

# Freedom in the World 2019

## POLITICAL RIGHTS: 0 / 40

### A. ELECTORAL PROCESS: 0 / 12

#### **A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Kim Jong-un became the country's supreme leader after the death of his father, Kim Jong-il, in 2011. The elder Kim had led North Korea since the 1994 death of his own father, Kim Il-sung, to whom the office of president was permanently dedicated in a 1998 constitutional revision. In 2016, the Supreme People's Assembly established the State Affairs Commission as the country's top ruling organ and elected Kim Jong-un as chairman. Kim already held a variety of other titles, including first chairman of the National Defense Commission—previously the highest state body—and supreme commander of the Korean People's Army.

#### **A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4**

The 687-seat Supreme People's Assembly, North Korea's unicameral legislature, is elected to five-year terms. All candidates are preselected by the Democratic Front for the Reunification of the Fatherland—a coalition dominated by the ruling Korean Workers' Party (KWP) with representation from a handful of subordinate parties and organizations. Each candidate then runs unopposed. All citizens aged 17 and older are eligible to vote, and voting rates are reported at close to 100 percent. In the last elections in 2014, the official voter turnout figure was 99.97 percent.

Elections were held in July 2015 for 28,452 provincial, city, and county people's assembly members. Voter turnout was again reported to be 99.97 percent, with all candidates preselected and running unopposed.

#### **A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4**

Although there is a clear framework for conducting elections, including official election monitors, the system's structure denies voters any choice and rules out any opposition to the incumbent leadership. The government uses the mandatory elections as an unofficial census, keeping track of whether and how people voted, and interprets any rejection of the preselected candidates as treason.

### B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

#### **B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the**

**system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4**

North Korea is effectively a one-party state. Although a small number of minor parties and organizations legally exist, all are members of the KWP-led Democratic Front for the Reunification of the Fatherland.

**B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4**

Any political dissent or opposition is prohibited and harshly punished. The country has been ruled by the KWP since its founding, and the party itself has always been controlled by the Kim family. Kim Jong-il was dubbed the “eternal general secretary” of the party after his death. At the KWP’s tightly controlled seventh party congress in 2016, Kim Jong-un, previously the party’s “first secretary,” was elected to the newly created position of chairman.

**B3. Are the people’s political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4**

The general public has no opportunity for political participation, and even KWP elites operate under the threat of extreme penalties for perceived dissent or disloyalty. The party is subject to regular purges aimed at reinforcing the leader’s personal authority, and the regime has executed senior officials who have fallen out of favor with Supreme Leader Kim.

**B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4**

North Korea is ethnically homogeneous, with only a small Chinese population and few non-Chinese foreign residents. Foreigners are not allowed to join the KWP or serve in the military or government. Religious groups are harshly suppressed and unable to organize politically. Women hold few leadership positions in the ruling party and about 16 percent of the seats in the Supreme People’s Assembly; the system does not allow such representatives to independently address the interests of women. The government typically denies the existence of LGBT (lesbian, gay, bisexual, and transgender) people in North Korea.

**C. FUNCTIONING OF GOVERNMENT: 0 / 12****C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

North Korea has no freely elected officials. Kim Jong-un and his inner circle determine the policies of the government, and the Supreme People’s Assembly gathers for brief sessions once or twice a year to unanimously approve all decisions.

**C2. Are safeguards against official corruption strong and effective? 0 / 4**

Corruption is believed to be endemic at every level of the state and economy, and bribery is pervasive. There are no independent or impartial anticorruption mechanisms.

**C3. Does the government operate with openness and transparency? 0 / 4**

The government is neither transparent in its operations nor accountable to the public. Information about the functioning of state institutions is tightly controlled for both domestic and external audiences.

## **CIVIL LIBERTIES: 3 / 60**

### **D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16**

**D1. Are there free and independent media? 0 / 4**

All domestic media outlets are run by the state. Televisions and radios are permanently fixed to state channels, and all publications and broadcasts are subject to strict supervision and censorship. For example, television coverage of North Korea's summits with the United States and South Korea in 2018 was carefully edited and quickly pulled from circulation, which, according to some analysts, reflected the government's desire to avoid appearing too close to its long-standing adversaries.

In recent years, several foreign news agencies have established bureau offices in Pyongyang. However, access is still tightly controlled for these organizations, and the government has been known to expel media crews in retaliation for their work. Select foreign media are often invited into the country to cover key political events and holidays, although authorities strictly manage their visits.

Voice of America, Radio Free Asia, BBC, and several South Korean outlets broadcast shortwave and medium-wave Korean-language radio programming into North Korea. Campaigns to send information into the country via USB and SD cards are common, though North Koreans' consumption of either foreign radio broadcasts or these contraband devices is subject to severe punishment if detected by authorities.

**D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4**

Although freedom of religion is guaranteed by the constitution, it does not exist in practice. State-sanctioned churches maintain a token presence in Pyongyang, but some North Koreans who live near the Chinese border are known to practice their faiths furtively. Intense state indoctrination and repression preclude free and open exercise of religion and North Koreans caught practicing a religious faith are arrested and face harsh punishments, including imprisonment in labor camps. Foreigners caught proselytizing also risk arrest and detention.

**D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4**

There is no academic freedom. The state must approve all curriculums, including those of educational programs led by foreigners. Although some North Koreans are permitted to study abroad at both universities and short-term educational training programs, those granted such opportunities are subject to monitoring and reprisals for perceived disloyalty.

