

2024

**Report on  
North Korean Human Rights**



Ministry of Unification  
Center for North Korean Human Rights Records

2024

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# Preface

This year marks the 10<sup>th</sup> anniversary since the United Nations Commission of Inquiry (COI) on Human Rights in North Korea released its report. It identified “systematic, widespread, and grave violations of human rights in North Korea,” and that “these practices are still ongoing.” Unfortunately, such violations continue to this day. Recently, North Korea has mentioned the existence of “two states on the Korean Peninsula” while further restricting its residents’ access to outside information, intensifying its control over the people through heightened social control.

Over the past decades, the international community has united in efforts to deter these human rights abuses by the North Korean authorities. Over 20 years have passed since the UN adopted resolutions addressing the human rights situation in North Korea. Countries such as the United States and Japan have enacted legislation aimed at protecting North Korean residents’ human rights. In 2023, the Republic of Korea, the United States, and Japan committed to reinforcing their cooperative efforts to uphold human rights in North Korea and reaffirmed their commitment to the immediate resolution of issues concerning abductees, detainees, and unrepatriated prisoners of war in the Spirit of Camp David joint statement.

The government of the Republic of Korea has prioritized the promotion of North Korean human rights as a fundamental element of its pursuit

of “peaceful unification based on the basic free and democratic order,” as outlined in Article 4 of the Constitution. This year, we will focus on enhancing North Korean residents’ access to information, holding the North Korean authorities accountable for their human rights violations, and strengthening the ties between human rights, security, and unification efforts. Furthermore, we will address issues concerning abductees, detainees, ROK prisoners of war, and separated families.

In this context, reports on North Korean human rights form the cornerstone of these human rights policies. Nobel laureate and Holocaust survivor Elie Wiesel once quoted, “Forgetful leads to exile while remembrance is the secret of redemption.” It is through remembering that we pave the way toward a better future, one that fosters change. This report on North Korean human rights not only documents the testimonies of North Korean defectors but also charts a course toward a future where freedom and human rights are accessible to all North Korean residents.

The 2024 Report on North Korean Human Rights sheds light on a variety of human rights abuses perpetrated by the North Korean authorities. For the first time, it includes violations of the right to life under the Law on Rejecting Reactionary Thought and Culture and through measures to prevent COVID-19, along with detailed accounts of information control,

forced repatriation, and overseas workers.

We invite the citizens of the Republic of Korea as well as the global community to recognize the dire human rights situation in North Korea and empathize with the suffering of its residents through this report. We hope the report not only honors those who have worked tirelessly to promote North Korean human rights but also encourages further international solidarity.

In April 2024, the UN Human Rights Council adopted resolutions requesting a comprehensive report containing an update since 2014, when the COI report was published. The Ministry of Unification is dedicated to ensuring that the 2024 Report on North Korean Human Rights serves as a foundational document for such follow-ups, anticipating that it will catalyze meaningful improvements in North Korean human rights practices during the fourth cycle of the Universal Periodic Review (UPR) in November 2024.

Even in the 21<sup>st</sup> century, human rights violations in North Korea remain an ongoing issue. While results may sometimes be slow to materialize, there is no doubt that our concerted efforts are laying the groundwork for significant change in the human rights landscape of North Korea and setting the stage for future unification. Finally, we extend our deepest gratitude

to the North Korean defectors who have shared their painful memories to contribute to our efforts in building a better future and to the experts who have provided their knowledge and insights in the preparation of this report.

Thank you.

September 2024  
Minister of Unification  
**Kim Yung Ho**

# Overview

In 2023, the Center for North Korean Human Rights Records (referred to as the Center) of the Ministry of Unification released its first report on North Korean human rights, written based on testimonies of North Korean defectors collected under the North Korean Human Rights Act. As the first report on North Korean human rights issued by the government of the Republic of Korea, the 2023 Report on North Korean Human Rights significantly raised public awareness on addressing the human rights situation in North Korea and captured the attention of the international community. Notably, excerpts from the report were presented by the Panel of Experts<sup>1</sup> to the United Nations Security Council Sanctions Committee on North Korea<sup>2</sup> in March 2024 and were included in the 2023 Country Reports on Human Rights Practices<sup>3</sup> by the U.S. Department of State in April 2024. Following the release of the report last year, the Center continued its investigations into the human rights situation in North Korea by interviewing defectors who entered the Settlement Support Center for North Korean Refugees (referred to as Hanawon). As a result, the 2024 Report on North Korean Human Rights includes newly identified human rights violations in addition to those listed in last year's report. This year also marks the 10<sup>th</sup> anniversary of the Report of the Commission of Inquiry (COI) on human rights in North Korea by the United Nations Human Rights Council in 2014. The resolution on the situation of human rights in North Korea,

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<sup>1</sup> United Nations Security Council Sanctions Committee on North Korea, "Final report of the Panel of Experts submitted pursuant to resolution 2680(2023)," (March 7, 2024)

<sup>2</sup> The United Nations Security Council Sanctions Committee on North Korea was established pursuant to Resolution 1718 in 2006 to address North Korea's first nuclear test and its other nuclear proliferation efforts.

<sup>3</sup> United States Department of State, "2023 Country Reports on Human Rights Practices," Democratic People's Republic of Korea 2023 Human Rights Report (April 22, 2024)

adopted at the 55<sup>th</sup> session of the UN Human Rights Council in April 2024, emphasizes the importance of a comprehensive report that follows up on the recommendations contained in the COI report. In this context, the ongoing publication of these annual reports highlights the strong commitment of the government to address the human rights issues of North Korean residents.

The purpose of releasing this report to the public is to broadly inform not only the people of the Republic of Korea but also global citizens about the human rights situation that the people in North Korea face. Moreover, it offers detailed information on this critical situation to human rights institutions and organizations worldwide.

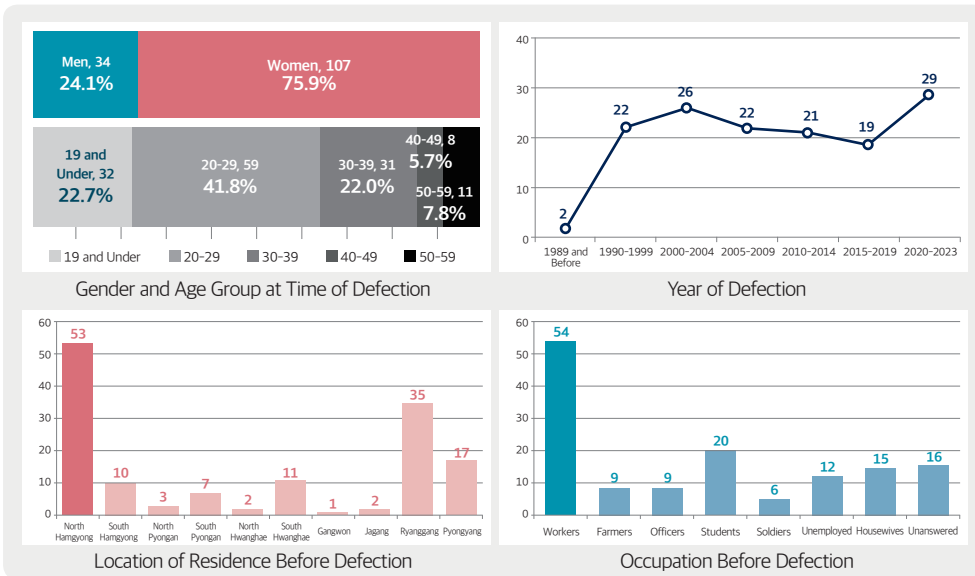
In light of these commitments, the 2024 Report on North Korean Human Rights was written with the following editorial directions in mind. First, it emphasizes providing an accurate portrayal of the human rights situation in North Korea by archiving the testimonies of North Korean defectors as they were given. Second, the report aims to include as many recent testimonies from defectors as possible, enabling the general public to understand the current state of human rights in North Korea. Third, it strives to describe the status of each right guaranteed by international human rights norms, while minimizing the risk of arbitrary interpretation.

This report is based on testimonies documented by the Center from North Korean defectors entering Hanawon. These records have been generated through the Center's investigations into the human rights situation in North Korea. Conducted at Hanawon, these investigations involve one-on-one, face-to-face interviews, during which each witness's memories are archived. This year's report expands on last year's testimonies from 508 individuals by including investigations of 141 additional defectors in 2023. The border lockdown triggered by COVID-19 contributed to a decline in the number of North Korean defectors. Furthermore, most defectors entering the Republic of Korea had stayed in countries such as China and



Russia, making it challenging to grasp up-to-date insights into North Korea’s internal situation. However, as of 2023, the number of defectors began to rise, highlighted by recent marine defection cases that are reflected in this year’s report. The statistical distribution of the 141 North Korean defectors investigated in 2023 is as follows.

