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**UNHRC (UN Human Rights Council):**

**Topic 1: Human Rights in South Africa**

**Topic 2: Human Rights in North Korea**

Authors: Kyra Abel, Manna Naumann

Editor: Dillon Hunter

BACKGROUND GUIDE

**Topic: Human Rights Violations in South Africa**

**Background of the Council**

The UN Human Rights Council was started in 2006 to address major human rights issues and violations. It comprises forty-seven member states, elected by the General Assembly. It has an Advisory board which discusses human rights violations, as well as how to address current issues and what resources are needed to prevent them in the future. It also has a Complaints Procedure which is used by any who wish to bring human rights violations to the council. The Special Procedures board of the council is a group of NGOs, individuals, and representatives, and advises on action regarding human rights in certain countries.

**Pertinent Information**

South Africa’s main issue at the moment is LGBTQ (lesbian, gay, bisexual, transgender, and questioning/queer) discrimination. While its constitution protects all people regardless of sexual orientation, it has been taking steps backward. They supported conservative, regressive action on family inclusivity and acceptance as recently as last year. Although the government and rights groups have been making public awareness campaigns, many South Africans still have a more negative view on the LGBTQ community, especially transgender individuals. (Transgender: denoting or relating to a person whose self-identity does not conform unambiguously to conventional notions of male or female gender; someone whose gender orientation does not match their biological sex.) Families also oppress these individuals, mainly in the form of domestic violence. According to a 2011 report on LGBTQ discrimination, “[LGBTQ people] are discriminated against in the labour market, in schools and in hospitals, and mistreated and disowned by their own families. They are singled out for physical attack – beaten, sexually assaulted, tortured and killed.” South Africa has supported Russian resolutions which refer to the family as a monolithic unit, rather than the individuals within the family. Although it has previously been looked to as a leader on this issue, it has failed to put together a stronger resolution on LGBTQ rights and has postponed a regional meeting to discuss the issue of LGBTQ discrimination. It is looked to as the strongest voice on rights regardless of sexual or gender orientation in the region, and will need support from other countries to put it back on the track of its constitution.

**History of the Issue**

South Africa has a long history of human rights violations, the most prominent being apartheid. After the National Party took power in South Africa in 1948, the government, which was made entirely of whites, began enforcing segregation of the population. The legislation that made this possible was called apartheid. It began making strict legal guidelines that followed along the path of previous racially discriminatory acts, such as the Land Act of 1913, which forced non-white South Africans onto reserves and forbade them from certain kinds of work. The goal of apartheid was also to split non-white South Africans along already-in-place tribal rivalries in order to decrease the likelihood that they’d join together and thereby weakening non-white political power.

Intermarriage between black and white South Africans became illegal two years after the all-white National Party took power, and even greater restrictions were put in place: “The Population Registration Act of 1950 provided the basic framework for apartheid by classifying all South Africans by race, including Bantu (black Africans), Colored (mixed race) and white. A fourth category, Asian (meaning Indian and Pakistani) was later added.” (History, Apartheid.) According to this, even families could be split along racial lines. Most of the land was devoted to the white minority, with ‘restricted areas’ where non-whites could not go without special licenses. Many Bantus were forced out of their homes and onto ‘Bantustans,’ or reserves, while their land was sold to white farmers. It is estimated that over a period of 30 years more than 3.5 million were displaced.

Two of the biggest resistors of apartheid were the African National Congress (ANC) and Nelson Mandela, head of the military section of the ANC. The ANC and its members made several peaceful protests, which were all met with force: almost 250 black South Africans were killed or injured. Mandela himself was imprisoned for 27 years. Greater protests and Mandela’s incarceration brought major international attention to the situation. However, apartheid did not fully end until 1994, when a new constitution and a non-white majority government gained office. Nelson Mandela was elected as president.

**Recent Action**

In 2011 the UN passed a resolution put forth by South Africa and Brazil protecting and affirming human rights for all people, that also condemned violence and discrimination based on sexual orientation and gender identity, the first resolution to directly address the issue of LGBTQ rights. It called for the later study on discrimination and violence against LGBTQ individuals, especially women, who already face a greater amount of discrimination. In 2013 the UN established the Free and Equal campaign for equality for LGBTQ individuals worldwide. It encourages acceptance and works to counter transphobic and homophobic actions and mindsets.

In September, 2014, the UN passed a resolution for the benefit of LGBTQ individuals, requesting that the global community “share good practices and ways to overcome violence and discrimination” against LGBTQ individuals. This was in response to recent conservative actions and homophobic actions in the international community.

