations in North Korea 2014-2020/1. The full report is enclosed as **Appendix B**.

transgressions of a single family member. Thus, if a Christian is found in possession of a Bible, their children, spouse, and parents are likely to be imprisoned as well, whether or not they are practising Christians. This 'evil seed' policy also applies to non-Christians, that is, any North Korean who commits an offence that might land them in a political prison places three generations of their family at risk of imprisonment.

16. The below focuses on the targeting of Christians in North Korea and further engages with the issue of genocide.
17. To fall within the purview of Article II of the Genocide Convention, the following elements would have to be proven:
 - **Protected groups** - the victims would have to be members of a protected group, namely, of a national, ethnic, racial or religious group;
 - **Prohibited acts** - they would have to be subjected to the prohibited acts as listed in Article II of the Genocide Convention;
 - **Specific intent** - the acts would have to be perpetrated with the specific intent to destroy the protected group, in whole or in part.

Members of a protected group

18. Genocide is a crime perpetrated against a group, targeting group identity, and not against an individual. Indeed, in the International Criminal Tribunal for the former Yugoslavia (ICTY) case of Radovan Karadžić (who served as the president of Republika Srpska during the Bosnian War and was later convicted of genocide, crimes against humanity, and war crimes) the judgement emphasised that *'the crime of genocide pertains to the destruction of a race, tribe, nation, or other group with a particular positive identity, not to the destruction of various people lacking a distinct identity.'*⁶ The Genocide Convention articulates four types of groups that the Genocide Convention exclusively applies to, namely, national, ethnic, racial, and religious groups. For the definition of genocide to be met, one would have to ensure that the targeted people are both from a distinct group and one of the four that are identified.
19. Christians in the DPRK fall within the definition of a protected group, as a religious group. The exact number of Christians in North Korea is difficult to ascertain. The UN estimates place the Christian population at between 200,000 and 400,000, or approximately 1-2% of the population. The Center for the Study of Global Christianity estimates there are 100,000 Christians, and Open Doors USA estimates the country has

⁶ *Prosecutor v Karadžić* (Judgment) IT-95-5/18-T (24 March 2016) 541.

400,000 Christians. Independently from the exact number, Christians are a small minority within the 26 million strong population.⁷

20. The 2022 Inquiry identified that while the DPRK authorities persecute individuals based on religion, ethnicity, and political beliefs:

The evidence demonstrates that persecution against Christians in the DPRK detention centres is particularly egregious, and those suspected of being Christians are often detained for investigation of their religious beliefs.⁸

21. It further indicated that extensive evidence suggests that that perpetrators severely deprived persons of fundamental rights—including the rights to life, liberty, and bodily security—based on their identification with a Christian group or collectivity, and have targeted the Christian group or collectivity as such.⁹

Prohibited acts

22. Article II of the Genocide Convention identifies four other genocidal methods that may be considered. This preoccupation with killing might be understandable since the genocides of the past infamously employed this genocidal method. However, any inquiry into genocide must not stop there. In the ICTR case of *Akayesu*, the Tribunal stated that:

Contrary to popular belief, the crime of genocide does not imply the actual extermination of the group in its entirety but is understood as such once any one of the acts mentioned in Article II is committed with the specific intent to destroy “in whole or in part” a national, ethnical, racial or religious group.¹⁰

23. The five methods have been at the core of all modern genocides. While the manifestations of these five acts may be diverse, they ought to be strictly construed and interpreted in light of the extant jurisprudence.

24. The available evidence suggests that Christians may have been subjected to the following prohibited acts within the definition of genocide in Article II:

- killings as per Article II a,
- serious bodily or mental harm as per Article II b,
- deliberately subjected to conditions of life calculated to bring about their physical destruction in whole or in part as per Article II c.

⁷ See: <https://www.opendoorsuk.org/persecution/world-watch-list/north-korea/>.

⁸ 2022 Inquiry Report, 115.

⁹ *Ibid.*, 116.

¹⁰ *Prosecutor v Akayesu*, ICTR-96-4-T (2 September 1998) 497.