**Figure 0 - 1** Statistics on North Korean Defectors Who Testified in 2023



\* (Source) 141 North Korean Defectors Investigated by the Center in 2023

The 2024 Report on North Korean Human Rights is organized into six chapters. The first chapter introduces the multifaceted efforts of the government and the international community to substantially improve North Korean human rights. These efforts include engaging with civil society organizations, collaborating with the international community, and participating in initiatives led by the United Nations. The second chapter addresses human rights violations concerning issues that have recently been raised, including restricted access to outside information, forced repatriation, conditions of workers dispatched overseas, and issues related to COVID-19. The third chapter highlights ongoing concerns identified by human rights

organizations, such as political prison camps, abductees, detainees, Republic of Korea Armed Forces prisoners of war (ROK POWs), and separated families. The subsequent two chapters explore civil and political rights and economic, social, and cultural rights, as stipulated in international human rights norms. The final chapter focuses on vulnerable groups, shedding light on the human rights situation of women, children, and people with disabilities.

This report possesses the following key features. First, it categorizes human rights violations imposed by laws enacted to maintain control over residents since Kim Jong Un assumed power, aimed at solidifying the regime's political stability. In particular, it includes testimonies suggesting that the number of public executions has increased following the introduction of the Law on Rejecting Reactionary Thought and Culture in 2020. Second, the report documents numerous accounts from female defectors who have experienced violations of women's rights continuously by the North Korean authorities among other human rights abuses carried out during the process of forced repatriation. Third, it introduces various situations concerning overseas workers<sup>4</sup> that have also been reported through international media outlets. In addition, the report contains diverse testimonies about the suppression of religious activities in several regions, including Pyongyang, and the increasing prevalence of narcotics use among residents.

As noted, this report is based on testimonies of North Korean defectors who have experienced human rights violations, collected through the Center's investigations. Therefore, certain aspects must be considered, such as the interviewees' former residences, which are primarily located in

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<sup>4</sup> "According to a Member State, more than 100,000 Democratic People's Republic of Korea workers are still working overseas generating revenue for the Democratic People's Republic of Korea, located in approximately 40 countries and working in a variety of areas, including sewing, construction, medicine, information technology and food service." (The Panel of Experts report provided to the UN Security Council Committee, March 2024)

border regions, and the relatively fewer recent cases due to COVID-19. In addition, the testimonies cited in this report come in various forms, including direct experiences, eyewitness accounts, and hearsay. All of these rely on the defectors' memories, which could be affected by memory loss or degradation over time. Despite these inherent limitations, this report serves as a valuable tool for understanding the human rights situation in North Korea, as there has been a consistent collection of violations since 2017 that have been reviewed by relevant organizations. Thus, the credibility of these testimonies has been significantly corroborated while reviewing these accumulated accounts.

The government will continue to collect, document, archive, and manage testimonies of North Korean human rights violations, contributing to the protection and promotion of human rights for residents of North Korea. By releasing the report on North Korean human rights, the Center for North Korean Human Rights Records is committed to ensuring that not only people of the Republic of Korea but everyone around the globe can accurately understand the human rights situation facing North Korean residents. Unification will be realized when the human rights of every individual on the Korean Peninsula are guaranteed, in accordance with the spirit of the Constitution of the Republic of Korea. The government will make every effort to alleviate the suffering of North Korean residents and ensure that they can enjoy the universal human rights afforded to all of humanity.

# Guide for the Reader

The Center for North Korean Human Rights Records has compiled the 2024 Report on North Korean Human Rights following specific guidelines designed to enhance readers' understanding of the content.

## 1. Serial Numbers for Testimonies

Testimonies of North Korean defectors and their citations are marked with unique serial numbers (10-digit combinations of letters and numbers) to maintain confidentiality and precision.

## 2. Mention of the Republic of Korea

Both “the Republic of Korea” and “South Korea” are used in this report. “South Korea” appears mostly in the quotations and the body of the report. “The Republic of Korea” is used when referring to governmental efforts or in the context of the international community.

## 3. Citation of North Korean Documents, Laws, and International Human Rights Norms

The North Korean laws referenced in this report are sourced from the book “North Korean Law,” published in October 2022, and are cited along with the year of the amendments in the footnotes. International human rights norms are cited as they are introduced. English notations to North Korean laws, systems, institutions, and organizations are based on submissions by North Korea to UN human rights mechanisms including the UPR, as well as English broadcasts of the North Korean media, including the Korea Central News Agency.

## 4. Introduction of North Korean Agencies and Regions

The most current names for North Korean agencies and institutions are used. However, the names at the time stated in the testimonies are mentioned in quotations. Similarly, regions with name changes are listed with both the old and new names given. Except for direct references, expressions referring to North Korean leaders that imply idolization are replaced with their names.

## 5. Notation of Witnesses

The witnesses cited in this report are referred to as “North Korean defectors” in accordance with Article 2 (Definitions) of the North Korean Defectors Protection and Settlement Support Act, which states:

1. The term “North Korean defector” means a person who has residence, lineal ascendants and descendants, spouses, workplaces, etc., in the area north of the Military Demarcation Line (hereinafter referred to as “North Korea”), and who has not acquired any foreign nationality after escaping from North Korea.

## 6. Currency

North Korean currency is denoted as KPW. Other currencies are indicated as follows: U.S. dollar (USD), Chinese yuan (CNY), and Russian rubles (RUB). For the readers' reference, currency values are also provided according to the exchange rates during the time period mentioned in the testimonies.

## 7. Usage of North Korean Terms

North Korean terms that frequently appear in this report are italicized, with their English equivalents provided when first introduced or wherever necessary. Thereafter, they are written in their original form, e.g., *rodong-kyohwa*, *rodong-danryundae*, *kyohwaso*, *kuryujang*, *inminban*, etc. In addition, words specific to the daily life of North Korean residents, which appear in the testimonies collected by the Center, retain their original form, with English explanations as a reference to aid understanding.

## 8. Reference to Visual Representations

Visual representations such as graphs, tables, drawings, and photographs are included to facilitate better understanding. Photographs are sourced from the North Korean media, including the *Rodong Sinmun*, with copyright from News1 Agency,<sup>5</sup> and the Korea Central News Agency, with copyright from Yonhap News Agency, as well as research institutions and experts studying North Korea. Given the special circumstances of North Korean human rights, which include limited access and records, some images are sourced from Google Earth or replaced with illustrations.

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<sup>5</sup> For documents dated before 2019, copyrights belong to Yonhap News Agency.

# Key Terms

## **109 Unified Command (*Grouppa* or *Sangmu*)**

Special task force teams organized to censor and crack down on non-socialist practices among North Korean residents. The number 109 signifies the date on which the directive to establish the unified command was issued.

## ***Bueopji***

Small fields around individual houses permitted by the North Korean authorities for cultivation to help alleviate food shortages.

## ***Daekisil***

Temporary detention cells that hold law offenders or crime suspects while awaiting a decision on whether to proceed with the preliminary examination stage in a criminal case. These are established within the branches of the Ministry of Social Security in every province, city, and county.

## ***Dolgyeokdae***

Shock brigades, or specially organized units aimed at tackling the most difficult and challenging tasks in construction and various business activities. These units are intended to promote the policies of the authorities by meeting deadlines, demonstrating organizational capacity, and establishing discipline.

## ***Haejemin***

Individuals who have been released from detention in political prison camps through amnesty.

## ***Ijumin***

Individuals who have not been granted amnesty and continue to live in completely controlled zones within political prison camps.

## ***Inminban***

People's Watch Units, the basic unit of community life, consisting of a certain number of households organized to implement party and national policies, carry out national social projects, and closely monitor each other.

## ***Jangmadang***

Markets in North Korea that evolved from the existing farmers' markets during the 1990s as the economic crisis deepened. These markets gradually transformed into informal trading areas and were legalized in 2003 as *jonghapsijang* (comprehensive markets). Although there is a conceptual

distinction between *jangmadang* and *jonghapsijang*, the term *jangmadang* is often used broadly by North Korean residents to refer to markets in general.

### ***Jeongbowon***

Secret informants officially designated as intelligence operatives by the Ministry of State Security. After training and taking an oath, they submit periodic reports on neighborhood activities to the Ministry, including information about residents' statements during *inminban* (People's Watch Unit) meetings and their economic statuses.

### ***Jipkyulso***

Holding centers where individuals arrested outside their place of residence are detained until they are transferred to a law enforcement institute within their residence area for investigation and punishment. There are two types of *jipkyulso*: "Traveler *Jipkyulso*," for detaining violators of travel regulations and "Illegal Border Crosser *Jipkyulso*," known to exist in border areas for holding those forcibly repatriated from China. Detainees are often forced to work both inside and outside the *jipkyulso*.

### ***Kkoma Kwaje***

Children's assignments given to members of the Children's Union as part of the "good work movement." Participation in extracurricular activities, such as collecting rabbit pelts, scrap metal, or paper, is required to fulfill these assignments.

### ***Kkotjebi***

A group of children (sometimes young adults) who are homeless, orphaned, or living on the streets for other reasons.

