

Awareness on the North Korean Human Rights issue in the European Union

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This paper discusses the issue of awareness raising in the European Union concerning the topic of North Korean human rights situation. The paper introduces the factors influencing the advocacy work of civil society, along with the role of European foreign policy, EU institutions, as well as collaboration between EU and South Korea based interest groups. The paper argues that the geographic situation of the EU as well as its history as a normative power influences its foreign policy choices and priorities, which in turn influences the setting in which awareness raising groups operate. The fact that the EU simultaneously pursues punitive economic policies and constructive political dialogues with the DPRK means that interest groups themselves also approach human rights advocacy from various angles, thus leading to important synergies in their advocacy work. The paper concludes by recognising the role of DPRK defectors in bringing the human rights issue closer to the EU audiences and urges that awareness raising efforts should bring in more technical expertise to enrich their political message.

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This paper expresses the view of the authors and not the European Institute for Asian Studies

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Introduction

The key purpose of the following paper is to assess the factors influencing the European Union's awareness of the Human rights issues in North Korea. The Democratic People's Republic of Korea (DPRK) is rightly considered as one of the most secretive and reclusive countries. The isolated nature of the state makes it difficult to gain access to information on the situation within. Despite these difficulties, information revealing the appalling human rights conditions in the country has been trickling forth, evidenced –among others– by the 2014 Commission of Inquiry from the United Nations Human Rights Council.² Against this backdrop is a rather keen interest in the European Union on the institutional level to engage with North Korea on the issues on Human rights, and an even more intense willingness from the relevant EU civil society stakeholders to formulate, shape, raise awareness about, and contribute to the DPRK Human rights discourse taking place in Brussels.

This paper will focus on the most recent developments, exploring the principal factors influencing the EU's awareness of the Human rights issues. A horizontal discussion of the dynamics influencing the ongoing Human rights discussions will look at the possible drivers both from the perspective of the EU institutions and that of civil society.

First, the EU position on DPRK human rights issues is explored, focusing on the role of geographic distance, as well as the EU's traditional role as a normative power security provider. Then, it is investigated, to what extent the EU's approach to the North Korean human rights issue affects the role EU advocacy groups can play, and what characterises the civil society's awareness of the human rights situation.

The tyranny of distance in EU awareness of the DPRK human rights issues?

As a theoretical concept, the idea that geographic distance is directly correlated with waning strategic interests is often used to explain why the European Union is an inert security actor in East Asia.³ Owing to its non-existent military capacity, and limited strategic interests in the region, the EU is considered as a relatively neutral international player by North Korea. Notably, while in favour of the Six Party Talks, both the EU and its member states are absent from the process.⁴

The EU, unlike its transatlantic ally, the United States, has rarely been the target of hostile rhetoric from North Korea. Instead, this relationship has evolved along the lines of development assistance and bilateral dialogues, coined as "critical engagement". The EU's relationship with North Korea is primarily based on economic relations, whether one considers bilateral trade, various forms of assistance, or autonomous restrictive measures in force. This has a direct impact on how perspectives within the European Union, along with awareness, is shaped on North Korea. The secondary component of the relationship is political dialogue, mainly on the issue of human rights. This also means that challenges originating from the regime are not securitized, and thus stakeholders

² United Nations Human Rights Council. (2014). *Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea*. Retrieved from:

<http://www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/CommissionInquiryonHRinDPRK.aspx>

³ Yahuda, M. (2008). *The Sino-European Encounter: Historical Influences on Contemporary Relations*. In D. Shambaugh, E. Sandschneider and Z. Hong (Eds.) *China-Europe Relations: Perceptions, Policies and Prospects*

⁴ EEAS. *Political and Economic Relations with the DPRK*. Retrieved from:

http://www.eeas.europa.eu/delegations/south_korea/eu_dprk/political_relations/index_en.htm



across the decision making process tend to see them as economic, developmental, or human rights issues.

