

The Roles of the United Nations Human Right Council (UNHRC) in Handling the Human Rights Cases in political Prison Camp North Korea

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Abstract

This research examines how the United Nations Human Rights Council (UNHRC) plays a role as an international organization, namely in handling cases of human rights violations that afterward in the political prison camp in North Korea. North Korea's human rights violations occurred in several aspects, one of which was by setting up a camp US a low-level office which start when North Korea was facing the peak of famine in 2002. the government responds to this phenomenon by establishing many work camps and calling for hard work in returns for this phenomenon. This study aims to find out how the steps were taken UNHRC in handling human rights cases that afterward at the political Prison Camp in North Korea from the perspective of International Relations studies in terms of the concept of International Organization and Human security. this study applies a qualitative research method approach with descriptive analysis sourced from secondary data through observation with documents based on the concepts used in this research. The results of this study indicate that UNHRC is moving in its direction role, namely the state which acts as a body that empowers the role of OI by forming a Commission of Inquiry (COI), Universal Periodic Review (UPR), and Special Reporter to investigate systematic human rights violations against North Korea. The detainees and their families are in line with the definition of an individual in Islam, namely those who maintain the inner or Non-material Dimensions to protect the basic needs of *al-dharuriyyat alkhamisah* . that way North Korea has really set aside some of its country's priorities and the welfare of its people.

Keywords: *UNHRC, political Prison camp, Commission of Inquiry*

(COIs), Universal periodic Reviews (UPR), Special Reporter.

I. INTRODUCTION

The United Nations Human Rights Council acts as an internal body United Nations system responsible for progress as well as progress in serving the protection of human rights throughout world, as well as handle situation violation right basic man at a time responsible for making regulations on

Human Rights for countries that have ratified the Covenant Agreement including: rights civil, political And HAM based on on statement charter Union Those Nations.

Korea North with system government authoritarian, make country the as country government Communist in North that is *the Democratic People Republic of Korea* (DPRK) by Kim Il Sung as initiator from idea the. ¹Korea North become A region that isolates his country Alone with No involved in affairs *International Diplomatic* Wrong only one is about enforcement Human rights. The reason for the rejection by North Korea against organization HAM enter into the his country because authoritarian his government felt that North Korea was being too coerced or coerced For implementing values HAM universal by United Nations.

Refer on problem on, Korea North called has violating human rights in several aspects, one of which is by setting up camps as low-level workplaces. That matter formed to begin with when North Korea faced the peak of famine in in 2002. The government responded to this phenomenon by establishing Lots camps Work as well as called out For Work hard as reward against phenemona the. Behind A action something country, KoreaNorth naturally own *National Interest* alone For achieved Because a policy taken will have the aims and objectives of each respectively.²

UNHRC as state Which handle case violation HAM in international realm with formation body or *Commission of Inquiry* For investigate case violation HAM Which happen in Korea North more detail Again. Effort on study This will focus on existence camps prison political entirely with amount 4 camps prison political Which has found through help from system satellite with perpetrator actually is para circles authority from Korea North itself. ³

¹ Reesatya Dyahwatie Siswoyo, *Influence Idiosyncratic Kim Jong Un To North Korean Foreign Policy Case Study of Escalating Conflict on the Peninsula Korea* (2013), Global & Policy Vol.3 No.1 January - June 2015, UPN East Java Veterans, p 102.

² Robby Darwis Nasution, *Behind North Korea's Threats (Policy Studies Outside Country North Korea)*, Unmuh Ponorogo Press 2018, matter 92.

³ Amanda Battles, 2015, Explaining Depravity through the Looking Glass: Political Prison Camps, North Korea, and Waltz's three Images, Georgian Southern

On writing This writer describe How camps the walk with circumstances Which very pity. Beside That writer will analyze the role played by *the United Nation Human Rights Council* (UNHRC) in handling the issue of human rights violations in North Korea which detected occurred in his camps.

