

북한의 인권문제를 남북정상회담에서 논의해야 한다.

North Korea's human rights issue should be discussed at the inter-Korean summit.

유현영

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ABSTRACT

Human rights today are universal values. In the United Nations Declaration of Human Rights (1948), "Every human being is free, equal, dignified and worthy from birth", as is the case with human rights, every human being has the right not to be subjected to unjust interference or discrimination by the State. These rights include economic, social and cultural rights such as the right to life, the right to liberty, the right to express opinions, the right to representation, the right to civil and political rights such as the right of the law, the right to participate in cultural activities, respect and dignity, labor rights and education rights.

As a member of the United Nations, North Korea does not guarantee human rights despite the obligation to guarantee minimum human rights. For real peaceful unification, the issue of human rights in North Korea should also be discussed.

1. Abductee

1) Abductee Status

An abductee means a person who, as a Korean citizen, has been forcibly taken to the north of the military demarcation line by North Korea against his will. There are two main types of abductees. He was abducted after the military armistice agreement (June 27, 1953) with the person abducted during the Korean War. Each is called an abductee, an after-war abductee.

It is estimated that about 100,000 abductees will be on display. A total of 3,835 abductees have been trafficked and 3,319 have returned. There are three repatriation methods (3,310 people) and nine North Korean refugees. The government estimates that there are 516 abductees who have been detained in North Korea. (As of November 2018, Ministry of Unification)

Types of abduction include abduction of fishing vessels, abduction of civilian aircraft, abduction of military personnel and police, abduction of civilians in Korea and abduction of civilians abroad. Among abductees, 3,729 abductees were abducted through fishing vessels, accounting for

89% of the total. However, some Korean Air YS-11 aircraft were abducted, and naval patrol ships were abducted. Abductions took place not only in Korea but also abroad. North Korea abducted five high school students and Korean teachers and university students who were traveling overseas by North Korean agents at the Seonyu Island beaches in Korea.

Most abductees were those who were responsible for the family's livelihood. As a result, the affected families were threatened with livelihood and suffered the disintegration of the family. The issue of abductees has caused enormous damage and suffering not only to the abductees but also to their families.

2) Government efforts to solve problems

The government recognizes the resolution of abductees 'problems as a basic responsibility of the nation' s protection of its own people and promotes policies. In Article 4 of the Act on the Compensation and Support of Abducted Victims after the Conclusion of the Agreement on the Military Armistice, promulgated in April 2007, "The State shall confirm the life and death of the

abducted persons, reunite with their families, "The resolution of the abductees issue is defined as" the responsibility of the state ". However, the South - North summit has been actively criticized for not addressing the problem of abductees.

3) Human rights issues

Abductees also suffer from human rights problems such as family reunions, letter exchanges, reunions, and so on. In this respect, abductees and POWs are classified as special separated families. North Korea does not acknowledge the issue of abductees and prisoners of war, and avoids the issue from becoming a separate issue. Problems such as abductees, prisoners of war, etc. are invading the right to family unity. The government has an obligation not to let them feel the pain that they are unjustly caught in North Korea and can not see their family. North Korea's abduction of civilians is a violation of Article 49 of Geneva Convention No. 4, a law prohibiting the forced transfer of civilians. Therefore, there is a good reason to present human rights problems to North Korea at any time. There is no time to protect the rights and interests of the nation's owner. Crying out for human rights guarantees of the people should always be placed in the highest consideration.

2. POW

The POWs are those who have not been repatriated from the North during the truce negotiation process of the Korean War. At the time of the June 25 war, the UN forces estimated the number of missing army officers to be 82,000, but only 8,343 were finally delivered from the communist army. Therefore, a considerable number of prisoners of war are not repatriated and are believed to have been compulsorily detained in North Korea. In October 1994, a total of 80 ROK prisoners returned to North Korea by 2010, after returning from the defection of the so-called Cho Chang-ho. Based on the statements of the returning POWs and defectors, 560 ROK prisoners It is presumed that they are alive.

However, in June 1998, the DPRK spokesperson of the National Committee for Peace and Unification of the Republic of Korea declared that "the prisoners of 6. 25 were repatriated as requested by the ceasefire agreement" and the remaining Korean prisoners of war are defined as those who have "turned to serve as an army."