From a broader perspective, scholars of Europe-Asia relations describe this phenomenon as the "tyranny of distance" and argue that – with the exception of the colonial period – it has always characterised the relationship between European and Asian states.⁵ It is quite evident that the geographic separation is a significant factor in shaping the discourse on DPRK human rights issues in the EU and its member states. First, this remoteness allows the EU to formulate policy positions not available to other international actors that are more closely exposed to interactions with the DPRK. Second, the relative low priority North Korea takes on the EU's foreign policy agenda permits second-tier policy makers to have greater sway on the general policy direction. Third, not securitizing the DPRK human rights issues allows for wider civil society engagement and advocacy work on the topic.⁶

The unique position of the European Union has a huge impact on the prevailing perspective in the ongoing human rights discourse. The historically non-belligerent relations allowed the two parties to develop bilateral relations distinct from that of other actors. Due to this perceived neutrality, the North Korean leadership has been willing to engage with the EU and its member states. This allowed EU foreign policy operators greater freedom to pursue dialogues on human rights issues, through the policy of "critical engagement". While evidently a low foreign policy priority for the EU institutions, maintaining the approach of "critical engagement" has meant that the DPRK human rights issues became a high-frequency topic on the agenda of relevant Brussels-based civil society advocacy groups.

Finally, it is worth noting that some expert observers suggest that the geographic distance also allows the EU to experiment with its foreign policy tools in the context of the larger North Korea policies.⁷ In this regard, it can be argued that the policy of "critical engagement", human rights dialogue coupled with restrictive measures, can be tested in relative safety as foreign policy towards the DPRK does not enjoy high priority. It nevertheless remains an important policy goal to engage on human rights development, as well as to promote international norms. In a similar manner, it is also argued that EU critical engagement in human rights is also an "insurance policy" type engagement towards the DPRK, where the EU engages just enough to maintain the human rights dialogue without alienating the North Korean regime, while at the same time also promoting international norms and addressing some development needs through its assistance programmes.⁸

Awareness raising in the EU

From a legalistic point of view, the EU's basis for interest in engaging in human rights issues in the region are established in the Treaty on European Union. Article 2 of the TEU stipulates that the respect for human rights is among the founding principles of the EU.⁹

⁵ Yahuda, M. (2008). *The Sino-European Encounter: Historical Influences on Contemporary Relations*. In D. Shambaugh, E. Sandschneider and Z. Hong (Eds.) *China-Europe Relations: Perceptions, Policies and Prospects*

⁶ Information obtained from anonymous interviewees.

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⁸ Information obtained from anonymous interviewees.

⁹ Treaty on the European Union. (2012). Retrieved from: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012M/TXT&from=EN>

Article 3 (5) further specifies that in its interactions with the "wider world", the EU should uphold and promote its values, thus creating a legal basis for pursuing human rights goals in its interactions with *inter alia* the DPRK.

From a historical perspective, the EU has also established itself as a normative power with an interest in upholding and promoting its values such as human rights, rule of law, and international norms. Being a normative power also means that the EU engages with partners beyond its immediate security and economic interests, as in the case of the DPRK for example. This way the EU gains more weight in the DPRK human rights issue than its security and economic capabilities would allow to envisage.

The interest the EU attaches to the human rights situation in North Korea is also reflected in its engagement with the UN. Since 2011, when the United Nations General Assembly adopted Resolution A/65/276 to elevate the status of the EU's participation in the UN from mere observe to allowing it to present common positions and proposals, as well as to make interventions and participate in the general debate each year, the EU engagement has become more active and more closely-coordinated.¹⁰ The EU raises the North Korea human rights issues at the UN through co-sponsoring country resolutions, and also contributes to the promotion of the Universal Periodic Review, which closely scrutinises the human rights record of all UN member states.

The EU's policy of "critical engagement" rests on fostering diplomatic relations with the DPRK to discuss issues of importance such as non-proliferation and human rights and on various assistance programmes and bilateral cooperation activities with the DPRK.¹¹ In addition, the EU also implements certain restrictive measures towards designated legal entities and persons of the DPRK with a view to foster change in the regime's behaviour. While it is not a direct participant to the Six Party talks, its broad political engagement with the DPRK means that the issue of human rights in North Korea receives a considerable degree of attention in the EU.