II. METHODS

The analytical techniques selected to conduct this investigation use the method Study Qualitative with analysis descriptive Which describe topic problems in the form of words, pictures and not shaped data numbers, then analyze the problem with the data secondary Which collected And arranged through observation with help data form document as well as understanding Which based the theories and concepts used in this research.⁴

In this study the data collection techniques used is data secondary Where with collect data, information, legal documents, or facts related to that matter to be examined such as by searching through literature studies or data from various information Which obtained through variousvarious materials such as scientific journals, books, and national websites as well as international.

In this study, the authors used a literature review as a tool to analyze data and collect some official article, UN Report, Report from the section on protection of human rights man specifically violation HAM Korea North with the object of research is the role played by UNHRC in Korean human rights North, Human Rights Violation Activities at *Political Prison Camps* Korea North as well as settlement analysis by Organization International.

III. RESULTS AND DISCUSSION

The history of the formation of the Political Prison Camp originates from its main designation, namely *Kwan-li-so* or North Korean forced labor camps or can be said to be a “gulag” which was founded in 1947 in large scale with forms of forced labor in it for tens of thousandsNorth Koreans housing a range of

university, matter 9.

⁴Aunu Rofiq Djaelani, *Data Collection Techniques in Qualitative Research*, Magazine Pawiyatan Science, Vol XX Number 1, March 2015, matter 84.

5,000 to 50,000 prisoner political every the year. Camps the run as Justice Which have authority For imprison No only the defendant but the family up to 3 generations below will also feel.

Gulag is A system detention mass on Country- country socialist For push system political anti country And without many people know the Democratic People's Republic of Korea (DPRK) or Korea North form everything with system camps the official state concentration or can be referred to as *Kwan-li-so*.⁵ History the formation of these concentration camps is in the North Korean government Which beginning at first form camps prison This as means tracking as well as ideological suppression of the state by official bodies viz Department Security Country. formed as investigator And drop punishment to violation political Which in guess existence Which real in Korea North.

On period regime government Kim-II-Sung year 1950 until the late 1960s targeting political opponents of the regime government they, whereas para defector state "has beguiled in political regime the" so law which apply is separation self from resident other through imprisonment.⁶Whereas in 1994 when Kim Jong-II replaced his father's position as the country's leader at that time Kim Jong-II began to expand political prison camps to manipulate opponents of his new regime and in 1980 at the time reforms in Eastern Europe and the threatening collapse of communism North Korea's political system resulted in the use of camps prison to drive out the rebels.

As for objective from formation *political prison camps* among others:

1. *Political prison camps* are provided for dissidents the political regime of North Korea and could be considered to have an effect as a real political threat to the country. This forced labor camp very tightly the relationship to regime government for maintain the ideology of the state without the need for interference from other countries.

⁵ Andrea gullota, *A New Perspectives for Gulag Literature Studies: the Gulag press*, Slavistic studies VIII (2011): 95-111, 2011 Florence University Press – ISSN 1824-7601, p.s 96.

⁶Devy Indah Paramitha , *North Korea's Security Policy During the Government Period Kim Jong Un on the South Korea-United States Alliance*, 2014, Muhammadiyah University Poor, p.s 29.

2. Fertilize flavor nationalism to regime Which There is, Wrong only one with utilise characteristic isolation his country For do human rights violations while international organizations are forced For still outside border country. Policy Korea North For question his country will tend more prioritize its interests compared to the concerns of other countries issue human rights violations in Korean North.⁷
3. Propaganda And doctrine Korea North to the people as country regime so that flow in life they And honor leader big them with the aim of understanding their society so they don't question the situation country where issues of human rights violations have spread throughout countries.⁸

Overview Implementation Prison Camp Political Korea North

Information	Kwan-li-so	Kyo-hwa-so
FUNCTION	Camp Prison Political	Camp Prison General
PERPETRATOR	Perpetrator Political, guilty Because Association	Perpetrator Political, Criminal Normal
ERROR	Often Do Incommunicado	Member Family Know
GIVER PUNISHMENT	Run By SSD (except No. 18run by MPS)	Run By MPS
PUNISHMENT	Lifetime, The Only Chance To Release From Revolutionaries Area	Fixed Penalty and Can Too Test

On year 1970 government Korea North use *Ten Principle* as the main reference for North Korean society if they violates one of the many principles stated in the Ten Principles then they will be made as prison prisoners in it even slave labor forever.³³ And because comrade-li-so is very broad then from That government Korea North share become a number of camp that is including:

⁷United Nations general Assembly, *Promoting Accountability in the Democratic People's Republic of Korea*, Report of The United Nations High Commissioner for Human Rights, A/HRC/46/52, 11 January 2021, p.s 6.

