

February 21, 2020

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Re: Open Letter on South Korea's Policies on Protecting Human Rights in North Korea

President Moon Jae-in,

We are writing on behalf of 69 non-governmental organizations and seven concerned individuals from 23 different countries worldwide to urge you to clarify and strengthen the South Korean government's position on promoting human rights in the Democratic People's Republic of Korea (DPRK, North Korea). We raise these issues with you specifically in the context of next month's consideration of North Korea in the UN Human Rights Council (HRC), and the adoption of a new resolution to safeguard UN mechanisms set up to report on human rights abuses in North Korea and preserve evidence of them.

We appreciate your recent efforts to promote peace, dialogue, and engagement with the North Korean government. We also note the key role the Republic of Korea (ROK, South Korea) has played in recent years supporting North Korea resolutions at the HRC and the UN General Assembly (UNGA), including resolutions that established the 2013 UN Commission of Inquiry (COI) on the human rights situation in North Korea, accepted its findings, and set up a field based office of the Office of the High Commissioner of Human Rights (OHCHR) in Seoul to prepare for future accountability processes. The COI found the North Korean government carried out wide-ranging and systemic crimes against humanity—summary executions, torture, rape, among other atrocities.

South Korea's support helped sustain unprecedented international pressure on the North Korean government, including several debates on the country's human rights record at the UN Security Council between 2014 to 2017. This heightened UN focus on North Korea highlighted some of the intrinsic connections between human rights abuses in North Korea and regional and international peace and security, and put new pressure on North Korea to cooperate with UN mechanisms and address human rights issues, even in the context of peace, non-proliferation or other diplomatic talks. South Korea's support had been crucial in achieving these positive developments.

These initiatives have all been placed at risk from more recent decisions and actions taken by your government in the last year.

In November, your government decided to withdraw from co-sponsoring a resolution in the UNGA condemning the human rights situation in North Korea, despite supporting every past annual resolution since 2008. The same month, your government made a decision to deport two North Korean fishermen accused of murder to face a substantive risk of torture and possible death in North Korea. Your government has not provided adequate explanations regarding either of these events. In response to these disturbing decisions, a large coalition of 67 non-government organizations and ten individuals wrote to you last December, urging you to strengthen the government's positions on promoting human rights in North Korea.

The South Korean foreign ministry's statement in November following the decision not to sponsor a UNGA resolution was troublingly innocuous. It only noted that "the ROK government will continue efforts to promote the human rights in the DPRK through peace and prosperity on the Korean Peninsula."

In our view, actual improvement of human rights cannot be accomplished just by promoting peace, dialogue, or development projects. Discussing North Korea's human rights record and pressuring the North Korean government to respect the freedom and dignity of all people in North Korea and fulfil its obligations as a member of the international community are necessary practical elements in negotiations, whether on economic issues, security matters, cultural exchanges, or any other matter. This is because human rights, development issues, and weapons counter-proliferation efforts are all inextricably linked, as several foreign policy experts, religious leaders, and human rights advocates have pointed out. - Any long-term resolution of security issues on the Korean peninsula will require addressing North Korea's repressive rights record and pressing the North Korean government to commit to fundamental and wide-ranging reforms.

Kim Jong Un's government pushed ahead with its weapons program while doing little to address the widespread poverty in the country. It has failed to provide its citizens with adequate housing, food, health and childcare, education, or other basic human needs. The enjoyment of economic, social and cultural rights for the vast majority of people remains at a very low level, while forced or virtually unpaid labour continues to be usual practice. Countless people are still subjected to atrocities in the country's network of prison camps. As President of South Korea and a believer of human rights for all, you cannot remain silent on these issues.

We are aware that the North Korean government often reacts in a hostile manner when confronted with criticism of its human rights record. But softening pressure on the Kim Jong Un government is unlikely to improve human rights conditions or resolve the security problem in the Korean peninsula. Dialogue and public human rights criticism are not mutually exclusive. North Korea's reaction to the COI report proved how sensitive Kim Jong Un is to report on his government's human rights record, and how important it is to continue such pressure to make him address human rights issues. By contrast, reducing international pressure only reduces the political cost to North Korea of its continuing horrific human rights record. Rectifying those abuses is the key to reach long-lasting peace and prosperity.

