

Human Rights in ROK-US Relations:

{ On the Peninsula, and Beyond

- ⌘ South Korea's first constitution was established in 1948, and was influenced by the American legal system.
- ⌘ But it was not until 1988 that the Constitution of the "Sixth Republic" was passed, establishing a liberal democracy on the Korean Peninsula with protections against arbitrary executive power:
 - ⌘ Political system based on checks and balances among President, Parliament, and Judiciary.
 - ⌘ President and members of Parliament are selected by direct voting of constituents.
 - ⌘ President serves one five-year term.
 - ⌘ The Judges of Supreme Court are appointed by the President and Parliament to six year terms.

Shared Liberal Constitutionalism

{ US Constitution 1787

- ⌘ Bill of Rights:
 - ⌘ Speech, Press, Assembly, Religion, and Petition
 - ⌘ Bear Arms
 - ⌘ Protection unreasonable search and seizure
 - ⌘ Due Process
 - ⌘ Trial by Jury
 - ⌘ No unusual punishment
 - ⌘ Powers not delegated are reserved to the states and people
- ⌘ Other Rights:
 - ⌘ Equal Protection
 - ⌘ Right to vote

{ ROK Sixth Republic Constitution 1988

- ⌘ Rights of Citizens:
 - ⌘ Speech, Press, Assembly, Religion, and Association
 - ⌘ Equality of the Sexes
 - ⌘ Protection unreasonable search and seizure
 - ⌘ Due Process
 - ⌘ Equal Protection
 - ⌘ No torture
 - ⌘ Freedom of movement
 - ⌘ Privacy
 - ⌘ Freedom of Conscience
 - ⌘ Freedom of Learning and the Arts
 - ⌘ Right to Vote

Similarities in enumerated rights

As a state party to seven core international human rights conventions, including the UN Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of the Child, the Republic of Korea has made significant strides in recent decades implementing the provisions of the relevant conventions at the national level. In particular, with special attention to the rights of the vulnerable such as women, children, and the disabled, Korea has achieved substantial improvements in the equal and effective enjoyment of human rights.

ROK a partner in all major international human rights documents (USA is not)

Although ROK has ratified all important human rights conventions, and although it has publicly displayed a commitment to international human rights standards, traditionally the ROK has not played a very prominent role in intergovernmental organizations dealing with human rights issues. *This appears to be changing.*

In particular, Korea has been actively engaged in the international cooperation for the improvement of human rights in the Democratic People's Republic of Korea (DPRK). It has been a co-sponsor of the UN Resolution on the Situation of Human Rights in the DRPK at the UN General Assembly and Human Rights Council since 2008.

Human rights in ROK foreign policy

“I and the Korean people will march firmly hand-in-hand with you, so this important principle of human rights will spread to every corner of the world....Actions infringing upon the dignity of human beings should not be tolerated. Regional or cultural characteristics should no longer serve as excuses for the violation of human rights. We must uphold what history has already proven, that human rights is a universal value.”

-- KDJ at the International League for Human Rights, NYC, June 6, 1998.

Kim Dae Jung and Human Rights in ROK Foreign Affairs

“Human rights issues are not only a domestic concern. The Vienna Declaration and Programme of Action¹ reaffirmed that human rights are a concern of the international community. Far from being an internal affair, human rights issues engage the international interests and responsibilities of every state. The promotion of human rights should therefore be made a key part of every country’s foreign policy.”

¹Adopted at the World Conference on Human Rights, Vienna, Austria, June 1993

Amnesty International philosophy

ROK steps up

- ⌘ Hosted the G20 summit in 2010;
- ⌘ Hosted the Nuclear Security Summit, March 2010;
- ⌘ Ban Ki-moon, former Korean foreign minister, elected to second term as UN Secretary General;
- ⌘ Song Sang-hyun, President of the International Criminal Court; and
- ⌘ Jim Kim, next World Bank President, is a U.S. citizen, but born in ROK and lived there as a child.

ROK goes multilateral and global

“Common Values and Human Security: As Presidents Bush and Roh confirmed in their May 2003 summit statement, a mutual commitment to democratic values, institutions and ideals, is critical in sustaining the close relationship. In this context, both countries should support and promote the advancement of human rights in North Korea...

...There are a host of extra-regional issues—liberal democracy, open economic markets, universal human rights, anti-terrorism, peacekeeping, open society, free press and the rule of law—that help define the U.S.-ROK relationship. These common values represent the corollary success stories of the alliance. Recognizing the importance of these values, South Korean President Kim Dae Jung stated during his 1998 summit with President Clinton that a higher level of partnership would be based on the ‘treasured values of democracy and market economy.’ The same theme was echoed in the statement released after the Roh- Bush May 2003 summit, which emphasized the promotion of ‘democracy, human rights and market economy shared by the people of both nations.’ In this context, both countries also remain concerned about the human rights situation in North Korea.”