### ***Kukeumso***

Detention centers administered by each provincial State Security Bureau that are used to detain suspects involved in political crimes related to South Korea. Detainees often face severe consequences, including being sent to *kwanliso* (political prison camps) or execution. Some may also be transferred for preliminary examination by the Ministry of State Security.

### ***Kuryujang***

Pretrial detention cells where suspects or defendants are held during the preliminary examination stage and thereafter. They are established within both the Ministry of State Security and the Ministry of Social Security at the provincial, city, and county levels.

***Kwanliso***

Political prison camps that operate without legal basis, incarcerating individuals accused of crimes against the state and nation without trial by court, based on the decisions of the Ministry of State Security. *Kwanliso* include “completely controlled zones” and “revolutionized zones.”

***Mal Bandong***

Verbal treason or reactionary words.

***Pojeon (Field) Responsibility System***

A farming method operated on a family-unit scale, reduced to four to five people by subdividing the *bunjo*, the lowest-level unit of collective farms. Each family unit is responsible for the production and management of their assigned section, which is called a *pojeon*.

***Suikkeumjo***

Profit units in which workers or members who pay a portion of their *suikkeum* (profits) to their assigned workplaces or organizations in exchange for not being required to show up for work.

**Revolutionized Zone**

A section within a political prison camp where individuals convicted of relatively minor political crimes are incarcerated after being subjected to revolutionary punishment. If deemed sufficiently reformed and loyal to the authorities, they may be released after one to three years.

***Rodong-danryundae***

Labor training camps designated by North Korean Criminal Law to enforce discipline through labor, one of the criminal punishments. *Danryundae* are administered by the Ministry of Social Security.

***Rodong-danryun Punishment***

Discipline through labor, which is imposed as a criminal punishment by a court. The duration of this punishment ranges from six months to a maximum of one year.

***Rodong-kyohwaso / Kyohwaso***

Prison camps designated by North Korean Criminal Law to enforce reformation through labor, a form of criminal punishment. *Kyohwaso* are administered by the Ministry of Social Security.

***Rodong-kyohwa Punishment***

Reformation through labor, a type of criminal punishment imposed by a court. There are two types:



reformation through labor for a definite period ranging from over one year to a maximum of 15 years, and reformation through labor for an indefinite period.

### ***Rodong-kyoyangdae***

Labor education camps designated by North Korean Administrative Penalty Law to enforce the *rodong-kyoyang* (labor education) penalty, one of the administrative penalties.

### ***Rodong-kyoyang Penalty***

Labor education imposed as an administrative penalty by various administrative institutes, including social security institutes. It involves performing heavy labor during detention and is akin to a form of criminal punishment. The duration of this penalty ranges from a minimum of five days to a maximum of six months.

### ***Saenghwal Chonghwa***

A life review session or life review ideological meeting. A weekly, monthly, quarterly, and annual meeting in which North Korean residents reflect on their work and personal lives while engaging in mutual criticism and self-criticism within their respective organizations, including the Party and labor groups.

### ***Songbun***

One's background, which refers to the social classification of individuals based on their position within the social hierarchy and the ideological composition of the population. To identify which class's ideas have the greatest impact and dominate people's mindset, the *songbun* system is divided into social categories according to one's family background, occupation and social experiences. (Political background includes Working Class, Farming Class, Military Class, and Intellectual Class)

### ***Todae***

One's family background as determined by the social and political experiences of one's parents, such as their family's political loyalty, social status, and revolutionary history prior to their involvement in society.

### ***Tongbowon***

Reporters who receive instructions from officers of the Ministry of State Security or the Ministry of Social Security to monitor the activities of residents in their respective neighborhoods or workplaces and report relevant details to the officers.

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# **Initiatives and Efforts to Promote North Korean Human Rights**



# **1. Government Initiatives to Promote North Korean Human Rights**

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The government of the Republic of Korea views North Korean human rights issues not only as a matter of realizing universal human values but also as a means to achieve the constitutional goal of “peaceful unification based on a free and democratic order.” It is actively working to address these matters pertaining to human rights as a top priority in its unification and North Korea policies, aiming for practical improvements in the human rights of North Korean residents. The government has focused on advancing its policies based on the newly established “Comprehensive Roadmap to Promote Human Rights in North Korea” and has continued its cooperation with the private sector to broaden consensus on addressing North Korean human rights issues. In particular, the government acknowledges its national responsibility concerning the issues of abductees, detainees, and Republic of Korea Armed Forces prisoners of war (ROK POWs) in North Korea, and is committed to achieving significant results in these areas. To this end, the Ministry of Unification established the Abductees Response Team in September 2023.

The government also collaborates closely with the international community to enhance human rights in North Korea. On August 18, 2023, the leaders of the Republic of Korea, the United States, and Japan “pledged to strengthen cooperation to promote respect for human rights in North Korea” and “reaffirmed their commitment to the immediate resolution of issues concerning abductees, detainees and unrepatriated prisoners of war,” in accordance with the Spirit of Camp David joint statement.

Furthermore, the government continues to acknowledge the pain caused by national division. In March 2023, Separated Families’ Day, previously celebrated by private organizations, was officially designated as a national

commemorative day on August 13 of the lunar calendar. The first official ceremony for Separated Families' Day took place on September 27, 2023, marking a significant recognition of the hardships endured by separated families.

## A. Establishing and Implementing Government Policies

### (1) Launching the Comprehensive Roadmap to Promote Human Rights in North Korea

A long-term policy must be consistently pursued with broad support from relevant parties to advance the state of human rights in North Korea. In recognition of this, the Comprehensive Roadmap to Promote Human Rights in North Korea was announced on December 26, 2023. This roadmap aims to enhance awareness of human rights issues among North Korean residents and encourage the North Korean authorities to adopt policies that are more favorable to human rights.

**Table I - 1** 「Comprehensive Roadmap to Promote Human Rights in North Korea」

Vision	· A Unified Future, Where Freedom and Human Rights are Guaranteed
Objectives	· Enhance awareness on human rights issues among the North Korean people · Guide the North Korean authorities to adopt human rights-friendly policies
Directions	· Increase awareness of the situation in North Korea and the importance of the issue · Promote both civil right and social rights · Establish reciprocal and complementary cooperation with civil society and the international community
Tasks	· Systematize the investigation of the North Korean human rights situation and implement effective accountability mechanisms · Improve North Koreans' right to access information · Resolve issues related to separated families, abductees, detainees, and unrepatriated prisoners of the Korean War · Promote a deeper understanding of the situation of North Korean human rights · Strengthen cooperation with the international community to promote North Korean human rights · Reinforce the foundation for the pursuit of North Korean human rights policies · Improve the humanitarian situation for North Koreans · Promote inter-Korean human rights dialogue and technical cooperation

\* (Source) Ministry of Unification

## **(2) Releasing the 2023 Report on North Korean Human Rights**

In accordance with the North Korean Human Rights Act, the government has been actively investigating the state of human rights in North Korea. This involves interviewing North Korean defectors as they arrive at Hanawon in South Korea. In 2023, the first report on North Korean human rights since the enactment of the North Korean Human Rights Act was released. This publication allowed the general public to gain a comprehensive understanding of the circumstances surrounding human rights in North Korea.

The release of this report underscores the government's dedication to actively promoting North Korean human rights. It aims to seek practical solutions based on an accurate understanding of the current human rights status, going beyond mere accusations against North Korea. The report was published in both Korean and English, with releases in March and July 2023, respectively. The report was distributed to government bodies, educational institutions, research centers, and private organizations worldwide.

## **(3) Building a Framework for Implementing the North Korean Human Rights Act**

The government has established and managed cooperative bodies and committees as required by the North Korean Human Rights Act to ensure the effective implementation of policies that promote human rights in North Korea. In line with Article 17 of the Enforcement Decree of the North Korean Human Rights Act, the government convened the North Korean Human Rights Consultation Committee, an inter-governmental consultation body facilitated by the Vice Minister of Unification.<sup>1</sup> The committee met three times to discuss the strategic direction for implementing policies that enhance human rights in North Korea and increase people's awareness of the issue.

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<sup>1</sup> The North Korean Human Rights Consultation Committee convened three times in April and August of 2023 and January of 2024.

In addition, it reviewed plans for the Comprehensive Roadmap to Promote Human Rights in North Korea.

Furthermore, in preparation for launching the North Korean Human Rights Foundation, the government established the North Korean Human Rights Promotion Committee, a private advisory body under the Minister of Unification. This committee held five meetings to discuss promotional strategies for the 2023 Report on North Korean Human Rights and to review ongoing projects, including the 2023 Interactive Dialogue on North Korean Human Rights and the establishment of the National Center for North Korean Human Rights.

