

NORTH KOREA: The EU, North Korea and the shifting discourse on human rights

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Relatively speaking **Europe remains a distant global power** with limited strategic interest in Asia. Yet, notwithstanding the distance, Europe has not been a disengaged or indifferent partner for Asia in general, and concerning the situation on the Korean Peninsula in particular. In fact, Europe, as a normative power whose foreign policy is centered on human rights promotion, remains the leading voice in shaping the international narrative on human rights in North Korea.

An international organization made up of twenty-eight member states, each in full control of their own foreign policy, the EU has never seized working towards a **common vision** to contribute to Asia's development. This vision remains centered on the respect of human rights, democracy and rule of law as mutually reinforcing principles. The inherent fragmentation within the EU is an important factor that has always shaped, and often limited, the EU's external capacity and effectiveness to make a difference on a global scale.

However, in the case of North Korea, this has been less of an

issue – there is wide agreement the situation in North Korea remains one of the worst human rights crises in the world. Notwithstanding differences in EU capitals, in particular those present in Pyongyang, concerning how exactly to address North Korea's isolation, there is agreement that UN sanctions, as well as the EU's own autonomous restrictive measures that complement and reinforce UN sanctions, must remain in place to increase pressure on North Korea to comply with its obligations and commitments.[\[1\]](#) The **internal consensus** inside the EU has enabled its institutions to jointly condemn human rights violations in North Korea and thus speak with one voice – no small task – as led by the European External Action Service (EEAS), the EU's diplomatic service, and provide humanitarian assistance to the country for decades.

Broadly speaking, the key document guiding the EU's actions in human rights, the **2012 Strategic Framework on Human Rights and Democracy** highlights a number of **priorities**: freedom of expression, freedom of assembly; freedom of religion; the death penalty; fair and impartial administration of justice; human rights defenders and civil society. Specific Guidelines help pursue these priorities, such as the 1998 Guidelines on the death penalty, the 2004 Guidelines on human rights defenders or the 2013 Guidelines for freedom of religion to name a few.

These same priorities have guided the EU's approach vis-à-vis North Korea, whereby the EU has established a policy of '**critical engagement**', meaning **political dialogue** with focus on human rights, humanitarian assistance and diplomatic pressure as well as targeted **sanctions**. The EU's goals have been to support a lasting **reduction of tensions** on the Peninsula, to uphold international law, the non-proliferation regime, and to improve the situation of human rights.

Bilateral diplomatic relations were established in 2001 enabling official dialogue, dialogue being the core instrument for the EU to engage with third countries. But despite our determination and principled approach, **the EU's efforts remain limited**. In fact, the **EU's Human Rights Dialogue** with North Korea was suspended by North Korea in 2013. We held our last political dialogue round in June **2015**, and there is no evidence of progress towards improvements in line with international standards. While there is no EU Delegation on the ground in Pyongyang, seven member states are present – Bulgaria, Czech Republic, Germany, Poland, Romania, Sweden and the UK, who represent the EU in a rotation system.

In the recent developments unfolding on the Peninsula including negotiations with the aim of denuclearizing North Korea, nuclear concerns seem to dominate the narrative. In this process the EU upholds that **human rights, as universal fundamental principles, must be urgently addressed in parallel with nuclear talks**. This is however not entirely shared in the international community; the nuclear focus remains central at the expense of human rights.

This is closely linked to a significant divergence in perceptions of human rights protection in the international community. Namely, the EU upholds that human rights are universal, indivisible, interdependent and interrelated, that **human dignity** is the essence of human rights protection, an aspect overarching cultural differences that should provide the foundation of all human rights claims irrespective of culture and political system. But a global shift is unfolding taking the focus away from the universalist approach, with emerging countries questioning universality, in particular

China, North Korea's main ally, to the benefit of a relativist approach to the concept. China, in fact, appears to be increasingly shaping global discourse on human rights, upholding a state-centric approach, calling for "mutually beneficial cooperation" between states on human rights issues. The focus is therefore on state to state obligations, rather than on individuals.[\[2\]](#) This has been perceived by many as actually weakening fundamental human rights principles. This divergence in views has made prioritizing human rights when dealing with North Korea more difficult. The EU and China greatly diverge in this regard, which has been apparent in the UN Human Rights Council and the UN General Assembly.

Likewise, the EU and North Korea have very different views on many issues, and this includes human rights. The EU's ultimate aim remains North Korea's **credible re-engagement** with the international community, with **accountability** for past crimes, in line with the 2014 report of the Commission of Inquiry on Human Rights in the DPRK which urged referring North Korea to the International Criminal Court.[\[3\]](#) In this process, it was the EU's and Japan's co-sponsoring of a resolution in the HR Council in 2013 that has led to the establishment of the Commission of Inquiry, seen as a tangible initiative to challenge Pyongyang on human rights. The establishment of the COI, and the report it issued, have opened the path to address crimes committed by the regime. In the midst of current developments, this process has however not made much progress.

Concerning humanitarian assistance – the EU has been a provider of **assistance – humanitarian and food aid** – since 1995. Most of the projects it funds, under the responsibility of the European Commission, relate to food security, health, water and sanitation. These projects are carried out by various partners, such as **Handicap International** or **Action**

Against Hunger (who decided to withdraw from the country).[\[4\]](#) **World Hunger Aid** (Welthungerhilfe) German NGO has been present on the ground since 1997, but has seen its chief expelled in 2015.[\[5\]](#) **Médecins Sans Frontières** closed its projects in North Korea in 2015, after 20 years of working there. Member States have their own development and aid projects in North Korea along complementary lines to those of the EU.