-- CSIS-Seoul Forum: Strengthening the U.S.-ROK Alliance: A Blueprint for the 21st Century, 2003.

ROK-US Alliance going global

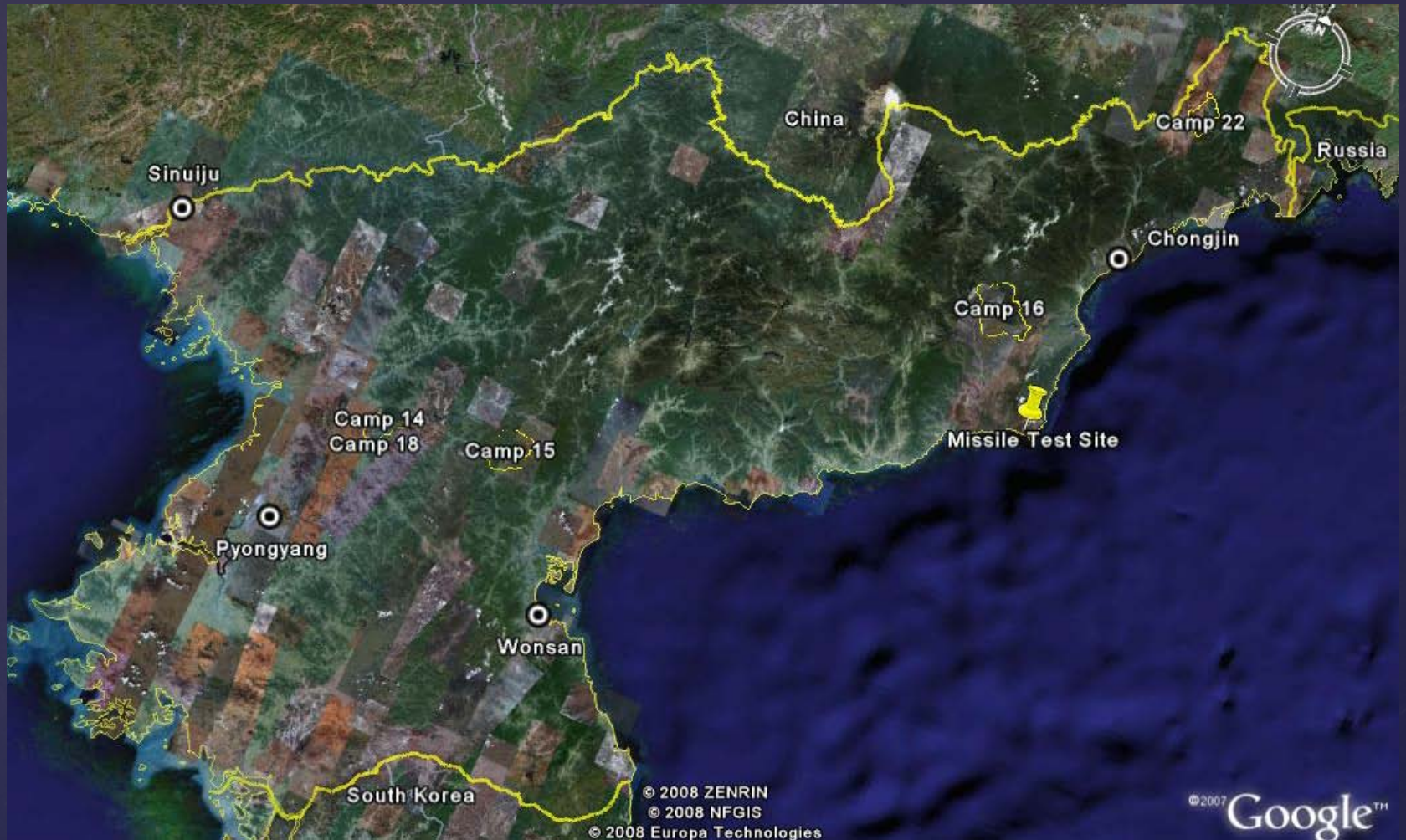
With their democratic institutions, international standing, and strong alliance bound together by shared strategic interests and common core political values, this is the time for the ROK-US Alliance to step up its game in the international human rights arena. There are both obvious challenges (DPRK), and less obvious ones (Myanmar, Cambodia). And there is one giant task perhaps best referred to as Lord Voldemort....

An Immodest Proposal

"As to the North Korean issue, the human rights issue is no less important than nuclear tests or missile launches. The issue of human rights for the North Korean people should rather be dealt with more urgently (than tests or launches)."