**Figure I - 1** Various Consultative Bodies on North Korean Human Rights



The Second Meeting of the North Korean Human Rights Consultation Committee in 2023 (August 25, 2023)

Launch of the Second North Korean Human Rights Promotion Committee (March 12, 2024)

\* (Source) Ministry of Unification

#### (4) Pursuing the Establishment of the National Center for North Korean Human Rights

The government is leading the development of the National Center for North Korean Human Rights (tentative name), aiming to establish it as a central hub for sharing information about human rights issues in North Korea. Scheduled for completion in 2026, the center will be located in Magok, Gangseo-gu, in Seoul. It will showcase archives of North Korean human rights issues, offer immersive experiences of what life is like in North Korea,

and will serve as a platform to enhance collaboration with the international community and the private sector.

The center will offer interactive programs that allow visitors to indirectly experience the severe human rights conditions and actively support initiatives to revitalize North Korean human rights communities. These initiatives include organizing events such as human rights film festivals, operas, music concerts, and photo exhibitions that focus on North Korean human rights. In addition, through international cooperation, the center aims to become a globally recognized landmark for human rights, thus enhancing awareness of North Korean human rights issues and promoting the universal value of human rights.

## **B. Building a Consensus on North Korean Human Rights with the Private Sector**

### **(1) Hosting an Interactive Dialogue on North Korean Human Rights**

The government has actively sought to raise awareness of North Korean human rights issues and gather diverse perspectives in the process. To further these efforts, the 2023 Interactive Dialogue on North Korean Human Rights was initiated in September 2023. This event aimed to deepen understanding through discussions and workshops, where the opinions of civil society, academia, and North Korean defectors on key issues were actively solicited and considered.

**Table 1 - 2** 2023 Interactive Dialogue on North Korean Human Rights

Type	Date	Theme
Panel Discussions	September 7	Repatriation of North Korean Defectors in China: Response Measures and Strategies
	September 14	Addressing Issues of Prisoners of War, Abductees, and Detainees in North Korea
	September 21	Relief Measures for North Korean Human Rights and Support for Legal Actions Against North Korea

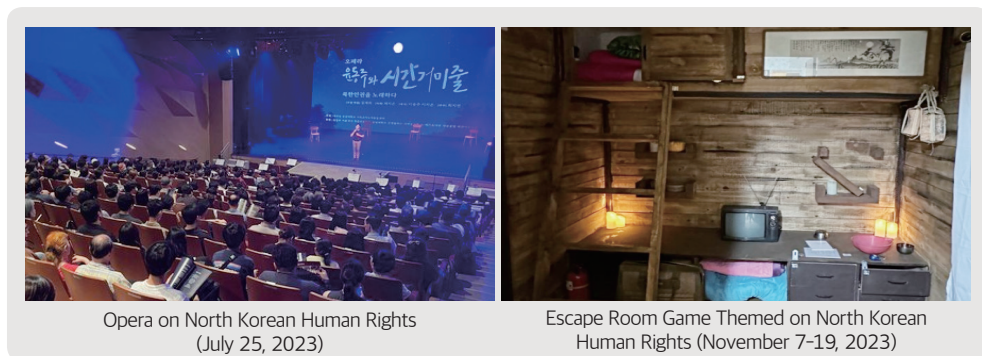
Type	Date	Theme
Panel Discussions	October 12	North Korean Human Rights Records: The Roles and Responsibilities of the Government and the Private Sector
	October 19	The Role of Defectors and Strategies to Enhance Their Efforts in North Korean Human Rights Advocacy
	October 26	Expanding North Korean Residents' Access to External Information: Strategies and Measures
	November 9	Goals and Directions for Education Initiatives Regarding North Korean Human Rights
	November 16	Strategies for Addressing Human Rights in the Context of the North Korean Nuclear Weapons Issue
Workshop	November 30	A Comprehensive Debate on North Korean Human Rights Issues

\* (Source) Ministry of Unification

## (2) Supporting Private Sector Initiatives to Promote North Korean Human Rights

The government has endorsed a variety of projects spearheaded by private organizations to promote North Korean human rights across the private sector. Through a public competition, 29 projects from 18 different organizations received government support in 2023. These initiatives have included academic conferences, information campaigns on human rights conditions in North Korea, cultural events, experiential programs, and international collaboration efforts. The support continues in 2024, with 19 organizations participating in these competitions to promote North Korean human rights.

**Figure 1 - 2** Supporting Private Organizations' Initiatives to Promote North Korean Human Rights



Opera on North Korean Human Rights (July 25, 2023)

Escape Room Game Themed on North Korean Human Rights (November 7-19, 2023)

\* (Source) Ministry of Unification

### (3) Hosting Academic and Cultural Events

To mark the release of the 2023 Report on North Korean Human Rights in March, the government organized a panel discussion in April 2023, focused on the importance of investigating the human rights situation in North Korea and the roles of public, private, and international communities in increasing awareness of the issue. In July, a roundtable discussion was held, which invited foreign correspondents and representatives from foreign missions in the Republic of Korea to introduce and discuss the report's findings.

Furthermore, the government produced various materials to inform the public about the human rights situation in North Korea and hosted related exhibitions. These included 26 panels that highlighted human rights abuses in North Korea, efforts by the international community to address human rights issues, photographs, and testimonies, all of which were displayed at various events.

In September, the government hosted a movie night to raise awareness about North Korean human rights through cultural means. The event opened with *True North*, a film depicting political prison camps, followed by five films about the defection process and North Korea's internal conditions.

Figure 1 - 3 Academic and Cultural Events on North Korean Human Rights



\* (Source) Ministry of Unification

## C. Cooperating with the International Community to Promote North Korean Human Rights

### (1) Working with Key Partners

Recognizing human rights as universal values, the government approaches the issue of North Korean human rights as a matter requiring international attention rather than as an inter-Korean issue. The North Korean human rights issue has consistently been a key agenda item on diplomatic stages, with nations focusing on promoting national interests and international cooperation. Notably, during the commemoration of the 70<sup>th</sup> anniversary of the alliance between the Republic of Korea and the United States on April 26, 2023, the nation's two leaders signed a joint statement agreeing to "strengthen cooperation to promote human rights in North Korea, as well as to resolve the issues of abductions, detainees, and unrepatriated prisoners of war." In addition, on August 18, 2023, leaders of the Republic of Korea, the United States, and Japan "reaffirmed a shared commitment to the immediate resolution of the issues of abductees, detainees, and unrepatriated prisoners of war" in the Spirit of Camp David joint statement. During the summits between the Republic of Korea and Canada, and the Republic of Korea and the United Kingdom, the leaders agreed to collaborate on addressing human rights issues in North Korea. These concerns were also emphasized during a Foreign Ministers' Meeting among the Republic of Korea, the United States, and Japan, and in various high-level discussions with the United Kingdom, Canada, and the European Union.

The government has been intensifying its collaboration with countries that share a similar stance on North Korean human rights, including the United States and the United Kingdom. Prominent figures such as Julie Turner, the U.S. Special Envoy for North Korean Human Rights Issues, and David Alton from the UK's House of Lords visited the Republic of Korea to discuss these pressing issues. The government engaged the international community over



its concern and to move forward with a coordinated response.<sup>2</sup> In November 2023, the ROK-U.S. Consultations on North Korean Human Rights took place to share assessments and discuss cooperative strategies.

**Figure 1 -4** Cooperation with Key Partners on North Korean Human Rights



\* (Source) Office of the President

Moreover, the government actively shared its policies on North Korean human rights with the international community through briefings with officials from foreign diplomatic missions in the Republic of Korea. It also hosted roundtables, inviting diplomatic missions in the Republic of Korea from countries with diplomatic missions in North Korea and those that concurrently serve North Korea.<sup>3</sup> In addition, diplomatic missions in the Republic of Korea, international organizations including the United Nations Human Rights Office (OHCHR) in Seoul, and global private organizations were invited on three occasions to briefing sessions to convey the government's efforts in improving human rights conditions in North Korea.<sup>4</sup>

<sup>2</sup> The Minister of Foreign Affairs and the Minister of Unification met with Julie Turner, the U.S. Special Envoy for North Korean Human Rights Issues, on October 16-17, 2023, and on February 15 and 21, 2024, to discuss North Korean human rights issues and cooperation measures between the ROK and the U.S. The Minister of Unification also met with David Alton, a member of the UK House of Lords and co-chairman of the All Party Parliamentary Group, on February 10, September 15, and October 17, 2023, to share ideas regarding accountability measures for human rights violations against North Korean residents.

<sup>3</sup> Roundtables for diplomatic missions in the Republic of Korea were held four times in March, June, and November 2023.

<sup>4</sup> Briefings on North Korean human rights for diplomatic missions and international organizations were held three times in October and December 2023 and February 2024.

Furthermore, the government has maintained a firm stance against the forced repatriation of North Korean defectors residing outside of North Korea, emphasizing the international principle of non-refoulement. This position has been reiterated in various diplomatic settings, including a ROK-China Foreign Ministers' Meeting in November 2023, during the fourth cycle of the Universal Periodic Review (UPR) to the UN Human Rights Council in January 2024, and through diplomatic correspondences, ensuring that relevant parties are aware of this principle and respect it.