⁸ Al-Jazeera, *Un Assembly Votes to Refer North Korea to ICC*, Accessed on January 18, 2015 <https://www.aljazeera.com/news/2014/12/19/un-assembly-votes-to-refer-north-korea-to-icc.html>.

1. Camp 11 Chungsan Year founded 1975 area *kyongsong* Province *Hamgyong North* housed prisoners until limit minimum that is 1,500-2,500's.⁹
2. Camps 14 Kaechon Founded in 1965 in the *Wedong-ni* area the city of *Kaechon*, with a holding capacity of around 15,000 prisoners.
3. Camp 15 Yodok Established in 1970 is a camp that prison most famous in North Korea as well as camp This divided into two zones, the first zone is designed for the Education zone reset and the second for the maximum safety zone.
4. Camp 16 Hwasong Camp prison This conveniently located in region *Hwasong* , province North *Hamgyong* is located about 385 km northeast of the capital *Pyongyang* Which isolated Far in area mountains And forest *hamgyong-sanmaek* : And it is estimated that it can accommodate as many as 20,000 prisoners.
5. Camp 22 Hoeryong Year founded 1960 is located in *South Hamgyong province* and can accommodate 10,000 prisoners.
6. Camp 25 Chongjin Year founded 1968 located in province East Hamgyong 7,5 km west sea from Chongjin and 458 km northeast of the capital *Pyongyang* and can house around 2000-5000 prisoners.

The Role of UNHRC in Handling Human Rights Cases That Occurred in North Korea's Political Prison Camp

The UN and its Mandate

The emphasis placed on upholding human rights in North Korea was met with blatant challenges and rejection by the regime. This is because since the founding of the North Korean regime in 1948 it has neglected some of its main duties and functions as a state to protect and guarantee the rights of its

⁹David hawks, *Concentrations of Inhumanity an Analysis of the Phenomenon of Repression Associated with North Korea's Kwan-li-so Political Penal Labor Camps According to the Terms and Provisions of Article 7 of The Statutes of the International Criminal Court and the Parallel Provisions of Customary International Law on Crimes Against Humanity*, Freedom House 2007, p.s 23.

citizens and refuses to be a state that complies with all international norms.¹⁰

The formation of the United Nations is an effort to form a universal international organization for its main objective, namely maintaining a peace with a collective security system under the auspices of the UN Security Council. The responsibilities and roles borne by international organizations, especially the United Nations, will be discussed in depth in this chapter by exposing abuses in political prison camps and improving human rights in these camps.

This journal describes the role of the UNHRC in addressing the issue of human rights violations that occurred in North Korean political prison camps using the concept of International Organization and Human Security. These concepts explain how the UNHRC prosecutes and investigates human rights violations that occur in North Korean political prison camps. The role used by the concept of International Organizations is that International Organizations can make a decision without involving a related country.

Commission of Inquiry

The Commission of Inquiry is one of the decisions made by the UNHRC on the basis of a mandate that the UN gave in 1992. Several attempts have been made and tried by the UNHRC or the Human Rights Council to systematically investigate human rights violations and North Korea is included in human rights violations that have been happened to the political camp within it. On March 21, 2013 the United Nations Human Rights Council established a human rights inquiry commission for North Korea. In doing so, the CoI will seek to develop its cooperation with the United Nations to help organize inter-regional governments or interested agencies and non-governmental organizations.¹¹

Through the CoI, UNHRC is obliged to protect the international community from the injustices that have befallen several UN member states

¹⁰Rizki Fadilah, Rahmat Hidayat, *The Role of the United Nations in Creating Peace From Disputes Between Countries*, Journal of Islamic and Law Studies Vol.2, No.1 2018, University Islam Country Antasari: Borneo South, p.s 88.