-- President Lee Myung-bak to a visiting U.S. Congressional delegation, May 23, 2012

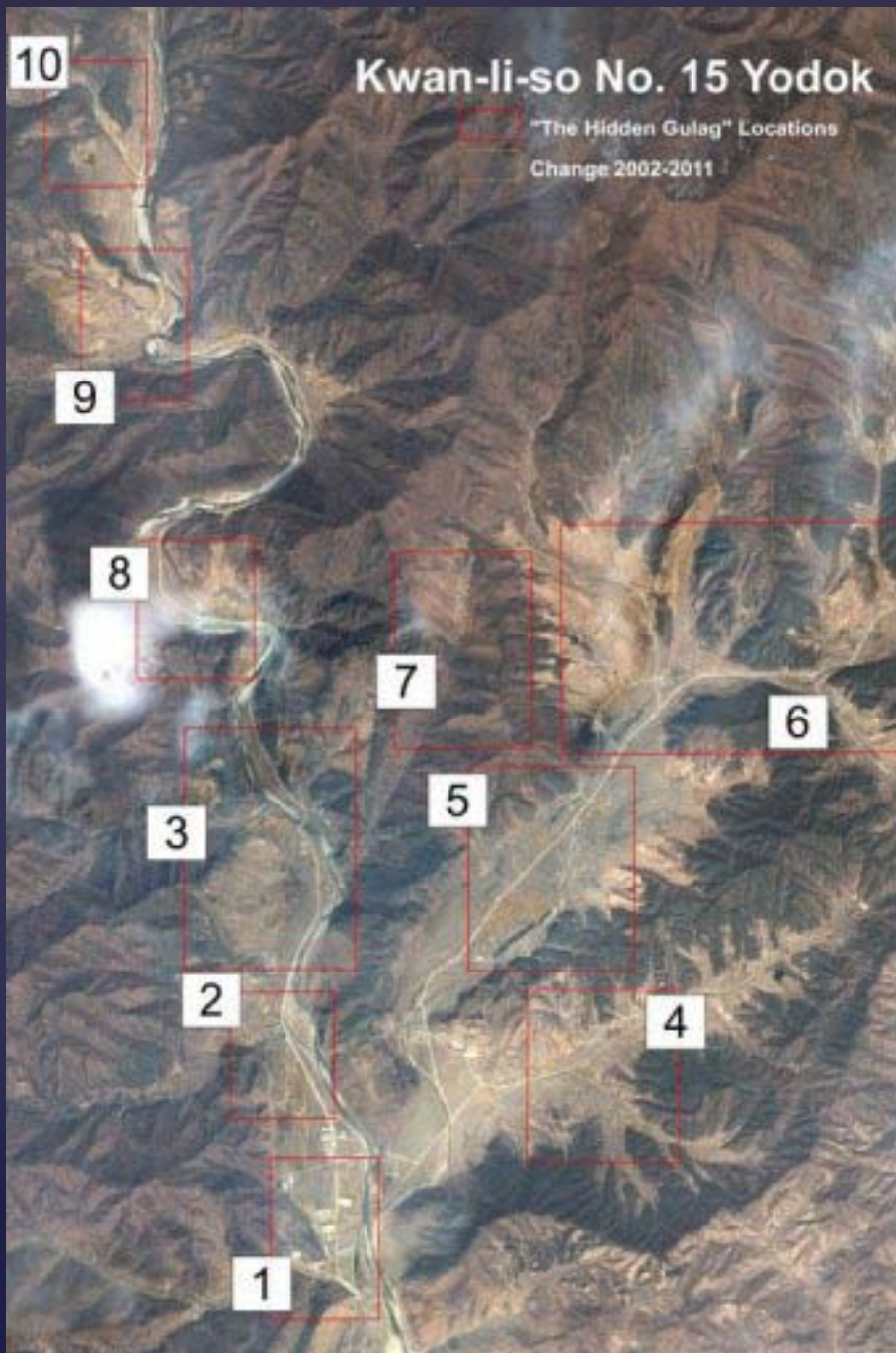
President Lee affirms importance of human rights in ROK policy toward DPRK



DPRK gulag system



Section of Camp 22, Haengyong,
Imagery by Digital Globe, in
cooperation with AIUSA



Freedom of expression is non-existent in the DPRK. People deemed to oppose the state are detained in brutal prison camps, such as the notorious political prison camp at Yodok, home to around 50,000 men, women and children. Yodok is one of six known political prison camps in North Korea, in which a total estimated 200,000 prisoners are held without trial or following grossly unfair trials. Family members of those suspected of crimes are also sent to Yodok - a system of "guilt by association" used to silence dissent and control the population through fear.