As seen above, the EU's distinct geographic characteristics contribute to defining its perceptions of- and policies towards the DPRK. These perceptions and policies then further shape the features of human rights advocacy in the EU. As the multifaceted engagement by the EU towards the DPRK has economic, political, and developmental aspects as well, it is not surprising that the plethora of advocacy groups active on North Korean human rights issues within the EU also promote their own various and distinct angles.

There are several activist groups, foundations, advocacy movements, and non-profit organisations both from the EU and from South Korea that are active in Brussels working towards raising awareness of the DPRK human rights issues. On the one hand they seek to lobby the European institutions according to their various agendas, and on the other hand, they also try to reach out to the broader public, opinion makers, and other interested parties. In this regard, the role of the European Parliament and interested MEPs should be highlighted.

¹⁰ United Nations General Assembly. (2011). *Resolution on the Participation of the Europe an Union in the work of the United Nations*. Retrieved from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/65/276

¹¹ EEAS. *Political and Economic Relations with the DPRK*. Retrieved from: http://www.eeas.europa.eu/delegations/south_korea/eu_dprk/political_relations/index_en.htm



As the directly-elected parliamentary body of the EU, the EP and its members have their own distinct role to play in the EU legislation process. It also acts as a supervisory power, while MEPs can issue direct questions to the European Commission and other EU institutions. This means that raising awareness among MEPs on issues such as the human rights situation in North Korea can lead to pressure exerted on the EU institutions on the longer term. With the Commission usually being the more conservative actor in EU decision making, and the Council representing member states interests, advocacy groups from specific MSs may go through the EP to push their agenda, especially if a coalition of the largest EP groups can be secured.

The role of MEPs in collaborating with human rights activist groups is also important in terms of logistics and general outreach. Through specific arrangements, hosting an event on DPRK human rights issues in the European Parliament can be a prestigious networking occasion, attracting a larger audience. Securing the participation of an ambitious MEP to an external event on similar issues is also often sought after by human rights advocacy groups.

Advocacy groups can also rely on the expertise and technical knowledge of members of the academia or independent think-tanks to round out the political message in order to enhance the effectiveness of their awareness raising. Empirical observations suggest that the Brussels-based advocacy events on human rights in North Korea benefit greatly from technical expertise, be it from implementers of EU policies, individuals who spent time on the ground working in North Korea, or defectors who deliver their personal testimonies.

Finally, the role of the European Union, as an organisation which can pass on some of its historical experience should also be discussed. Besides its current policies, the past experiences of the EU and its member countries are also a source of inspiration for thought parallels for awareness raising. Case in point is the European countries' experience with the Helsinki process or the German unification as an often-invoked counterpart to the possible reunification of Korea. While some of these arguments may have some merit, it is worthwhile to remember that the primary goal of advocacy and awareness raising work is not to deliver workable solutions, but to mobilise political will through straightforward messages.

Future prospects

It is quite clear that the EU's engagement on the DPRK human rights issues will likely continue following its established initial. The work of advocacy groups is also likely to follow suit and keep the human rights issue high on the agenda. Reaching out to key demographics of EU-based DPRK experts is important in order to send a targeted message for opinion- and decision makers. Keeping the level of debate high during advocacy activities is important in order to avoid hollowing out the discussion on human rights.

In particular, the personal testimonies of North Korean defectors have made significant contributions to the effectiveness of advocacy work on this topic. The individual witnesses of defectors helps and makes it easier for the EU audience to relate to- and understand the human rights situation in the DPRK. For this reason, it remains important for EU-based advocacy groups to foster strong partnerships with their Seoul-based counterparts.



It should be stressed that the North Korean human rights situation must receive more attention within the European Union. The active engagement of MEPs and civil society is a promising sign in this regard, however more must be done. Strong advocacy work is needed to maintain and reinforce the EU's resolve on the institutional level. The appalling human rights record of North Korea necessitates a more active attitude from the EU, in which both aspects of its critical engagement receive equal emphasis. If the EU continues to let its foreign policy be mired in internal division and self-absorbed focus on its immediate neighbourhood, it risks losing international credence on the long run.



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