Killing

25. (Unlawful) killing is the most recognised method to bring about genocide and is understandably considered the most shocking, particularly since the killings often include the elderly, mothers, and children – non-combatants. Genocide as defined by the Genocide Convention and customary international law does not necessarily entail the immediate destruction of the group by mass slaughter; in fact, no killings at all are necessarily ‘required’ if at least one or more of the five prohibited genocidal acts are proven. Furthermore, as the Tribunal in the ICTY case of *Radovan Karadžić* confirmed, ‘a numeric assessment of the number of people killed is not required for the *actus reus* of genocide to be established.’¹¹ Killing as an act of genocide requires proof of a result.¹²
26. Several escapees from North Korea testified to witnessing public executions and enforced disappearances of those who were caught distributing or possessing the Bible.¹³ In 2019, when a secret underground church in Pyongyang was discovered, five leaders were publicly executed, seven members were subsequently imprisoned in political prison camps, and thirty Christians were sent to detention centres along with fifty people, including their families, who were also forced to be expelled.¹⁴ In addition, 244 North Korean victims were reported to be killed, detained, and missing, implicating the Ministry of People’s Security, the Ministry of State Security, the Chinese Ministry of Public Security, the Worker’s Party of Korea, and the Border Security Command.¹⁵

Serious bodily or mental harm

27. Causing serious bodily or mental harm to members of the group means ‘an intentional act or omission which causes serious bodily or mental harm to members of the protected group and requires proof of a result’¹⁶ and may include torture, inhuman or degrading treatment or punishment, rape and sexual violence, serious injuries to external and internal organs.¹⁷ The harm must go ‘beyond temporary unhappiness, embarrassment or humiliation.’¹⁸ For the purposes of Article II b, serious bodily or mental harm may flow from other acts that may not, in and of themselves, be prohibited acts of genocide – for example:

¹¹ *Prosecutor v Karadžić* (Judgment) IT-95-5/18-T (24 March 2016) 542.

¹² *Ibid.*

¹³ Ministry of Unification, Center for North Korean Human Rights Records, 2023 Report on North Korean Human Rights (2023) 77, 91.

¹⁴ *Ibid.*, 244.

¹⁵ Persecuting Faith: Documenting religious freedom violations in North Korea (Volume 2) (2021) 11. The Korea Future has run the North Korean Religious Freedom Database to gather evidence of abuses of religious freedom in North Korea, together with the names of specific victims, perpetrators, governmental agencies and locations. It is available here: <https://nkrf.io/en/>.

¹⁶ *Ibid.*, 543.

¹⁷ *Ibid.*, 545.

¹⁸ *Ibid.*, 543.

Enslavement, starvation, deportation and persecution ... and by their detention in ghettos, transit camps and concentration camps in conditions which were designed to cause their degradation, deprivation or deny their rights as human beings, and to suppress them and cause them inhumane suffering and torture.¹⁹

28. Psychological harm, while not having to be permanent or irreversible, must result *'in a grave and long-term disadvantage to a person's ability to lead a normal and constructive life.'*²⁰ Rape and sexual violence are acts constituting serious bodily and/or mental harm and, if perpetrated with the intent to destroy the group, would amount to genocide.

29. Testifying before the APPG Inquiry in 2020/1, the Committee for Human Rights in North Korea indicated that Christians are subjected to serious bodily and mental harm in detention:

In the DPRK, anyone suspected of being a Christian, of having a Christian family member, of associating with Christians, or even of just being exposed to the Christian faith is harshly punished. When North Korean escapees are arrested in China and forcibly repatriated to North Korea, in direct violation of China's obligations under the 1951 UN Refugee Convention and 1967 Protocol Relating to the Status of Refugees, **they are aggressively interrogated, beaten, and tortured.** (...)

As a result, North Korean religious believers, or those accused of affiliation with religion, are persecuted by the Kim regime. (...) HRNK interviews with former prisoners have revealed multiple occasions of **prisoners suspected of believing in or practising religion being treated more harshly in detention, subjected to longer interrogation and torture techniques, and disappeared extrajudicially to political prison camps.**²¹

30. Ms Suyeon Yoo, Director of Human Rights Investigations for Korea Future Initiative told the APPG Inquiry that the situation of Christians is remarkably different from others:²²

The number of victims of documented Christians who experienced violations was greater than the number of documented shamanistic adherents in the first phase of our investigation. And there could be many reasons but fundamentally because Christianity is perceived as a political crime in North Korea.