**Questions to Consider**

1. What are arguments against LGBTQ equality?

2. Which countries do not support LGBTQ equality and why?

3. Why do homophobia and transphobia still exist, and how do we combat them?

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**Topic #2: Human Rights Violations in North Korea**

**Pertinent Information**

After his father's death in 2011 Kim Jong-un, Kim Jong-Il's son, took over office. Much of the same punishments and laws his father had, Kim Jong-un is continuing today. The only difference is that he has taken those laws and punishments to the extreme. He sends people to political prison camps and has regular public executions. The only prison camps we have information from are numbers 14, 15, 16, 18, 22, and 25. They are said to hold up to 120,000 prisoners currently and at least 400,000 people have died within these camps. In all these camps prisoners are forced to work until their deaths. They don't just punish the person(s) who have committed the crime(s) either, they also put the closest three generations of your family into these prison camps with the person who committed the crime(s). The people in these prison camps are almost always working, when they're not, they're in pain. The guards are allowed to do as they please with the prisoners; rape them, beat them, torture them, etc. The people, both outside of and inside the prison camps, are dying from starvation. It has been reported that 600,000 to 2,500,000 people have died from famine in North Korea. Kim Jong-un was the one who ordered that the people were to be starved in order to feed the more "important people." There have also been circulating stories from eye-witnesses on people resorting to cannibalism. There was one story of a man who ae his two children and was then publicly executed in the square of his village. All the people of North Korea are suffering from these horrors every day.

Kim Jong-un has also launched a bombardment of Yeonpyeong, in South Korea, and is said to have participated in the Cheonan sinking. He has even kept the nuclear factory in Pyongyang operating. All of this to prove his military formidability and power. There is no way that this man would agree to negotiate if he would be willing to kill people just to prove he's in charge.

To resolve this issue we must first get Russia and China to see the sensible side, otherwise North Korea will have powerful allies that will continue to be allies with them in all situations. This would be detrimental to any actions that the UN would try to take as North Korea would be well supplied and have help if the situation were to come to war, making it world war.

The first step to fixing the situation would be having the UNHRC hold a meeting with North Korea as a non-voting member. This would allow for the UN to come to an agreement that would help the world come to a compromise on how to handle the violations that are occurring in North Korea right now. This would be the best course of action because otherwise there will be large repercussions that could start a world war, and the reason the UN was created was to stop world wars and international atrocities/crimes.

Country Opinions

North Korea wants to be left alone and feels that other countries interfering with this issue would infringe on their national sovereignty. South Korea and the United States both want the Korea's to rejoin and have South Korea's government take control. Japan wants the issue to be handled in any way possible. Finally, Russia and China want other countries to stay out of North Korea's business.

**History of the Issue**

The Soviets and the Americans then chose selected leaders for both North and South Korea. The Soviets chose Kim il-sung, who then appointed himself as the “Great Leader.” Kim il-sung instigated the Korean War in 1950 after are ordering an invasion into South Korea. A cease fire was called for on the 27 July, 1953. The Korean War is technically still going on today, but is just in armistice.

After the Korean War went into armistice Kim il-sung began an economic plan for recovery and had all ally troops out of North Korea by 1957. After that he began a purge of all those who were found guilty of treason by executing some and exiling others. Kim il-sung was soon found to be a Communist leader and supported Communism at all times. He became such an extreme dictator that it was required to teach that he was an amazing leader who could do no wrong throughout all of the schools and Blythe time he was dead there were over 500 different places and monuments dedicated to him in North Korea.

When Kim il-sung died in 1994 there was nuclear power plant, North Korea was almost completely isolated, and his son (Kim Jong-il) was put in charge. Kim Jong-il's time of office was the start of the violations of human rights occurring in North Korea. By the time he died in 2011 there were up to 200,000 political prisoners in North Korea and the people had no freedom to religion, press, political opposition, or equal education. Almost every part of political, social, and economic life was controlled by the government. The government under Kim Jong-il's rule was considered the most oppressive in the world.

**UN Action**

The UN has not been able to take much action to help fix the issue due to fear of repercussions that Russia and China may take. They have only been able to write a Commission of Inquiry on the human rights violations that North Korea has committed. Other than that the UN has not been able to move forward because it could start a World War without the agreement of all countries.

**Questions to Consider**

1. What measures has the United Nations taken to resolve the human rights violations in North Korea?
2. What has North Korea’s response been to previous international intervention? Why?
3. Why are China and Russia supporting North Korea’s position?
4. What would it mean for South Korea if North Korea allowed international relations?

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