## **(2) Cooperating with the United Nations**

The government co-sponsored North Korean human rights resolutions at the 52<sup>nd</sup> UN Human Rights Council and the 78<sup>th</sup> UN General Assembly in 2023 and the 55<sup>th</sup> UN Human Rights Council in 2024. It also took part in both private and formal meetings of the UN Security Council that focused on discussing North Korean human rights issues, collaborating with the international community to advocate for improvements.

Along with this, the government strengthened its cooperation with the UN Special Rapporteur on the situation of human rights in North Korea, Elizabeth Salmón, and the Office of the High Commissioner for Human Rights (OHCHR) in Seoul. The Ministries of Unification and Foreign Affairs extensively consulted with Elizabeth Salmón on North Korean human rights during her visit in September 2023.

## **(3) Collaborating with International Civil Society Organizations and Experts**

The government has strengthened its collaborations with international NGOs focused on human rights. In May and October 2023, the Ministries of Unification and Foreign Affairs held strategy exchange sessions with key representatives from Human Rights Watch and Human Rights Foundation to address North Korean human rights issues.

Moreover, the government has deepened its collaborations with both domestic and international experts to stimulate discussions on North Korean human rights and enhance international awareness of this issue. In September 2023, it hosted an international forum to mark the 10<sup>th</sup> anniversary of the Commission of Inquiry (COI) on North Korean Human Rights, entitled “North Korean Human Rights and Pathways to Progress.” In December, it organized the 2023 International Dialogue on North Korean Human Rights. Additionally, the initiatives of the Sages Group on North Korean Human Rights, composed of former COI members, were also highly encouraged. These members met with President Yoon Suk Yeol in November 2023, during which the President highlighted that the forced repatriation of North Korean defectors abroad is a severe violation of human rights. He emphasized the importance of adhering to the Convention Relating to the Status of Refugees and the Convention Against Torture, both of which strictly prohibit such forced repatriations.

**Figure 1 - 5** Efforts to Build Consensus in the International Community Regarding North Korean Human Rights



\* (Sources) Ministry of Foreign Affairs, Ministry of Unification

#### **(4) Ambassador-at-Large for International Cooperation on North Korean Human Rights**

In July 2022, the government appointed an Ambassador-at-Large for International Cooperation on North Korean Human Rights to enhance

global efforts in promoting human rights in North Korea. It has also actively supported initiatives to expand these efforts. The Ambassador-at-Large has actively engaged with key international figures, meeting with the U.S. Special Envoy on North Korean Human Rights Issues and the UN Special Rapporteur on the situation of human rights in North Korea on a number of occasions. These interactions have built a strong foundation for solidarity and support for North Korean human rights. In addition, she represented the Republic of Korea at both the UN General Assembly and the UN Human Rights Council, addressing key issues and raising international awareness through participation in various meetings, events, and gatherings.

The Ambassador-at-Large was also proactive in discussions with representatives from the governments and legislatures of the United States, Norway, and the United Kingdom to foster international cooperation in enhancing human rights in North Korea. She maintained a focus on these issues through a series of interviews and contributions to international and South Korean media outlets. Furthermore, she has participated in numerous academic conferences, forums, and webinars in major cities such as Geneva, New York, and Washington D.C., as well as in countries with similar stances on North Korean human rights issues, including Norway, the United Kingdom, and Canada.

## **D. Activities of the Ministry of Unification’s Center for North Korean Human Rights Records and the Ministry of Justice’s North Korean Human Rights Archive**

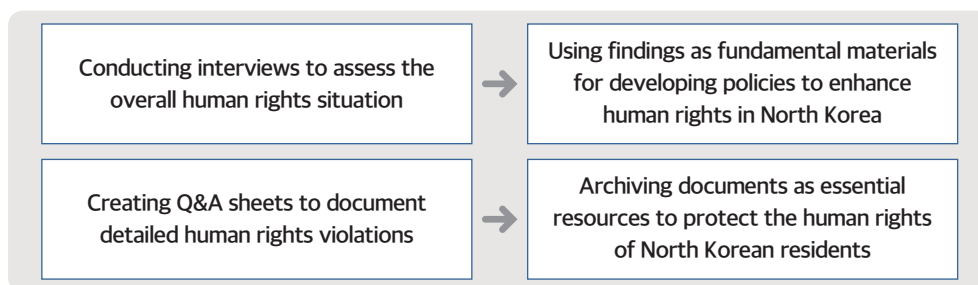
### **(1) Center for North Korean Human Rights Records**

The Center for North Korean Human Rights Records at the Ministry of Unification was established on September 28, 2016, to identify the human rights status of North Korean residents and to collect and archive relevant information, as stipulated by the North Korean Human Rights Act. The

Center strives to comprehensively understand the human rights situation in North Korea and has been methodically collecting testimonies to fulfill its responsibilities under the law.

Adhering to international guidelines for human rights investigations, the Center has been instrumental in producing foundational documents to shape government policies on promoting human rights in North Korea. It conducts one-on-one, face-to-face interviews with North Korean defectors entering Hanawon, producing question-and-answer sheets that document detailed accounts of human rights violations. These documents are carefully managed to comply with personal information protection and security regulations.

**Figure 1 - 6** Methods and Applications of Investigating North Korean Human Rights



The criteria for investigating North Korean human rights encompass the overall state of human rights in North Korea, including civil and political rights (civil rights), as well as economic, social, and cultural rights (social rights). Civil rights include a person’s right to life; liberty and security; freedom of movement; privacy; freedom of thought, conscience, and religion; and freedom of expression. Social rights include the right to food, health, work, and education. Furthermore, the status of vulnerable groups, including women, children, and people with disabilities, as well as issues concerning political prison camps inside North Korea, abductees, detainees, ROK POWs, and separated families are also examined.

From 2017 to 2023, the Center for North Korean Human Rights Records

conducted in-depth interviews with a total of 3,553 North Korean defectors. Among these interviews, question-and-answer sheets from 2,215 cases were documented. The original materials are transferred to the North Korean Human Rights Archive at the Ministry of Justice every three months, in accordance with the North Korean Human Rights Act.

## (2) North Korean Human Rights Archive

The North Korean Human Rights Archive, established in October 2016 by the Ministry of Justice, aims to protect and promote the rights of North Korean defectors. Inspired by West Germany's Central Registry of State Judicial Administrations in Salzgitter (Die Zentrale Erfassungsstelle der Landesjustizverwaltungen in Salzgitter),<sup>5</sup> which documented human rights abuses by the East German government, the Archive seeks to ensure future justice and hold North Korea accountable by preserving evidence of human rights violations in North Korea, both past and present.

The North Korean Human Rights Archive receives and categorizes documents from the Center for North Korean Human Rights Records based on crime type, aligning with criminal statutes. These documents include detailed question-and-answer sheets that are systematically reviewed and stored in a biographical registry of perpetrators.<sup>6</sup> The Archive processes cases, which are transferred quarterly from the Center, ensuring their permanent preservation.<sup>7</sup> In August 2023, the Archive moved to the Government Complex in Gwacheon and appointed a new prosecutor, thus

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<sup>5</sup> The Central Registry of State Judicial Administrations in Salzgitter was established in November 1961 as a subsidiary agency under the Prosecutor General's Office in Braunschweig, Lower Saxony, West Germany. It is recognized as having served as a watchdog that suppressed human rights abuses in East Germany and monitored regime crimes simply by its existence.

<sup>6</sup> The registry of perpetrators includes the personal profile of the name and affiliation, violation cases, applied legal provisions, and types of crimes committed against humanity.

<sup>7</sup> North Korean human rights records will be used in the future as evidence for criminally prosecuting those who have violated human rights in North Korea. These materials will serve as a basis for compensating and restoring rights of victims, assessing public officials for reappointment, and facilitating social integration through fact-finding.

enhancing its capacity for the legal analysis of these records.

Dedicated to addressing the injustices and wrongs under the North Korean regime, the North Korean Human Rights Archive not only collects documents but also conducts research critical for cases at the International Criminal Court and for transitional justice procedures. It collaborates with international experts, including South Korean private organizations, the UN Special Rapporteur on the situation of human rights in North Korea, and the U.S. Special Envoy for North Korean Human Rights Issues, to devise effective strategies for promoting the rights of North Korean residents.

Operating under the framework of the Criminal Act and the Act on Punishment of Crimes Under the Jurisdiction of the International Criminal Court of the Republic of Korea and the Rome Statute of the International Criminal Court, the Archive continues its in-depth analysis and research on the North Korean regime's human rights violations. By archiving critical documents and engaging internationally, the Archive plays a pivotal role in holding the North Korean regime accountable and laying the groundwork for advancing human rights in the region.