**D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4**

Nearly all forms of private communication are monitored by a huge network of informants. Domestic mobile-phone service has been available since 2008, with around five million users nationally, though the phones are also hardwired to record and transmit calls and text messages back to state security agencies for surveillance purposes. Smartphone users do not have access to the global internet, but must connect through the state-run intranet. Domestic and international mobile services are kept strictly separate, and crackdowns on users of Chinese-origin phones have been reported. In September 2018, the government reportedly blocked access to Chinese mobile networks prior to South Korean President Moon Jae-in's visit to Pyongyang.

**E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12**

**E1. Is there freedom of assembly? 0 / 4**

Freedom of assembly is not recognized, and participants in any unauthorized gatherings are subject to severe punishment, including prison sentences.

**E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4**

There are no legal associations or organizations other than those created by the state and ruling party.

**E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4**

Strikes, collective bargaining, and other organized labor activities are illegal and can draw severe punishment for participants, including prison sentences.

**F. RULE OF LAW: 0 / 16**

**F1. Is there an independent judiciary? 0 / 4**

North Korea's judiciary is subordinate to the political leadership in law and in practice. According to the constitution, the Central Court, the country's highest court, is accountable to the Supreme People's Assembly, and its duties include protecting "state power and the socialist system."

**F2. Does due process prevail in civil and criminal matters? 0 / 4**

The right to due process is not respected in practice. It is estimated that between 80,000 and 120,000 political prisoners are held in detention camps.

Detention of foreigners for allegedly breaking North Korean laws is a recurring problem. In May 2018, ahead of the first-ever US-North Korea summit in Singapore, authorities released three US citizens who had been detained for alleged espionage and hostile acts against the state. In August, the government released a South Korean national who had been captured after crossing the border into the North the previous month, but at the end of the year, six other South Koreans remained imprisoned in North Korea.

### **F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4**

Documented North Korean human rights violations include widespread torture, public executions, forced labor by detainees, and death sentences for political offenses.

Ignoring international objections, the Chinese government continues to return refugees and defectors to North Korea, where they are subject to torture, harsh imprisonment, or execution.

North Korea's nuclear program threatens the security of the entire Korean peninsula. In June 2018, Supreme Leader Kim met with US President Donald Trump for an historic summit in Singapore, leading to a vague agreement in which the North Korean government committed to "work towards" denuclearization of the Korean peninsula without prescribing concrete actions to achieve that end. Kim Jong-un and President Moon also met for three summits during the year to discuss preventing war between North and South Korea. The third summit, held in Pyongyang in September, led to a commitment from North Korea to close a missile-test facility, as well as an agreement from both sides to end military drills along the Military Demarcation Line, among other provisions. Despite these promises and the agreement with the United States, North Korea had not yet taken significant steps to eliminate its nuclear program by the end of the year.

### **F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4**

The most prevalent form of discrimination is based on perceived political and ideological nonconformity rather than ethnicity. All citizens are classified according to their family's level of loyalty and proximity to the leadership under a semihereditary caste-like system known as *songbun*.

Women have legal equality, but they face rigid discrimination in practice and are poorly represented in public employment and the military. Although they have fewer opportunities in the formal sector, women are economically active outside the socialist system, exposing them to arbitrary state restrictions.

The law does not prohibit same-sex sexual activity, but the government maintains that the practice does not exist in North Korea.

In 2017, authorities allowed the UN special rapporteur on the rights of persons with disabilities, Catalina Devandas-Aguilar, to tour the country. She noted that North Korea's Federation for the Protection of the Disabled promotes the creation of associations for people with disabilities, including deaf and blind people, but said "there is still a long way to go" to realize their rights. In March 2018, North Korea sent two athletes to compete in the Winter Paralympics in Pyeongchang, South Korea, marking the country's first participation in the event.

## **G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16**

### **G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4**

Residents have no freedom of movement, and forced internal resettlement is routine. Emigration is illegal. A person's *songbun* classification affects his or her place of residence as well as employment and educational opportunities, access to medical facilities, and even access to stores. All foreign travel—whether for work, trade, or educational opportunities—is strictly controlled by the government. Freedom of movement for foreigners in North Korea is also limited and subject to arbitrary constraints.

### **G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4**

The formal economy remains both centrally planned and grossly mismanaged. Business activity is also hobbled by a lack of infrastructure, a scarcity of energy and raw materials, an inability to borrow on world markets or from multilateral banks because of sanctions, lingering foreign debt, and ideological isolationism. However, expanding informal and government-approved private markets and service industries have provided many North Koreans with a growing field of activity that is relatively free from government control. Local officials have had some authority in the management of special economic zones and over small-scale experiments with market-oriented economic policies.

### **G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4**

Men and women have formal equality in personal status matters such as marriage and divorce. However, sexual and physical violence against women—in the home, in prisons and labor camps, and in other situations—is common, and victims have little legal recourse. There are no specific legal penalties for domestic violence. UN bodies have noted the use of forced abortions and infanticide against pregnant women who are forcibly repatriated from China.

### **G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4**

Forced labor is common in prison camps, mass mobilization programs, and state-run

contracting arrangements in which North Korean workers are sent abroad. There have been widespread reports of trafficked women and girls among the tens of thousands of North Koreans who have crossed into China. Due to changing economic conditions, prostitution has reportedly become common within North Korea in recent years.

Economic opportunity has been affected by escalating international sanctions in response to North Korea's weapons tests and threats of military aggression. New sanctions imposed during 2017 targeted a variety of civilian industries such as textiles and seafood, and tightened banking restrictions to limit North Korea's access to international financial institutions. Nevertheless, markets and quasi-private businesses have expanded over time. Agricultural reforms have allowed larger percentages of crop yields to be kept by households, presumably to either consume or sell in the markets.