¹⁹ *Attorney General of the Government of Israel v Eichmann*, 36 ILR 5 (District Court of Jerusalem, 1961).

²⁰ *Prosecutor v Karadžić* (Judgment) IT-95-5/18-T (24 March 2016) 543. See also *Prosecutor v Krstić* (Judgment) IT-98-33-T (2 August 2001) 513.

²¹ Oral hearing, Committee for Human Rights in North Korea.

²² Oral Hearing 10 February 2021.

Christianity, through our investigation, was documented as being far more open and far more of an organised form of belief than shamanism. Another reason, maybe because shamanism is perceived to be tied to normative beliefs, customs and histories and is therefore last seen as a threat to the legitimacy of the region.

These organisations or institutions that are related to religious freedom violations in our findings show that the Ministry of State Security plays a central role in monitoring activities and individuals related to Christianity and the Ministry of People's Security takes precedence over shamanistic cases. (...)

Respondents were educated to hate feared Christianity. Most of the respondents mentioned a chapter in their elementary textbook, which described an American missionary who marks a child's forehead to punish the child for picking up an apple from the missionary's apple tree. (...)

People suspected of adherence, or encounters with Christianity or arrested in the middle of the night with their entire families by the Ministry of Security.

A few respondents noted that people suspected of Christianity were cordoned off to separate cells, in some cases, especially monitored by the guards, and documented Christians experienced more serious forms of torture.

On top of the basic conditions of incarceration in North Korea, like physical assault, verbal abuse for extended periods is common. **They were put in solitary confinement and subjected to extreme forms of torture such as water torture, electric sea torture or being hung upside down. (...)**

It was documented that a person charged with serious crimes, which according to our respondent is how Christianity is perceived, will be eventually transferred to a border or prison. It was documented their assent to labour training centres or long-term re-education camps depending on the duration the number of people involved and the ability of the charging individuals to pay bribes.²³

31. Open Doors reported that Christian women held in the country's barbaric labour camps are acutely vulnerable to sexual violence during interrogation and in daily prison life.²⁴

Conditions of life calculated to bring about destruction

32. This method of genocide deliberately inflicts conditions of life that would, as a matter of objective probability, lead to death or physical or mental harm to the targeted people.²⁵ The methods of destruction do not need to immediately kill the members of the group but

²³ Oral hearing, KFI.

²⁴ See: <https://www.opendoorsuk.org/persecution/world-watch-list/north-korea/>.

²⁵ *Prosecutor v Karadžić* (Judgment) ICTY-95-5/18-T (24 March 2016) 546-548.

ultimately aim for their physical destruction.²⁶ This provision *‘does not require proof ... that a result was attained; as such, it does not require proof that the conditions actually led to death or serious bodily or mental harm of members of the protected group.’*²⁷ The Tribunal in the ICTY case of Radovan Karadžić confirmed that these methods can take the form of *‘subjecting the group to a subsistence diet; failing to provide adequate medical care; systematically expelling members of the group from their homes; and generally creating circumstances that would lead to a slow death such as the lack of proper food, water, shelter, clothing, sanitation, or subjecting members of the group to excessive work or physical exertion.’*²⁸ The Death Marches of the Nazis are examples of conditions calculated to bring about destruction. Subjecting people in camps to starvation²⁹ or heavy labour, or denying humanitarian access to communities in urgent need of such assistance would also qualify.

33. The 2017 IBA report identified that:

Christians are heavily persecuted and receive especially harsh treatment in prison camps, with one former prison guard testifying that “Christians were reactionaries and there were lots of instructions... to wipe out the seed of reactionaries.” Multiple witnesses watched prisoners tortured and killed on account of their religious affiliation.³⁰

34. According to the evidence gathered:

Multiple witnesses testified to watching prisoners in the political prison camps being tortured and murdered for their religious affiliation. Kim Ha-neul witnessed the murder of Oh Seong-hwa for her religious affiliation. Also, Kim Tae-jin testified to seeing seven people being tortured at Camp 15 for participating in Christian meetings. Further, a former guard at numerous political prison camps stated that “[t]here was an abundance of references to Christian groups for the purposes of annihilation . . . Christians were reactionaries and there were lots of instructions and mottos to wipe out the seed of reactionaries.”

