

**North Korea: UN Commission documents wide-ranging and ongoing crimes against humanity, urges referral to ICC**  
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A wide array of crimes against humanity, arising from “policies established at the highest level of State,” have been committed and continue to take place in the Democratic People’s Republic of Korea, according to a UN report released Monday, which also calls for urgent action by the international community to address the human rights situation in the country, including referral to the International Criminal Court. In a 400-page set of linked reports and supporting documents, based on first-hand testimony from victims and witnesses, the UN Commission of Inquiry on human rights in the DPRK has documented in great detail the “unspeakable atrocities” committed in the country.

“The gravity, scale and nature of these violations reveal a State that does not have any parallel in the contemporary world,” the Commission -- established by the Human Rights Council in March 2013 -- says in a report that is unprecedented in scope. “These crimes against humanity entail extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution on political, religious, racial and gender grounds, the forcible transfer of populations, the enforced disappearance of persons and the inhumane act of knowingly causing prolonged starvation,” the report says, adding that “Crimes against humanity are ongoing in the Democratic People’s Republic of Korea because the policies, institutions and patterns of impunity that lie at their heart remain in place.”

The second more detailed section of the report cites evidence provided by individual victims and witnesses, including the harrowing treatment meted out to political prisoners, some of whom said they would catch snakes and mice to feed malnourished babies. Others told of watching family members being murdered in prison camps, and of defenceless inmates being used for martial arts practice.

“The fact that the Democratic People’s Republic of Korea...has for decades pursued policies involving crimes that shock the conscience of humanity raises questions about the inadequacy of the response of the international community,” the report stated. “The international community must accept its responsibility to protect the people of the Democratic People’s Republic of Korea from crimes against humanity, because the Government of the DPRK has manifestly failed to do so.”

(...)

“The unspeakable atrocities that are being committed against inmates of the *kwanliso* political prison camps resemble the horrors of camps that totalitarian States established during the twentieth century. The institutions and officials involved are not held accountable. Impunity reigns.”

It is estimated that between 80,000 and 120,000 political prisoners are currently detained in four large political prison camps, where deliberate starvation has been used as a means of control and punishment. Gross violations are also being committed in the ordinary prison system, according to the Commission's findings.

(...)

The Commission urged all States to respect the principle of *non-refoulement*

(i.e. not to forcibly return refugees to their home country) and to adopt a victim-centric and human rights-based approach to trafficking, including by providing victims with the right to stay in the country and access to legal protection and basic services.

“Crimes against humanity have been, and are being, committed against starving populations. These crimes are sourced in decisions and policies violating the universal human right to food. They were taken for purposes of sustaining the present political system, in full awareness that they would exacerbate starvation and contribute to related deaths.”

The Commission also found that, since 1950, the “State’s violence has been externalized through State-sponsored abductions and enforced disappearances of people from other nations. These international enforced disappearances are unique in their intensity, scale and nature.”

While the Government did not respond to the Commission’s requests for access to DPRK and for information, the Commission obtained first-hand testimony through public hearings with about 80 witnesses in Seoul, Tokyo, London and Washington D.C., and more than 240 confidential interviews with victims and other witnesses, including in Bangkok. Eighty formal submissions were also received from different entities.

The report includes a letter sent by the Commissioners to the Supreme Leader, Kim Jong-un, containing a summary of their most serious findings, in particular the fact that “in many instances” the systematic, widespread and gross human rights violations “entail crimes against humanity,” and drawing attention to the principles of command and superior responsibility under international criminal law according to which military commanders and civilian superiors can incur personal criminal responsibility for failing to prevent and repress crimes against humanity committed by persons under their effective control.

In the letter to Kim Jong-un, the Commissioners stated that it would recommend referral of the situation in the DPRK to the International Criminal Court “to render accountable all those, including possibly yourself, who may be responsible for the crimes against humanity referred to in this letter and in the Commission’s report.”

Among wide-ranging recommendations to the DPRK, to China and other States, and to the international community, the Commission calls on the Security Council to adopt targeted sanctions against those who appear to be most responsible for crimes against humanity, stressing that sanctions should not be targeted against the population or the economy as a whole.

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