

Chapter 10

Vulnerability Assessment of the DPRK's Responsiveness to the COVID-19 Pandemic: Human Rights Challenges and Pathways to Greater Adherence to Human Rights Norms

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ABSTRACT

According to the 2021's Global Health Security (GHS) Index, the Democratic People's Republic of Korea (DPRK) ranked 193rd among 195 nations. Upon the COVID-19 outbreak, the DPRK promoted a national vaccine strategy of "our style." The Kim Jong Un regime has rejected the corona vaccine aid offered by the international COVAX initiatives claiming that there were zero COVID-19 cases in the DPRK. Furthermore, the DPRK has not allowed the staff of any international humanitarian aid organization to enter the DPRK since 2020 due to COVID-19-related border restrictions. These extreme measures have further exacerbated state-led human rights violations, particularly in connection with the health of its citizens. Based on this analysis, this chapter will provide proposals as to pathways the international community may take to induce positive behavioral changes concerning human rights implementation as they relate to the health of the DPRK's citizenry.

INTRODUCTION

The DPRK has announced the first confirmed COVID-19 case on May 12, 2022, and their state media reported the next day that six people had already died, up to 350,000 people were infected, (Bae and Regan, 2022), and 187,800 were in quarantine (Choe, 2022). The DPRK's announcement was made for the first time after two years of fighting against the coronavirus. The DPRK's outbreak appears to be

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explosive, and it is expected to get even worse if no measures are taken in timely manner. There is great danger that the current outbreak will pose global health security threats beyond the Korean Peninsula. The DPRK's fragile health system needs immediate humanitarian assistance from the international community.

Despite these facts, the DPRK has imposed a border lockdown under the zero COVID-19 policy, refused to adopt the coronavirus vaccine program, and has rejected additional humanitarian assistance by the international community. The failure of the Kim Jong-Un regime's current zero COVID-19 policy has been further exacerbated by existing internal problems such as a fragile health system, economic failure, food insecurity, humanitarian crises pursuant to frequent natural disasters, the imposition of international sanctions due to hostile behaviors, and prolonged human rights violations issuing from governance failures. The Kim Jong-Un regime's series of hostile actions, including the imposition of the zero COVID-19 policy, has severely undermined the human rights of its citizens, especially their right to health. The majority of studies on the DPRK relate to the nuclear threat the DPRK poses. The DPRK's bad governance as it bears upon the human right to health, especially during the COVID-19 era, is largely under researched. This chapter therefore assesses the vulnerabilities of the DPRK's response to the COVID-19 pandemic; the human rights implications, and the governance failures that have led the DPRK to this precipice. This chapter will offer proposals as to pathways the international community may take to induce positive behavioral changes concerning human rights as they relate to the health of the DPRK's citizenry.

GOOD GOVERNANCE AND THE HUMAN RIGHT TO HEALTH

Good governance and human rights are closely linked and indeed mutually reinforcing as the core principles of good governance recognize the protection of citizens' fundamental rights. The United Nation's Office of the High Commissioner for Human Rights (OHCHR)'s definition of good governance is, "full respect of human rights, the rule of law, effective participation, multi-actor partnerships, political pluralism, transparent and accountable processes and institutions, an efficient and effective public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability, and attitudes and values that foster responsibility, solidarity, and tolerance" (UNOHCHR, 2000). The role of good governance is vital for the promotion and protection of the citizenry's human right to health. The concept of health as a human right has been increasingly recognized and widely accepted concept. Plainly, the fate of the citizenry's health is oftentimes determined, at least in part, by those who govern whether by principles of good governance or not.

Health 2020: A European Policy Framework and Strategy for the 21st Century (2013), recognizes the importance of the human right to health as health has a direct influence upon the enjoyment of the entire body of human rights. The human right to health has already been recognized in international treaties such as the WHO Constitution of 1946 (Preamble), the Universal Declaration of Human Rights of 1948 (Article 25), and the International Covenant on Economic, Social and Cultural Rights of 1966 (Article 12) (Kickbusch and Gleicher, 2012). Hence, the basic right to health includes the right to access to safe drinking water, sanitation, food, adequate housing, healthy environmental conditions, health-related education and information, and even gender equity (Kickbusch and Gleicher, 2012). According to the Kickbusch and Gleicher (2012), OHCHR and WHO stated in 2008 that all citizens are entitled to, "1) the right to a system of health protection that provides equality of opportunity for everyone to enjoy

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