Witnesses testified to seeing Christians (or those suspected of being Christians) incarcerated in specific zones within the prison camp at which prisoners were subjected to more severe deprivation. Kim Eun-cheol testified that he witnessed five people accused of reading the Bible being sent to the total control zone or executed at Camp 15. Mr A testified that his sister was imprisoned in Camp 15 in

²⁶ *Prosecutor v Akayesu*, Judgment, ICTR-96-4-T, 505.

²⁷ *Prosecutor v Karadžić* (Judgment) ICTY-95-5/18-T (24 March 2016) 546.

²⁸ *Ibid.*, 547.

²⁹ See: Appendix C.

³⁰ IBA 2017 Report, 6-7.

part because she practised Christianity before being caught and repatriated back to the DPRK. She was never heard from again.

315. These reports are consistent with the testimony of a former high-level official, who described the DPRK policy of sending those who attempted to reach South Korea using Christian channels to political prison camps, while those using other channels might be sent to ordinary prisons.³¹

35. The 2022 Inquiry indicated that Christians, in particular, were targeted for detention and particularly grave treatment in detention:

One detainee estimated that between 50-60% of their fellow detainees at Onsong Shorter-Term Labor Detention Facility (Jip-kyul-so) had attended some form of Christian service in China.

Detention periods have been documented as being longer for Christians than other groups, and witnesses have reported that “[i]dentified Christians are interrogated for longer periods, usually under torture” and subjected to some of the worst forms of torture to force them to incriminate others during interrogation.³²

36. The 2014 COI Inquiry identified that the MSS ‘makes concerted efforts to identify Christians’ including systematically interrogating persons forcibly transferred to North Korea from China to identify practising Christians among them and to identify other members of underground Christian churches.³³

37. The 2022 Inquiry cited testimonies indicating that any North Korean forcibly transferred back to the country ‘*who received education in Christianity [was] categorised as [a] political offender and sent to political prison (kwanliso) without going through a trial process.*’³⁴

38. The 2022 Inquiry considered evidence to show that Christians in detention centres are tortured and killed on account of their adherence to Christianity:

Witnesses have reported that authorities subject Christian detainees to “harsher punishments” than others. One witness interviewed by the National Human Rights Commission of Korea reported that “North Korean authorities render the heaviest punishment on [people detained for the crime of going to church], treating them like dogs ... Christians received more torture and punishment for their beliefs. The authorities would strike them with a stick while asking, ‘Does God give you food? Do you think God gives you food?’

³¹ IBA 2017 report, 75-76.

³² 2022 Inquiry Report, 11.

³³ 2014 COI Inquiry, 254.

³⁴ Ibid., 11.

In 2016, the Database Center for North Korean Human Rights reported alleged disappearances of persons who were found to be practising religion in detention facilities. (...)

One victim at Musan County MSS Detention Facility (Ku-ryu-jang) was caught praying in their cell. Upon the order of an MSS correctional officer, fellow detainees physically assaulted the victim.³⁵

Specific intent

39. Not all international crimes amount to genocide. For international crimes to meet the legal definition of genocide they must be carried out with the *specific intent* to destroy a protected group in whole or in part. Indeed, the key element to distinguish genocide from other international crimes is the intention to destroy a protected group. This element of specific intent means that genocide cannot be committed by accident or negligence. It is a crime committed knowingly and wilfully.³⁶ There must exist the intent to commit one or more of the acts specified in Article II of the Genocide Convention, as well as an intent to bring about the destruction of a group in whole or in part through that commission. The courts have held the word '*destroy*' to refer to physical or biological destruction.³⁷ This specific intent, the '*intent to destroy*', distinguishes genocide from other violations of international law (such as crimes against humanity and war crimes).³⁸ In the case of *Prosecutor v Akayesu*, Jean-Paul Akayesu³⁹ (the Mayor of Taba) was found guilty of genocide by the ICTR. The court noted:

Genocide is distinct from other crimes in as much as it embodies a special intent or *dolus specialis*. The special intent of a crime is the specific intention, required as a constitutive element of the crime, which demands that the perpetrator clearly seeks to produce the act charged. Thus, the special intent in the crime of genocide lies in '*the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.*'⁴⁰

40. Specific intent may be determined directly from the words or actions of alleged perpetrators, or indirectly inferred from the surrounding facts or circumstances in which prohibited acts were committed. '*In assessing evidence of genocidal intent, [a court] should consider whether* "all of the evidence, taken together, demonstrates a genocidal

³⁵ 2022 Inquiry Report, 117.

³⁶ See for example: International Law Commission, Report, 48th Session, 6 May–26 July 1996, Doc N A/51/10, 44.

³⁷ *Prosecutor v Krstic* (Judgment) ICTY- 98-33-A 580.

³⁸ William A. Schabas, *Genocide in International Law: The Crimes of Crimes* (Cambridge University Press: Cambridge, 2009), 836. See also: Kai Ambos, 'What Does 'Intent to Destroy' in Genocide Mean?' 91 (2009) *International Review of the Red Cross*, 834.

³⁹ *Prosecutor v Akayesu* (Judgment) ICTR-96-4 (2 September 1998) 477.

⁴⁰ *Ibid.*, 498.

mental state”, *instead of considering separately whether an accused intended to destroy a protected group through each of the relevant acts of genocide.*⁴¹

41. Commenting on the intent to destroy Christians in whole or in part, Hogan Lovells indicated that they have not seen any recent statement from the DPRK authorities expressly demonstrating the specific intent, although they acknowledged the existence of reported statements on the issue.⁴² They concluded that if some of the alleged statements were, *‘found to be true, that would show that the DPRK had pursued a deliberate policy of targeting and persecuting Christians for the purposes of the Genocide Convention.*⁴³ They explained that:

The fact that the number of persons declaring to be religious followers in the DPRK is said to have dropped so dramatically cannot be said, of itself, to establish an intentional extermination of Christians by the DPRK authorities, particularly given the possible repercussions for those known by the authorities to practice a religion. However, the drop is significant enough to suggest that the DPRK may have committed harmful acts that are specifically targeted at Christians.⁴⁴

42. According to KFI, *‘Under the Kim Jong-il and Kim Jong-un regimes, the government is more aware of international opinion/pressure, meaning that the more literal wordings are delivered in internal propaganda sessions. Shamanism is often termed ‘superstition’ and Christianity will fall under ‘anti-Socialist acts.’*⁴⁵

⁴¹ *Prosecutor v Karadžić* (Judgment) ICTY-95-5/18-T (24 March 2016) 550.

⁴² For example:

‘Through court trials, we have executed all Protestant and Catholic church cadre members and sentenced all other vicious religious elements to heavy punishment. The repentants have been given work, but non-repentants have been sent to concentration camps. The guidelines for dealing with religious believers are clearly set out in our Party’s public security policy. You need only follow it. Silly old religionists need to die in order for their bad habits to be corrected. In which case, we must mercilessly eradicate them.’ (Christian Solidarity Worldwide, ‘North Korea: A case to answer - A call to act’ (2007) 64)

‘The genocide definition fits the policy towards Christians one hundred per cent. **There was a special instruction from the political leadership that all religions are social evil. There was an abundance of references to Christian groups for the purposes of annihilation.** There were speeches, texts, instructions, textbooks and pamphlets covering this. Religion is seen to be like opium and has to be wiped out. When I was on duty, I saw many Christians. One is meant to worship only the political leaders and any other worship was a deviation from loyalty to the regime. When North Koreans hear about God, they think they are talking about Kim II-Sung. All North Koreans have this confusion. If anyone embraces Christianity in North Korea, they are called a crazy guy. No one could understand or imagine someone wanting to become a Christian. It is very unlikely one could find a descendant of a Christian still living. The camp rules were intended to prevent Christian families. Everyone in the camp was prevented from reproducing. If someone had a baby it would be a problem in the whole camp. Christians were reactionaries and there were lots of instructions and mottos to wipe out the seed of reactionaries. The purpose of the camps I was involved in was to kill the prisoners. Instead of killing them by shooting, the intention was to force them to work to the last minute. The intention was to kill, not to extract labour. The purpose was to kill; the method was just different. (Christian Solidarity Worldwide, ‘North Korea: A case to answer - A call to act’ (2007) 64).