We urge you take corrective action and clarify what steps South Korea is taking to support protecting human rights in North Korea. We urge you to sponsor this year's UN HRC

resolution on North Korea in March, and re-join co-sponsoring states at the UNGA resolution on North Korea in November. In your negotiations with North Korean leader Kim Jong Un, we ask you to include discussions on human rights issues and call on his government to expand cooperation with UN mechanisms, including acknowledging the mandate of Tomas Ojea-Quintana, Special Rapporteur on the situation of human rights in the DPRK, as well as that of the OHCHR Seoul office.

Thank you for your consideration. We would be pleased to discuss these matters further with your staff.

Sincerely,

Groups

1969 KAL Abductees' Families Association, South Korea

The 88 Project, U.S.A

Advocacy Forum, Nepal

ALTSEAN-Burma, Myanmar

Amnesty International

Arakan Rohingya National Organisation, U.K.

Article 19

ASEAN Parliamentarians for Human Rights

Asia Justice and Rights, Indonesia

Balay Alternative Legal Advocates for Development in Mindanaw, Philippines

British-North Korean Escapee Community, U.K.

Centro para la Apertura y el Desarrollo de América Latina, Argentina

China Aid, U.S.A.

Christian Freedom International

Citizens' Alliance for North Korean Human Rights, South Korea

CIVICUS

Civil Society and Human Rights Network, Afghanistan

Coalition for Justice & Accountability, Sierra Leone

Committee for Human Rights in North Korea, U.S.A.

Conflict Victims' Society for Justice, Nepal

Cristian Solidarity Worldwide, U.K.

Defence of Human Rights, Pakistan

Democratic Leadership Institute, U.K.

Families of Victims of Involuntary Disappearance, Philippines
FIDH - International Federation for Human Rights
Geoffrey Nice Foundation, Netherlands
HAK Association, Timor Leste
Health and Human Rights Info, Norway
HHK_Catacombs, South Korea
Human Rights Concern-Eritrea, Eritrea
Human Rights Data Analysis Group, U.S.A.
Human Rights Watch, U.S.A
Human Rights Without Frontiers International, Belgium
Improving North Korean Human Rights Center, South Korea
Indonesian Association of Families of the Disappeared, Indonesia
International Child Rights Center, South Korea
International Christian Concern, U.S.A.
International Coalition to Stop Crimes against Humanity in North Korea
International Commission of Jurists
International Solidarity for Freedom of Information in North Korea, South Korea
Investigation Commission on Missing Japanese Probably Related to North Korea, Japan
Jacob Blaustein Institute for the Advancement of Human Rights, U.S.A.
Jananeethi - Access to Justice, India
Jubilee Campaign, U.S.A.
Justice For All, U.S.A.
Korea for All, Japan
Lawyers for Human Rights and Unification of Korea, South Korea
Liberty in North Korea, U.S.A.
Life Funds for North Korean Refugees, Japan
Naw Action & Unity for Human Rights, South Korea
Network for North Korean Democracy and Human Rights, South Korea
NK Watch, South Korea
No Chain, South Korea
No Fence, Japan
North Korea Freedom Coalition, U.S.A.

North Korea Strategy Center, South Korea
Open North Korea, South Korea
People for Successful Corean Reunification, South Korea
Refuge pNan, South Korea
Robert F. Kennedy Human Rights, U.S.A.
SARAM - Stiftung für Menschenrechte in Nordkorea, Germany
Southern African Centre for the Constructive Resolution of Disputes, Zambia
Stepping Stones, U.K.
The Association for the Rescue of North Korea Abductees, Thailand
The Commission for the Disappeared and Victims of Violence, Indonesia
Transitional Justice Working Group, South Korea
Unification Academy, South Korea
Unification Media Group, South Korea
Unification Strategy Institution, South Korea
Vietnamese Women for Human Rights, Vietnam

Individuals

Marzuki Darusman, Former UN Special Rapporteur/Commission on Inquiry (COI) member on the situation of human rights in the DPRK
David Alton, Independent Crossbench Member of the House of Lords & Co-chair of the All Party Parliamentary Group on North Korea
Sonja Biserko, Former Commission of Inquiry (COI) member on the situation of human rights in the DPRK & current chair at the Helsinki Human Rights Committee in Serbia
Yanghee Lee, UN Special Rapporteur on the situation of human rights in Myanmar / Former Chairperson of UN Committee on the Rights of the Child
Viti Muntarbhorn, Former UN Special Rapporteur on the situation of human rights in the DPRK & Professor Emeritus
Geoffrey Nice, British barrister & former deputy prosecutor of the International Criminal Tribunal for the Former Yugoslavia
Tomás Ojea-Quintana, UN Special Rapporteur on the situation of human rights in the DPRK