**Figure 1 - 7** Activities of the North Korean Human Rights Archive



\* (Source) North Korean Human Rights Archive, Ministry of Justice

## E. Efforts to Resolve Issues of Abductees, Detainees, ROK POWs, and Separated Families

### (1) Abductees, Detainees, and ROK POWs

#### Government Initiatives

The government acknowledges the issues of abductees, detainees, and the Republic of Korea Armed Forces prisoners of war (ROK POWs) as critical matters of concern, underscoring its fundamental duty to protect its people and address the human rights violations committed by the North Korean authorities. As time passes, these individuals have aged, deepening the anguish of their families in South Korea and making this an increasingly urgent issue.

In 2023, the government emphasized its dedication to resolving these matters as issues of universal human rights, rather than merely inter-Korean relations. On August 18, 2023, the leaders of the Republic of Korea, the United States, and Japan issued the Spirit of Camp David joint statement, reaffirming their commitment to “an immediate resolution of the issues facing abductees, detainees, and unrepatriated prisoners of war.” This reflected a collaborative effort to solicit international support and build a consensus for a collective resolution.

To systematically address these concerns, the Ministry of Unification established the Abductees Response Team under the Minister of Unification on September 8, 2023, and announced a statement on the 10<sup>th</sup> year of missionary Kim Jung-wook’s detention in North Korea on October 8, 2023.<sup>8</sup> By reconvening the Abductees Response Committee for the first time in 11

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<sup>8</sup> “The ROK government condemns these illegal and inhumane actions by the North Korean authorities and strongly urges North Korea, a state party to international covenants on human rights, to return our people detained in the North to their families as soon as possible.” (Unification Spokesperson’s Statement on the 10<sup>th</sup> year of missionary Kim Jung-wook’s detention in North Korea, October 8, 2023)



years on November 14, 2023, it provided consolation money to the families of detainees, who are recognized as victims.

In addition, initiatives to enhance communication and support for raising public awareness and consoling the families continued. Notable events in 2023 included a meeting held by First Lady Kim Keon Hee with families of abductees on April 12; a meeting on August 3 between the Minister of Unification and representatives of abductees, detainees, and ROK POWs; and a subsequent meeting on September 11 with former ROK POWs and their families.

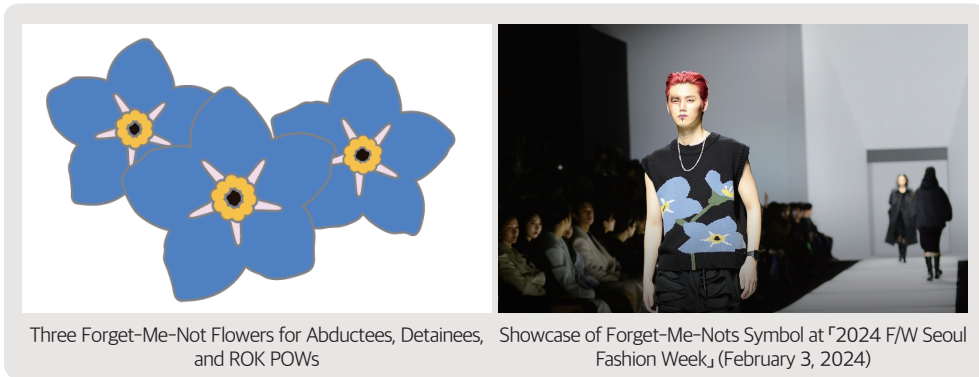
**Figure 1 - 8** Consolation for Families of Abductees, Detainees, and ROK POWs



\* (Source) Office of the President, Ministry of Unification

To foster national engagement in advocating for the repatriation of those detained and deepen understanding of the families' suffering, the government introduced a symbol of three forget-me-not flowers. Each flower represents the government's ongoing efforts at securing the release of abductees, detainees, and ROK POWs, symbolizing the people's longing and hope for their safe return. Encapsulating the message from the language of flowers, "Don't forget me," this symbol was prominently worn by President Yoon Suk Yeol and cabinet members in March 2024 during a cabinet meeting, demonstrating their commitment to "reunite all abductees, detainees, and ROK POWs with their families and homeland."

**Figure I -9** Three Forget-Me-Nots Symbol for Abductees, Detainees, and ROK POWs



\* (Source) Ministry of Unification

## Abductees

“Abductees to North Korea during wartime” refer to citizens of the Republic of Korea, excluding military personnel, who were residing in South Korea and were forcibly kidnapped by North Korea During the Korean War between June 25, 1950 and July 27, 1953. These individuals have since been detained or have resided in North Korea.

To restore their honor and uncover the truth about their abductions, the government enacted the “Act on Finding the Truth of the Damage from North Korea’s Abduction During the Korean War and Restoring Honor of the Victims” in March 2010. In December of the same year, the “Committee to Find Truth of Damage from North Korea’s Abduction During Korean War and Recover Honor of Victims” was established, chaired by the Prime Minister. Members of the Committee include ministers from five relevant ministries, six experts, and three family representatives. The Committee has conducted investigations into an estimated 100,000 cases of wartime abductees, having gathered and examined pertinent documents related to these cases.

The government continues to strive to uncover the truth, restore the honor of the abductees, and console their families. In November 2017, the “National Memorial for Abductees During the Korean War” was constructed

at Imjingak Pyeonghwa Nuri Park, Paju City, Gyeonggi-do, to highlight the issues affecting abductees and their families and carry out initiatives to raise public awareness.

“Abductees after wartime” refer to citizens of the Republic of Korea who were forcibly taken from South Korea (south of the Military Demarcation Line) to North Korea (north of the Military Demarcation Line) after the Armistice Agreement on July 27, 1953. Since then, a total of 3,835 people have been abducted by North Korea, 3,319 of whom have returned (3,310 repatriated and nine escaped). It is estimated that about 516 abductees remain in North Korea.

In April 2007, the “Act on Compensation and Assistance to Victims of Abduction by North Korea After the Conclusion of the Military Armistice Agreement” was enacted to provide legal support and compensation to these victims. The “Deliberative Committee on Compensation and Assistance to Victims of Abduction by North Korea” was established to uphold this law. From 2007 to the present in 2024, a total of 466 applications have been received, with 443 cases accepted to receive consolation funds.

### Detainees

From October 2013 to March 2016, North Korea illegally arrested and detained six ROK nationals, including the missionaries Kim Jung-wook, Kim Kook-kie, and Choi Chun-gil, as well as three North Korean defectors. North Korea announced that it had imposed severe punishments, such as reformation through labor for an indefinite period of time, also known as indefinite *rodong-kyohwa*,<sup>9</sup> particularly on the missionaries, who were involved in humanitarian activities. Despite repeated requests by the

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<sup>9</sup> *Rodong-kyohwa* refers to a form of criminal punishment where individuals are detained in a *kyohwaso*, or prison, to undergo reformation through labor. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』 Vol. 1, 2017, p. 1753)

government during inter-Korean talks for their release, North Korea has disregarded such efforts and labelled these individuals as serious criminals. North Korea's refusal to provide even basic information about their well-being and consular protection through international organizations and relevant countries continues to exacerbate the suffering of these individuals and their families.

The suffering of detainees by North Korea is not limited to South Korea alone. In 2015, the North Korean authorities arrested Canadian pastor Hyeon Soo Lim and detained him for two and a half years. In 2017, U.S. citizen Otto Frederick Warmbier was held for a year and five months, and was released while in a coma, which ultimately led to his death.

To alter North Korea's position, the government asserts that a strong international response is essential, in addition to domestic efforts. This year, marking the 10<sup>th</sup> anniversary of the detention of missionaries Kim Kook-kie and Choi Chun-gil, the government is intensifying its efforts to highlight this issue globally. North Korea chose to broadcast the trial and sentencing of these missionaries to indefinite *rodong-kyohwa* on the same day the OHCHR Office Seoul was inaugurated on June 23, 2015, using this as a means to counteract international scrutiny of its human rights record. Therefore, close cooperation and solidarity with the international community is important in addressing the abductee issues.

Choi Jin-young, the son of detained missionary Choi Chun-gil, was informed about his father's detention in 2014 by the Ministry of Unification in November 2023. He traveled to Geneva for the 55<sup>th</sup> UN Human Rights Council Session from March 17 to 20, 2024, to appeal for international assistance in confirming whether the missionaries were alive or dead and to secure their return. During his visit, he met with Elizabeth Salmón, Special Rapporteur on the situation of human rights in North Korea, and participated in a side event hosted by the Permanent Mission of the Republic of Korea to

the United Nations to draw attention to the plight of abductees, detainees, and ROK POWs. He also delivered a letter from the families to Volker Türk, the UN High Commissioner for Human Rights, expressing their hope for the swift return of their loved ones. Liz Throssell, spokesperson at the UN Human Rights Office, called on North Korea to end the severe restrictions on information provision and to allow family communication. Elizabeth Salmón emphasized the need for North Korea to provide adequate information to the families, noting that the ongoing uncertainty is akin to torture.