⁴³ *Ibid.*, 59.

⁴⁴ *Ibid.*

⁴⁵ Oral hearing, KFI.

43. The 2022 Inquiry commented on the targeting of Christians stating that:

North Korea is motivated to oppress religion, and in particular Christianity, because religion is considered incompatible with, and hostile to, the State-sponsored personality cult of the Kim regime. Christianity is seen as a threat to the Suryong. Due to “the sense that the one-person dictatorship can be undermined by religious faith,” Christians are “regarded as tools of imperialist invasion,” with “supposed connections” to the US. As such, religious oppression has been a consistent feature of the DPRK regime since its establishment to the present regime. “[T]here is almost complete denial of the right to freedom of thought, conscience and religion as well as the right to freedom of opinion, expression, information and association” in the DPRK.

The UN Commission of Inquiry found that people found to be engaging in religious activities are regularly detained, tortured, sent to prison camps, and even murdered on account of their adherence to their faith. The COI Detailed Findings state that “the messaging from the state to the people regarding Christianity clearly suggests that ordinary citizens in the DPRK are not permitted to practice Christianity. It has been described as a drug, a sin, and a tool of Western and capitalist invasion. Christians are portrayed as the product of USA capitalism and akin to vampires.” There are reports of “children being encouraged to tell their teachers if they suspect Christianity is being practised in their home.” One North Korean defector explained that “when it comes to religion, North Koreans just shudder because the punishment is very severe.” In fact, some maintain their faith with such secrecy that there are credible accounts of individuals not knowing for years that they and their spouses were both Christian.

One witness reported that the “only way to survive in North Korea... is to hide or deny one’s religious belief [because] those who revealed their religious belief suffered terrible reprisals,” including being tortured, killed, or incarcerated in prison camps. Although the DPRK Constitution formally provides for freedom of religion and the practice of Christianity is not explicitly criminalized, state authorities effectively consider it a political crime. In practice, suspected religious observers are arrested and sent to detention facilities for investigation under what the North Korean Criminal Code terms “anti-state and anti-people crimes.”

Witnesses have testified that “being Christian is de facto illegal and treated as a crime.” Individuals are arrested for being Christian, and charged with other crimes such as political crimes when in reality “the true reason why [they] were imprisoned was [because] they were Christian.”

Witness i53 testified that “[i]n North Korea, anyone accused of practising religion is sent to the Bo-wi-bu interrogation/detention facility and treated as a political prisoner, which means after interrogation by the Bo-wi-bu . . . the person would be sent to a political prison.”

In some cases, “simply reciting verses from the Bible or being exposed to Christianity outside of the country resulted in imprisonment in the political prison system—and more specifically, within the ‘total control zones’ of individual prisons.” (...)

Persons suspected of practising Christianity make up a great proportion of detainees. One detainee estimated that between 50-60% of their fellow detainees at Onsong Shorter-Term Labor Detention Facility (Jip-kyul-so) had attended some form of Christian service in China. Pre-trial detention periods are also longer for Christians than for other groups.

One Christian practitioner was detained for over a year after someone reported to the authorities that they had smuggled pages from the Bible into the DPRK. Suspected Christians are also interrogated for longer periods, usually under torture and subjected to more intense torture, including forcing them to incriminate others during interrogation.⁴⁶

44. Further evidence may be needed to consider whether Christians are targeted for annihilation in North Korea.

VI. Recommendations

45. In view of the above, IBAHRI and the Coalition for Genocide Response recommend the following to the Government of North Korea:

- To take all necessary actions to ensure the cessation of crimes against humanity and possible genocide;
- To ensure compliance with the obligations contained in human rights treaties to which DPRK is a party;
- To cooperate with the UN and other international bodies to implement all recommendations contained in the 2014 COI report.

⁴⁶ 2022 Inquiry Report, 117.