Prisoners are kept in the most inhuman conditions imaginable. These are places out of sight of the rest of the world, where almost the entire range of human rights protections are ignored. North Korean authorities refuse to acknowledge the existence of these political prison camps.

Growth of Yodok

- ⌘ Do not demonize, but do not sanitize, DPRK human rights record;
- ⌘ Raise profile of human rights agenda with DPRK;
- ⌘ Ground concerns in overall commitment to DPRK human security, to include food security, public health, and education;
- ⌘ Moor requests for information and cooperation in DPRK's international commitments and obligations under relevant UN conventions;
- ⌘ Deploy technology and eye-witness accounts to educate the people of the world about on-going DPRK human rights atrocities

Agenda for action



ASSK takes her parliamentary oath...



...but political prisoners remain locked up and ethnic conflict simmers.





Cambodia attracts FDI and foreign leaders, but rights abuses, including forced evictions and other violations of international norms and agreements, remain commonplace.



The country that shall not be named

BLOCKED



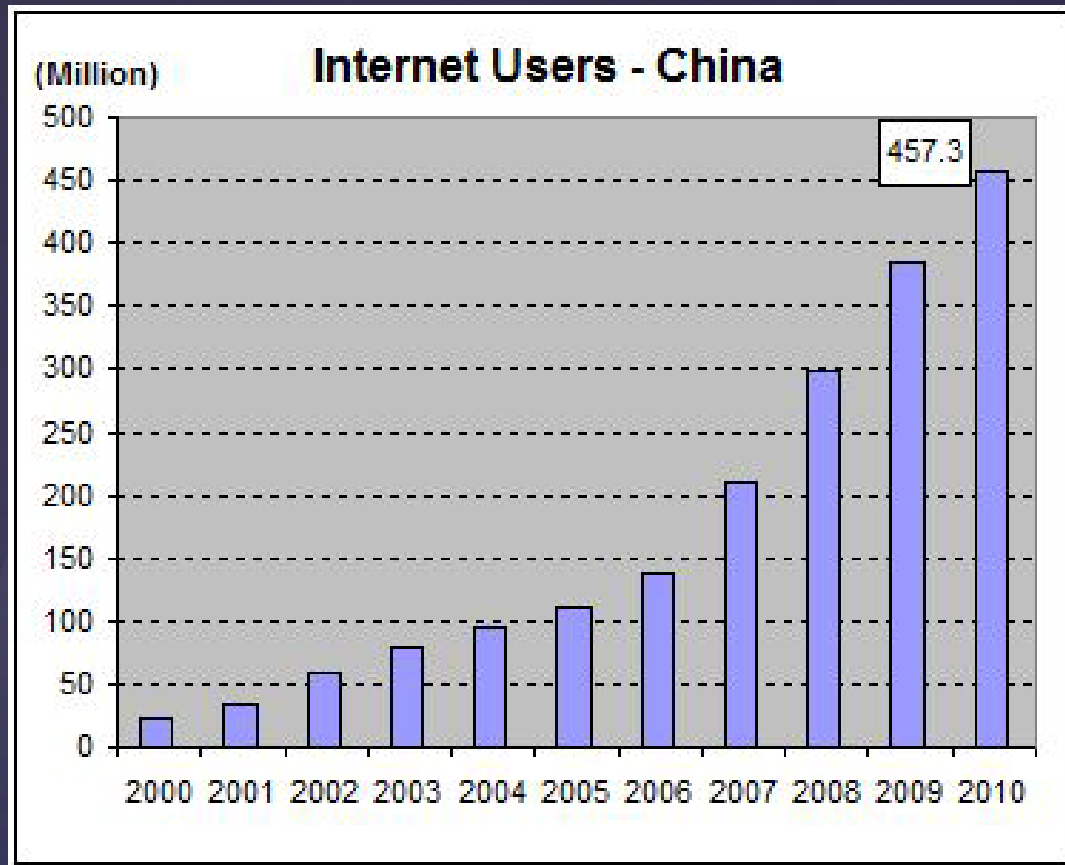
IN CHINA

the internet



Rock by Rock, The Great Internet Solution

Wah IFRA



As of March of 2012, more than 500 million internet users in China.
More than 1 Billion cell phone subscribers.



How are these images related?

{ 草泥馬 Cǎo Ní Mǎ



{ 河蟹 Hé Xiè



“Grass Mud Horse (Alpaca)” and “River Crab”



Hu Jintao, aka he who harmonizes...

和谐 Hé Xié (Harmonizer, from
“building a harmonious society”)



{ Bad Mother \$*#@&!
Or
Cào Nǚ Mā

操你媽



GREAT FIREWALL

[HTTP://BLOG.BSDOS.CN](http://blog.bsdos.cn)
DESIGN BY RIKU
2006.8.4

GFW