The reality is that as a result of North Korea's isolation, in the absence of actual political dialogue and cooperation, and considering the divergence in the approach to human rights in the international community, the EU has been limited in engaging North Korea. Nevertheless, where the EU's role has been important and should be acknowledged is to keep human rights on the international agenda and **shape global discourse**. It is in this context that the European Parliament's activities should be mentioned, as in my view the Parliament remains the **most vocal European institution** on human rights shaping international discourse.

The Parliament has **several tools** to advocate for human rights globally. In this process it provides a **platform** for NGOs to raise human rights concerns and contribute with their expertise. For several years, I have been involved in such events, often partnering up with Human Rights Without Frontiers[\[6\]](#). Most recently we focused on the power of information, the inflow of information into North Korea, presenting Jieun Baek's book "North Korea's Hidden Revolution: How the Information Underground is Transforming a Closed Society".[\[7\]](#) We have also covered the situation of overseas workers, with the expertise of Prof. Remco Breuker, in the framework of the screening of "Dollar Heroes" in the European Parliament, covering overseas workers as modern-day slaves working in Russia, China, Qatar but also Poland. [\[8\]](#)

Some of our tools and mechanisms are as follows:

1. Resolutions tabled in the Committee on **Foreign Affairs** (AFET) [\[9\]](#) and the subcommittee on **Human Rights** (DROI) [\[10\]](#) Such a resolution was adopted in January 2016. [\[11\]](#)
2. DROI **hearings** on North Korea, hosting defectors, academics, experts
3. **Annual Report on Democracy and Human Rights.** [\[12\]](#)
4. **Delegation** for Relations with the Korean Peninsula [\[13\]](#)
5. **Friendship Group** established in 2015, Member of the European Parliament Paul Rübig (EPP group), bringing together MEPs with an interest in strengthening relations with the Republic of Korea with the aim of promoting deeper understanding on issues of common interest such as trade, research and development (R&D), environment, human rights and security [\[14\]](#)

Assessing the impact of individual actions by the EP remains difficult. Therefore, all actions undertaken by the institutions must be assessed together; it is their work together that ensures the EU's engagement policy with human rights at the centre. It is a long-term enterprise that requires further awareness raising, so that pressure remains high on governments to demand accountability. This is critical to press Pyongyang to change.

In conclusion, cooperation within the international community is necessary to ensure that human rights remain a priority as the world witnesses fundamental changes in Pyongyang's behaviour, without a clear knowledge of their intentions.

The EU must work together with China and other allies in the region. It is a joint responsibility to work towards a cooperative rules-based global order, as High Representative F. Mogherini has recently said in Beijing.^[15] This approach and sense of responsibility as expressed by the EU's external affairs chief indicates that the EU is ready and keen to remain an engaged and active participant in Asia, shaping future developments on the Korean Peninsula.

^[1] EU measures complement and reinforce UNSC sanctions. These include total ban on EU investment in NK, total ban on sale of crude oil, on joint ventures, on export of coal, iron, seafood, no renewal of work authorization for NK nationals.

^[2] The 37th session of the UN Human Rights Council on 23 March 2018 adopted a China's sponsored resolution entitled building "Promoting mutually beneficial cooperation in the field of human rights", calling on building a "community of shared future for mankind" and for a "new type of international relations with win-win cooperation". These concepts are in fact the pillars of President Xi Jinping's vision for China's foreign policy. 28 states voted in favor, 17 abstained and one, the United States, voted against the resolution.

^[3] Report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, 7 February 2014, available at <https://www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/ReportoftheCommissionofInquiryDPRK.aspx>

^[4] Action Against Hunger stops its activities in North Korea, Reliefweb, 10 March 2000. Available at <http://reliefweb.int/report/democratic-peoples-republic-korea/>

[action-against-hunger-stops-its-activities-north-korea](#)

[5] North Korea expels chief of German food aid organisation – NGO, Reuters, 2 April 2015. Available at <http://uk.reuters.com/article/uk-northkorea-germany-ngo-idUKKBN0MT12120150402>

[6] <https://hrwf.eu/>

[7] <https://yalebooks.yale.edu/book/9780300217810/north-koreas-hidden-revolution>

[8] <https://www.eureporter.co/featured/2018/11/08/human-rights-without-frontiers-exploitation-of-north-korean-workers-in-poland/>

[9] <http://www.europarl.europa.eu/committees/en/afet/home.html>

[10] <http://www.europarl.europa.eu/committees/en/droi/home.html>

[11] European Parliament resolution of 21 January 2016 on North Korea (2016/2521 (RSP)) Available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2016-0024&language=EN>

[12] See for example the 2016 Report here: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2016-0355+0+DOC+XML+V0//EN>

[13] <http://www.europarl.europa.eu/delegations/en/dkor/home.html>

[14] http://overseas.mofa.go.kr/be-en/brd/m_7437/view.do?seq=750483&srchFr=&srchTo=&srchWord=&srchTp=&multi_itm_seq=0&itm_seq_1=0&itm_seq_2=0&company_cd=&company_nm=

[15] Remarks by HRVP Federica Mogherini following the EU-China Strategic Dialogue with Wang Yi, China's State Councillor and Minister of Foreign Affairs, 01/06/2018. Available at https://eeas.europa.eu/headquarters/headquarters-homepage/45708/remarks-hrvp-federica-mogherini-following-eu-china-strategic-dialogue-wang-yi-chinas-state_en

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