The Korean government has urged North Korea to resolve the issue of abductees and prisoners of war in inter - Korean ministerial talks as well as inter - Korean Defense Minister talks and inter - Korean Red Cross talks. As a result, it has been formally formulated since 2006, informally involving abductees and prisoners of war in the family reunion event held since 2000. From 2000 to October 2010, our family commissioned North Korea to confirm the life and death of 257 South Korean POWs and abductees. The families of 157 families and 37 POWs were reunited. Since January 1, 2007, the government has enacted and enforced the "Repatriation and treatment of ROK prisoners" law in order to support returnees and their families in Korea. In relation to abductees, abductees and their families In order to compensate and support the victims, from October 28, 2007, the "Act on Compensation and Support of Abducted Victims since the Conclusion of the Agreement on Military Armistice" was issued on October 26, 2010, And the Law Concerning the Recovery of Honor of the Abducted Victims.

1) Infringement of family bonds

As with separated families and abductees, ROK prisoners are subjected to human rights violations such as family reunification, letter exchanges, and reunions.

The reunion of Gunpo should be carried out as soon as possible in terms of humanitarian dimension and realization of family bond. In the case of ROK prisoners, as of the end of 2017, 51 of the 80 returned ROK POWs have already been killed. 29 surviving returning POWs are all aged 80 or older and 5 are 90 or older. By the year 2015, 52 POWs were identified through family reunions, of which 18 were reunited with their

families.

2) Forced detention

The Geneva Convention (the so-called Geneva Convention No. 3), dated August 12, 1949, on the treatment of prisoners, requires that prisoners of war be released and returned without delay after the end of hostilities (Article 118). North Korea became a party to the Convention on 27 August 1957. The denial of repatriation is a violation of Article 118 of Geneva Convention No. 3, which provides for the release and repatriation of prisoners of war. Immediate release and repatriation of prisoners of war are considered to be obligations of all nations under international customary law.

3) Forced labor

According to the testimonies of returning POWs and defectors, the POWs were reintroduced into the People's Army during the Korean War in 1950, or deployed in coal mines, enterprises and rural areas from 1954 to 1956.

Most of the prisoners were believed to have been deployed in coal mines in North Hamgyong and South Hamgyong provinces. This was because it was absolutely necessary for securing coal mine workers in North Korea at the time, and general residents avoided coal mine work, and coal mines easily monitored and controlled their lives.

It is estimated that the prisoners deployed as coal mine workers worked for 12 hours a day in two shifts per day, and the number of prisoners deployed at coal mines in North Hamgyong province reached 1,100 to 1,200 at one time.

It seems that the POWs were housed in the Chongjin 25 detention center after the end of the Korean War. The Chongjin 25 detention center was used as a prison camp after the Korean War and later changed its use as a political prison camp. In June 1956, prisoners of war were deployed as societies in collective camps, but most of them were used as labor force by being placed in coal mines that lived during the camps.

4) Social discrimination against POWs and their families

POWs and their families are being socially discriminated against in North Korea. It seems that the prisoners of armed forces were oppressed and discriminated against in the process of living in North Korea because of their backgrounds, which restricted their choice of residential areas and workplaces.

In addition, many of my family members did not disclose their children to their children because of their influence on their children and other family members. Children of ROK prisoners were also discriminated against in terms of entrance, entrance into school, and choice of work place.

There are testimonials that, even if they are from South Korean prisoners, they are not allowed to enter or live without discrimination. However, discrimination against the captive is generally recognized as a widespread and persistent phenomenon in the North Korean society. Socially discriminating against POWs and their families or relatives can be a violation of the Covenant of Human Rights (Article 2, para. 1) and the Covenant of Covenant on Social Status (Article 2, para. 2).

3. North Korean residents

1) Infringement of civil and political rights

Civil and political rights are all rights such as the right to life, the prohibition of torture, freedom of movement, freedom of press, publication, assembly, association, freedom of thought and religion. According to the human rights standards stipulated by the International Covenant on Civil and Political Rights (ICCPR), the human rights situation in North Korea has been suppressed in all sectors. In particular, public executions, operation of political prison camps, restriction of freedom of movement, restriction of freedom of press, publication and assembly, suppression of freedom of religion, constitutional discrimination policy, and forced repatriation of defectors are

highlighted as major problems in the international community.

Infringement of the right to life can include public executions, unlawful execution of system abductees, illegal detention and arrest, torture, human rights abuse in the correctional center, kidnapping and disappearance, and unfair trial procedures. Equal rights are the problems of the hostile class, monthly male family and religious discrimination, female discrimination, and isolation of the disabled by their constituents. In addition to freedom of the press, publication, assembly, and association, the right to freedom is an issue of freedom of residence and transfer, and infringement of freedom of information and communications. Suffrage is a problem of restrictions on political activities and infringement of freedom of expression.