Furthermore, in March 2024, Minister of Unification Kim Yung Ho reached out to the All-Party Parliamentary Group on North Korea (APPG-NK) in the United Kingdom, seeking support for the detainees' repatriation. On March 26, the APPG-NK issued a statement urging North Korea to release the South Korean detainees immediately, clearly listing the names and birthdates of Kim Jung-wook, Kim Kook-kie, and Choi Chun-gil.<sup>10</sup>

### **The Republic of Korea Armed Forces Prisoners of War**

“The Republic of Korea Armed Forces prisoners of war” refer to soldiers of the Republic of Korea who were captured while taking part in a war or carrying out a mission and are currently detained by a hostile country (including any anti-state organization), armed mob, or rebel groups. This also includes those who escaped detention but have not returned to the Republic of Korea.

Many of these prisoners are from the Korean War. At the time of the Armistice Agreement, approximately 82,000 ROK soldiers were reported missing. However, only 8,343 were returned through prisoner exchanges.

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<sup>10</sup> “The All-Party Parliamentary Group on North Korea has had a longstanding commitment advocating for the oppressed and persecuted 26 million people of North Korea and promoting the values of freedom. We urge the North Korean authorities to immediately release the South Korean detainees so they can be reunited with their beloved family members.” (APPG-NK Statement, March 26, 2024)

The government estimates that around 60,000 unrepatriated prisoners are still detained in North Korea. Some have escaped and returned to South Korea. Since the return of the late Lieutenant Cho Chang-ho in 1994, 80 soldiers have returned.

## (2) Separated Families

Inter-Korean relations concerning reunions for separated families have been stalled since 2018. In September 2022, the government proposed to hold talks with North Korea to fundamentally address the issues facing these families and has consistently urged North Korea to respond. It especially highlighted the separated families issue during the inaugural Separated Families' Day in September 2023. However, North Korea has not yet responded to these overtures.

In response, the government has led efforts to provide support for separated families and to build public consensus on the matter. In March 2023, Separated Families' Day was designated as a national commemorative day, previously celebrated by private organizations. The first event to commemorate this day was held on September 27 under the theme of the government acknowledging and addressing the pain and longing of these families. In addition, the Fourth Basic Plan for the Promotion of Inter-Korean Family Exchanges was introduced, and in July 2023, a study on separated families in North America was conducted to better understand the status of separated families living abroad and the awareness of policies regarding them.

Moreover, from 2014 to 2023, genetic information was collected from 27,794 members of separated families. Between 2012 and 2022, 26,080 video messages were recorded and stored to preserve the histories of aging separated family members in anticipation of future inter-Korean exchanges.

## 2. UN Efforts to Promote North Korean Human Rights

### A. UN Steps to Address North Korean Human Rights Issues

Since the 1990s, the United Nations has actively raised the issue of human rights in North Korea. The concern over North Korea’s human rights situation emerged at the 51<sup>st</sup> UN Commission on Human Rights in 1995. Subsequently, the first resolution on North Korea was adopted at the 49<sup>th</sup> Sub-Commission on the Promotion and Protection of Human Rights in 1997.<sup>11</sup> This resolution highlighted serious concerns such as arbitrary detention, restrictions on freedom of movement, extrajudicial executions, and political prison camps. At the 59<sup>th</sup> UN Commission on Human Rights in 2003, a resolution specifically targeting North Korean human rights was introduced<sup>12</sup> and adopted by a vote led by the European Union (EU), including France. Subsequently, resolutions concerning North Korean human rights have been adopted annually during the second half of the year at the UN General Assembly since 2005, and during the first half of the year at the UN Human Rights Council since 2008.

**Table I - 3** ROK Government’s Position on UN Resolutions on North Korean Human Rights

Year	UN Commission on Human Rights/ UN Human Rights Council		UN General Assembly	
	Adopted by	Stance	Adopted by	Stance
2003	Vote	Did not attend	—	—
2004	Vote	Abstained	—	—
2005	Vote	Abstained	Vote	Abstained
2006	—	—	Vote	In favor

<sup>11</sup> Un Doc. E/CN.4/Sub.2/RES/1997/3 (1997)

<sup>12</sup> Un Doc. E/CN.4/RES/2003/10 (2003)

Year	UN Commission on Human Rights/ UN Human Rights Council		UN General Assembly	
	Adopted by	Stance	Adopted by	Stance
2007	—	—	Vote	Abstained
2008	Vote	In favor	Vote	Co-sponsored and Voted in favor
2009	Vote	Co-sponsored and Voted in favor	Vote	Co-sponsored and Voted in favor
2010	Vote	Co-sponsored and Voted in favor	Vote	Co-sponsored and Voted in favor
2011	Vote	Co-sponsored and Voted in favor	Vote	Co-sponsored and Voted in favor
2012	Consensus	Co-sponsored	Consensus	Co-sponsored
2013	Consensus	Co-sponsored	Consensus	Co-sponsored
2014	Vote	Co-sponsored and Voted in favor	Vote	Co-sponsored and Voted in favor
2015	Vote	Co-sponsored and Voted in favor	Vote	Co-sponsored and Voted in favor
2016	Consensus	Co-sponsored	Consensus	Co-sponsored
2017	Consensus	Co-sponsored	Consensus	Co-sponsored
2018	Consensus	Co-sponsored	Consensus	Co-sponsored
2019	Consensus	Did not co-sponsor	Consensus	Did not co-sponsor
2020	Consensus	Did not co-sponsor	Consensus	Did not co-sponsor
2021	Consensus	Did not co-sponsor	Consensus	Did not co-sponsor
2022	Consensus	Did not co-sponsor	Consensus	Co-sponsored
2023	Consensus	Co-sponsored	Consensus	Co-sponsored
2024	Consensus	Co-sponsored	—	—

\* (Source) National Institute for Unification Education, Ministry of Unification, 『Understanding North Korea』 2023, p. 263.

Since 2004, the United Nations has appointed a Special Rapporteur on the situation of human rights in North Korea. This role involves a focused examination of North Korean human rights issues, with the Special Rapporteur reporting biannually to the United Nations.

In addition, North Korea's human rights record has been periodically reviewed through the UPR process, which evaluates the human rights situations of all UN Member States. North Korea has undergone UPR assessments in December 2009, May 2014, and May 2019.



## B. Report of the Commission of Inquiry (COI) on Human Rights in North Korea

Efforts by the international community to improve the human rights situation in North Korea since the 1990s have not borne fruit due to the strict refusal of the North Korean authorities. Amid continued disappointment in addressing human rights issues in North Korea through resolutions and the designation of a Special Rapporteur on the situation of human rights in North Korea, the UN Human Rights Council established and operated the Commission of Inquiry (COI) in March 2013 to take further steps in addressing these issues. The COI decided to investigate, classifying North Korea's long-standing human rights violations as "crimes against humanity." To obtain accurate information, the UN Human Rights Council requested that North Korea grant COI members' unrestricted access to visit North Korea and access to information. However, North Korea strongly resisted and refused to cooperate.

After a year-long investigation, the COI released its findings in a report in February 2014.<sup>13</sup> The COI determined that systemic, widespread, and grave violations of human rights have been and continue to be committed by the North Korean authorities. In addition, the Commission found that the "most conspicuous institutions perpetrating gross human rights violations and related crimes against humanity" include main security agencies such as the State Security Department, the Ministry's of People's Security and the Korean People's Army, as well as local and central institutions of the Workers' Party of Korea, the Office of the Prosecutor and the judiciary, which are "under the effective control and guidance of the leadership organs of the Party, the National Defence Commission, and the Supreme Leader."

The report identified the following violations as representative violations: ① Violations of the freedom of thought, expression, and

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<sup>13</sup> UN Doc. A/HRC/25/63 (2014)

religion, ② Discrimination, ③ Violations of the freedom of movement and residence, ④ Violations of the right to food and related aspects of the right to life, ⑤ Arbitrary detention, torture, executions, and prison camps, and ⑥ Abductions and enforced disappearances from other countries.

