Nothing to celebrate for North Koreans with disabilities

On the International Day of Persons with Disabilities, a look at grim prospects for disabled North Koreans  BY JANET E. LORD

December 3 marked the United Nations International Day of Persons with Disabilities. For countless North Koreans with disabilities, however, there was nothing to celebrate. North Korea is not party to the widely-enacted UN Convention on the Rights of Persons with Disabilities (CRPD). Nor did it participate in the negotiations that led to its adoption by the UN General Assembly in 2006.

To be sure, North Korea is attempting to polish its poor disability rights image. It sent a lone swimmer to the London Paralympics in 2012. Surrounded by some 25 ministers, the athlete and the delegation spoke in glowing terms about life for persons with disabilities in North Korea. A 2003 disability law is on the books in North Korea, but it lacks implementing regulations.

These measures are disingenuous at best. At worst, they represent a brazen effort to mask disability-based persecution that has strong parallels to Nazi-era crimes against persons with disabilities.

In August 2013, the UN special rapporteur on the situation of human rights in North Korea called for an investigation of possible international crimes against persons with disabilities detained in facilities where they are reportedly used for testing of chemical and biological weapons. This call comes in response to allegations by North Korean defectors, including a first-hand account by a former official of the People’s Safety Agency.

Successive UN bodies have voiced serious concerns about the human rights conditions of men, women, and children with disabilities in North Korea. Highly suggestive of crimes against humanity, information on these practices has been pieced together from reporting and documentation undertaken by UN agencies and international NGOs, as well as by journalists, South Korean human rights bodies, and individual North Korean refugees—several of whom self-identify as disabled.

Testifying about disability-based persecution in North Korea, defectors paint a chilling picture of forced migration and quarantine of disabled persons, disability-selective forced abortion, forced sterilization of men and women with disabilities, infanticide, and targeted killings based on disability type. The U.S. Department of State’s 2012 Human Rights Report for North Korea makes reference to persons with disabilities, but it contains no analysis of the impact of the human rights conditions on them.

In a 2012 survey conducted by the Korean Institute for National Unification (KINU) with North Korean defectors, 34 percent of respondents stated that “dwarfs” live in isolated and segregated housing. This persecution appears directly linked to the politically- and ideologically-based personality cult of the late Il Sung Kim, who reportedly disparaged this group of disabled individuals.

Other reports suggest a consistent practice of segregating persons with disabilities in the country’s infamous prison camp system. A report based on multiple interviews with some 60 female defectors, highlighted in 2013 by the special rapporteur on North Korea, indicated the existence of an island where “disabled people are being sent for medical tests such as dissection of body parts, as well as tests of chemical and biological weapons.” This is not the stuff of mainstream human rights reporting on North Korea.

 Disability is a determinant of vulnerability in any society, but particularly so in an oppressive regime where resources are scarce. Ongoing repression by the North Korean regime contributes to disabling conditions of all kinds, whether physical, sensory, or mental. First-hand accounts suggest that deplorable human rights conditions result in disability (and aggravate pre-existing disability) and, further, make life exceedingly difficult — and dangerous — for North Koreans with disabilities.

Although little is known regarding the prevalence of mental disability among the population at large or within the prison population, there is evidence that depression and trauma resulting in disability are widespread. In addition, there are some reports that mistreatment in the most notorious camps is so feared that the suicide rate for prisoners facing transfer to such camps is very high.

Women and children with disabilities

Children with disabilities are thought to fare very poorly in North Korea. A physician defector reported that the killing of newborns with disabilities was widespread and commonplace, claiming that “there are no babies with physical defects in North Korea” because they are killed in hospitals or at home and hastily buried.”

In assessing the credibility and reliability of human rights reporting on North Korea, it is important to distinguish between first-hand accounts by survivors and second-hand reports. Undertaking human rights investigations in a closed society where in-country work is not possible is clearly challenging and makes verification difficult.

To be sure, second-hand accounts may be exaggerated, and the motives of interviewees — whether refugees, NGO workers, or others — may at times be open to question. But even assuming the existence of contradictory evidence and some unreliable accounts, the sheer volume of reports disclosing disability-related abuse points to a widespread and deeply troubling pattern, as indicated by the special rapporteur’s attention to this issue.

Prison camp abuse

A persistent and credible pattern of reporting by North Korean defectors suggests that persecution on the basis of disability is ongoing and egregious, including (but by no means confined to) the notorious prison camp system. Research conducted by the Burton Blatt Institute at Syracuse University discloses a practice of quarantine of sick and disabled prisoners in “medical rooms” without medical help or medicine in what former prisoners have called “death rooms.” Indeed, the disabling effects of the prison system on prisoners are very well documented.

The special rapporteur on the situation of human rights in North Korea underscored the precarious position of prisoners in his August 2013 report. He noted the subjection of prisoners to forced and dangerous labor with little rest and limited food rations “resulting in near starvation” and frequent accidents “causing some prisoners to lose toes, fingers, or limbs or to develop physical deformities.”

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Gender discrimination can exacerbate the problem. In North Korea, women with disabilities are likely to experience serious deprivation on account of their status as women, in combination with their disability status. As is well documented in the disability rights literature, women with disabilities are at elevated risk for violence and sexual abuse.

Years of famine in North Korea resulted in malnutrition, and the strain of searching for food that inevitably contributes to mental anguish and physical exhaustion, will invariably take a toll on women with disabilities. Extreme suppression of sexual and reproductive rights of women in general is credibly documented, and forced sterilization or specific manifestations of sexual rights violations against both men and women with disabilities.

In March 2013, the UN Human Rights Council adopted a resolution establishing a Commission of Inquiry (COI) to investigate egregious human rights conditions in North Korea and to determine whether they amount to crimes against humanity. Although the COI will have a range of issues and areas of investigation, its mandate is to establish the existence of an island where “disabled people are being sent for killing based on disability-related grounds is not the stuff of mainstream human rights reporting.”