2) Infringement of economic, social and cultural rights

Economic, social and cultural rights include living rights, social security rights, labor rights, resting rights, ownership rights, environmental rights, freedom of choice of occupation, and right to education that can be provided as basic shelter and shelter. The human rights situation in North Korea is the worst in terms of human rights standards stipulated by the International Convention on Economic, Social and Cultural Rights (ICESCR).

Residents are threatened with health and survival rights as they suffer chronic food shortages. Food production has been known to have increased in the 2000s, but food shortages are still continuing. North Korea, however, is focusing on building a dictatorial dictatorship, nuclear and missile development, and is passive in solving food problems. And since food is given priority to certain groups such as party leaders, national security workers, the military, and the military industry, the vulnerable groups have suffered from chronic malnutrition and hunger.

The North Korean Constitution stipulates that it is possible to choose a job based on hopes and

talents, but the reality is not. Workplace placement selection criterion is more important than personal aptitude or ability. The children of the party who have good backgrounds are placed in good jobs regardless of ability. Students with bad grades are not only difficult to enter university but they are also placed in jobs requiring physical labor.

The social security system in North Korea applies only to selected members of the hierarchy, but most of the population is not covered. Even if a patient suffers from illness, the patient can not choose a hospital. Even if a doctor is consulted at a designated hospital, the supply of medicines is limited due to economic difficulties. In the area of cultural life, if the freedom of publishing is suppressed, the circulation of external artifacts is seen or seen, and if preferred, political discipline is given.

3) Responding to Human Rights Problems in the North Korean System

North Korea is responding to the human rights issue of the international community on two levels: relativity of human rights and exclusion according to the principle of state sovereignty.

First, North Korea claims that 'our style of socialism' is a socialist system based on collectivism, so it can not evaluate the human rights situation in North Korea from the viewpoint of 'Western style' human rights view. Furthermore, North Korea claims that "all peoples enjoy true rights and freedoms in the society centered on the People's Unity, which is united with the ruling-party-mass."

Second, human rights are an internal matter while exclusion of human rights is an issue, and it is the logic that other countries can not intervene in the human rights situation in North Korea. North Korea claims that sovereignty prevails over human rights and that Western powers should not impose human rights on their own standards because human rights can not be guaranteed without sovereignty. In the end, North Korea argues that

the humanitarian intervention of Western nations to improve human rights has a "political purpose" to disrupt their regime rather than to protect or promote the human rights of citizens.

4. conclusion

There are some people who have not been to their hometown since the Korean War. There will be separated families and abductees and POWs. I do not know now why it broke apart. They tortured each other and set up barbed wire and made their own base. It is so sad. My friends and my compatriots live in the north, but this situation is unfortunate. Now I want to reconcile and correct this wrong situation. If you want to meet with your loved ones and sing with your loved ones, you will have to cross a lot of mountains. I think this human rights issue is a big mountain to overcome for unification. It is also true that we surveyed human rights, but we can not completely believe the figures. No one knows yet what many stories are going on over there. To be unified is like enjoying the same rights. So, no matter what my country is, I have to care about North Korea. Again, we are free, equal, dignified and valuable from birth.

In North Korea, however, discrimination based on the "component" system is prevalent. Many 6 · 25 war abductees and prisoners of war who were not repatriated suffered from discrimination as a result of their recruitment from the South and the North, classified as hostile, despite being absorbed in the North Korean society. They should not ignore their lives, which have been unfairly associated with their families and have been forced into hard labor in distant lands.

In addition, North Koreans are being subjected to human rights violations by North Koreans. Seeing the TV programs you want to see, accessing the internet, and talking to your friends are all human liberties in the 21st century. North Korea imposes worship and absolute obedience to its supreme leader and takes human rights abuses. The attitude of "Do not worry about other countries" is very wrong because it is a matter of North Korean home affairs. North Koreans should also enjoy the freedom of residence, voting rights, education rights, and religious freedom.

Of course, at this point, the North and South declare war on their way to a peaceful phase and do their best to eliminate land mines in the DMZ. But there is no time for human rights issues. If there is a problem, it should be resolved immediately. At least we have to recognize that it is a problem, not North Korea. Our Republic of Korea must constantly address the issue of human rights in North Korea.

If the nation, the owner of the nation, finds his or her rights and has suffered damage, it will be necessary to make arrangements and efforts to provide compensation and attention.

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