¹¹United Nations Human Rights Council (UNHRC), *Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea*, <https://www.ohchr.org/en/hr-bodies/hrc/co-idprk/commission-inquiry-h-rin-dprk>.

even though the injustices and suffering that arise are caused by the authoritarian state itself. The CoI, in accordance with its mandate, states that North Korea has committed crimes against humanity in accordance with the policies set by the authoritarian government of their country.

Periodic Review

The efforts made by the UNHRC do not only extend to the CoI, because the CoI is considered to be still not optimal in encouraging North Korea to overcome human rights violations in North Korea and so the UNHRC tries other ways through The Universal Periodic Review or can be called an instrument periodically that examines the situation. human rights of all UN member states every 4 years as described in the UN charter.

In the UPR, each country conveys human rights issues in their respective countries and reports on activities in the form of protecting the people of their country and what actions they take to uphold human rights and take action against anyone who violates them while carrying out these activities. UPR was designed with significant innovation from the Human Rights Council which is based on equal treatment for every country.¹²

UPR implementation is carried out 3 times a year with a review by the PBB for 2 cycles. The first cycle of review occurs with 48 countries annually and the second cycle with 42 countries review annually. Implementation of the 3rd UPR for North Korea was carried out on May 9, 2019 at the United Nations office in Geneva, Switzerland.

The International Organization has the function of being a body that disseminates or collects various information about countries that have ratified human rights treaties but do not comply with and respect the agreements that have been made and the role of the International Organization as a guarantee for the protection of every individual where the state no longer uses the principle of non- intervention in case of serious human rights violations.

¹² Kim Sookyung, *Assessment of the 3rd Universal Periodic Review (UPR) of the DPRK and the Ways to Improve Human Rights in North Korea*, Korea Institute for National Unification (KINU), 2018.05.22|Co 19-09.

Special procedures or commonly referred to as special reporters are efforts made by UNHRC in handling human rights cases that occurred in North Korean political prison camps carried out by a special reporter to investigate and report on the human rights situation in that country by submitting the report to the Human Rights Council . human .

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Elizabeth Salmon originally from Peru was appointed as a special rapporteur appointed by the Human Rights Council to investigate the human rights situation in North Korea on August 1, 2022 .⁷⁷ According to the testimony he gave regarding his observations of the human rights situation in North Korea, especially the violations that occurred in North Korea's political prison camps . The observations that Elizabeth found came from very reliable sources, namely several people who had managed to escape , the families of the victims or civil society organizations that Elizabeth was very open to .¹⁴

IV. CONCLUSION

Based on the description above, it can be understood that the North Korean Political Labor Camp is a strategy designed by the North Korean government in tracking the ideological suppression of the state with the official body being the Department of State Security. As a place for dissidents from the existence of the North Korean political

¹³ United Nations Human Rights Council (UNHRC), *Media Statement by The UN Special Rapporteur on The Situation of Human Rights in The Democratic People's Republic of Korea* , Published on September 2, 2022, <https://www.ohchr.org/en/statements/2022/09/media-statement-un-special-rapporteur-situation-human-rights-democratic-peoples>.

¹⁴ Center For strategic International Studies (CSIS), UNSpecial Rapporteur's Final Message on North Korea Urges Respect for Human Rights and Calls for Humanitarian Aid. Published on 31 March 2022, <https://www.csis.org/analysis/un-special-rapporteurs-final-message-north-korea-urges-respect-human-rights-and-calls>

regime and can be considered to have a real effect as a political threat to the country. The rottenness of the communist-ideological government was revealed after several witnesses of prisoners managed to escape from the camp and showed the public that the existing prison camp was not an empowerment of prisoners, but a place of torture and forced labor. The United Nations appeared and is present with the mandate it carries is to maintain a peace with a collective security system under the auspices of the UN security council.

Not only that, UNHRC as the state in charge of this matter seeks to act as a body that will handle cases of human rights violations that occurred in the North Korean Political Prison Camp by empowering the role of International Organizations, namely OI can make decisions without having to involve a related country. One way is to form a Commission of Inquiry to systematically investigate human rights violations and North Korea is included in human rights violations that occur in political camps within it.

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