**Table I - 4 Findings of the COI Report: Major Human Rights Violations**

Types	Contents
<b>Violations of the freedoms of thought, expression, and religion</b>	<ul style="list-style-type: none"> <li>· Absolute information monopoly and total control of organized social life.</li> <li>· Complete denial of the right to freedom of thought, conscience, and religion as well as of the rights to freedom of opinion, expression, information, and association.</li> <li>· The spread of Christianity is considered a particularly serious threat since it ideologically challenges the official personality cult and provides a platform for social and political organization and interaction outside the state reality.</li> </ul>
<b>Discrimination</b>	<ul style="list-style-type: none"> <li>· A rigidly stratified society with entrenched patterns of discrimination</li> <li>· Discrimination is rooted in the <i>Songbun</i> system, which classifies people on the basis of social class and birth and also includes considerations of political opinion and religion.</li> <li>· Discrimination against women remains pervasive in all aspects of society.</li> </ul>
<b>Violations of freedom of movement and residence</b>	<ul style="list-style-type: none"> <li>· The state imposes on its residents requirements as to where they must reside and work, in violation of freedom of choice.</li> <li>· Residents are not even allowed to leave their province temporarily or to travel within the country without official authorization.</li> <li>· The state imposes a virtually absolute ban on ordinary residents travelling abroad, thereby violating their human right to leave the country.</li> </ul>
<b>Violations of the right to food and related aspects of the right to life</b>	<ul style="list-style-type: none"> <li>· The state has practised discrimination with regard to access to and distribution of food based on the <i>Songbun</i> system.</li> <li>· Even during the worst period of mass starvation, North Korea impeded the delivery of food aid by imposing conditions that were not based on humanitarian considerations.</li> <li>· North Korea has consistently failed in its obligation to use the maximum of its available resources to feed those who are hungry. Military spending has been prioritized even during periods of starvation.</li> </ul>
<b>Arbitrary detention, torture, executions, enforced disappearance, and political prison camps</b>	<ul style="list-style-type: none"> <li>· The police and security forces of North Korea systematically employ violence and punishment that amount to gross human rights violations.</li> <li>· While the number of political prison camps and inmates has decreased due to deaths and some releases, an estimated 80,000 to 120,000 political prisoners are currently detained in four large political prison camps.</li> <li>· Gross violations are also being committed in the ordinary prison system. The authorities carry out executions - with or without trial and publicly or secretly - to punish political and other crimes that are often not among the most serious crimes.</li> </ul>
<b>Enforced disappearance of persons from other countries, including through abduction</b>	<ul style="list-style-type: none"> <li>· From 1950 until the present, North Korea has engaged in the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons from other countries on a large scale and as a matter of state policy.</li> <li>· Family members abroad and foreign states wishing to exercise their right to diplomatic protection have been consistently denied requests for information regarding the fate and whereabouts of the victims.</li> <li>· Almost all the foregoing victims remain disappeared and human rights violations continue against them and their families.</li> </ul>

Specifically, the COI has defined crimes against humanity as inhumane acts, including ① Extermination, murder, enslavement, torture, and imprisonment, ② Rape, enforced sterilization, or any other form of sexual violence, ③ Persecution against any identifiable group or collective on political, racial, national, ethnic, cultural, religious, gender, or other grounds, ④ Enforced disappearances and forcible transfer of a population, and ⑤ Prolonged and deliberate starvation. The COI suggested that the Security Council should refer the situation in North Korea to the International Criminal Court (ICC) for action.

The COI recommended that North Korea ① Undertake profound political and institutional reforms, ② Acknowledge the existence of human rights violations, including political prison camps, ③ Reform the Criminal Code and Code of Criminal Procedure to fully enshrine the right to a fair trial and due process guarantees, ④ Allow the establishment of independent newspapers and other media, ⑤ Allow Christians and other religious believers to exercise their religion independently and publicly without fear of punishment, reprisal, or surveillance, ⑥ End discrimination against residents on the basis of their perceived political loyalty or the socio-political background of their families, ⑦ Realign priorities and dedicate available resources, as necessary, to ensure freedom from hunger, ⑧ Abolish the de facto prohibition on foreign travel, and ⑨ Provide the families and nations of origin of all persons who have been abducted, or otherwise forcibly disappeared, with full information on their fate and whereabouts if they have survived.

Following the release of this report, the United Nations began discussing it as an official agenda item at the Security Council, which has the legal authority to refer the issue of North Korea's human rights situation to the ICC.

## C. Recent UN Resolutions on the Human Rights Situation in North Korea

At the 78<sup>th</sup> UN General Assembly in December 2023, the resolution on the human rights situation in North Korea was adopted by unanimous consensus among the Member States.<sup>14</sup> Similar to previous resolutions, this one condemned the systematic and widespread violations and expressed very serious concern about the persistence of continuing reports of human rights abuses in and by North Korea. Furthermore, it strongly urged all Member States to respect the fundamental principle of non-refoulement under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, particularly in relation to the forced repatriation of North Korean defectors. Specifically, the resolution urged North Korea to ensure the right to freedom of thought, conscience, and religion and the right to freedom of expression and association by reviewing the Law on Rejecting Reactionary Thought and Culture.<sup>15</sup>

The resolution also stressed that the human rights situation in North Korea is intrinsically linked to international peace and security, noting that the North Korean authorities fund their illicit nuclear weapons and ballistic missile programs through human rights violations and abuses, such as forced labor. It expressed concern that a disproportionate amount of North Korea's budget is allocated to military spending, resulting in a failure to fully protect human rights, including the right to adequate food and health.

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<sup>14</sup> UN Doc. A/RES/78/218 (2023)

<sup>15</sup> In this report, the English name of this law, which was expressed as the "Law on Rejecting Reactionary Ideology and Culture" in the 2023 version, was changed to the "Law on Rejecting Reactionary Thought and Culture," in accordance with the wording used in the UN Human Rights Council's resolution on the situation of human rights in North Korea adopted on April 4, 2024. (Refer to A/HRC/RES/55/21, para 2 (a).)

**Table I -5** Resolution on North Korean Human Rights at the 78<sup>th</sup> Session of the UN General Assembly on December 19, 2023

Type	Contents
Preamble	<ul style="list-style-type: none"> <li>· Expresses deep concern at the grave human rights situation, the pervasive culture of impunity and the lack of accountability for human rights violations and abuses in North Korea.</li> <li>· Reiterates the importance of following up on the recommendations contained in the report of the COI on human rights in North Korea.</li> <li>· Encourages North Korea to implement 262 recommendations in the third UPR process.</li> <li>· Strongly demands that North Korea immediately resolve all issues relating to abductees, in particular the immediate return of all abductees of Japan and the Republic of Korea.</li> <li>· Condemns North Korea for continuing to divert its resources toward illicit nuclear weapons and ballistic missile programmes over the welfare of its people.</li> <li>· Stresses that the human rights situation in North Korea is intrinsically linked to international peace and security, since North Korea funds its illicit nuclear weapons and ballistic missile programs through human rights violations and abuse, such as forced labor, and notes with concern that a disproportionate amount of the state budget is allocated to military spending.</li> </ul>
Operative Part	<ul style="list-style-type: none"> <li>· Condemns in the strongest terms the long-standing and ongoing systematic, widespread, and gross violations of human rights in and by North Korea.</li> <li>· Expresses very serious concern about:               <ul style="list-style-type: none"> <li>- In relation to the situation of refugees and asylum-seekers expelled or returned to North Korea, the North Korean authorities must comply with the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</li> </ul> </li> <li>· Strongly urges North Korea to respect, protect, and fulfil all human rights and fundamental freedoms and, in this regard:               <ul style="list-style-type: none"> <li>- To ensure the right to freedom of thought, conscience, and religion or belief and the rights to freedom of opinion, expression, and association, by reviewing laws, including the Law on Rejecting Reactionary Thought and Culture.</li> </ul> </li> </ul>

\*   Newly added contents

In April 2024, a resolution proposed by the European Union, with the Republic of Korea as a co-sponsor, on the situation of human rights in North Korea was adopted at the 55<sup>th</sup> UN Human Rights Council.<sup>16</sup> This resolution requested the High Commissioner for Human Rights to submit a comprehensive report containing an update on the situation of human rights in North Korea since 2014, when the COI’s report was published, and to engage in an enhanced interactive dialogue.

<sup>16</sup> UN Doc. A/HRC/RES/55/21 (2024)

**Table I - 6 Resolution on North Korean Human Rights at the 55<sup>th</sup> Session of the UN Human Rights Council on April 4, 2024**

Type	Contents
Preamble	<ul style="list-style-type: none"> <li>· Stresses the importance of following up on the recommendations contained in the report of the COI on human rights in North Korea.</li> <li>· Expresses deep concern about the gross human rights violations in North Korea that constitute crimes against humanity, and the pervasive culture of impunity and lack of accountability for human rights violations and abuses.</li> <li>· Recalls the acceptance by North Korea of the 262 recommendations in the third UPR process.</li> <li>· Strongly demands again that North Korea immediately resolve all issues relating to all abductees, in particular the realization of the immediate return of all abductees of Japan and the Republic of Korea.</li> <li>· Condemns North Korea for continuing to divert its resources toward illicit nuclear weapons and ballistic missile programs over the welfare of its people.</li> <li>· Stresses that the human rights situation in North Korea is intrinsically linked to international peace and security, since North Korea funds its illicit nuclear weapons and ballistic missile programmes through human rights violations and abuse, such as forced labor, and notes with concern that a disproportionate amount of the state budget is allocated to military spending.</li> </ul>
Operative Part	<ul style="list-style-type: none"> <li>· Condemns in the strongest terms the long-standing and ongoing systematic, widespread and gross human rights violations and other human rights abuses committed in North Korea.</li> <li>· Urges North Korea to acknowledge its human rights violations, and to take immediately all steps necessary to end all such crimes.               <ul style="list-style-type: none"> <li>- Ensuring the right to freedom of thought, conscience, and religion or belief and the rights to freedom of opinion, expression, and association, both online and offline, by repealing or reforming all practices and laws suppressing the aforementioned rights, including the Law, on Rejecting Reactionary Thought and Culture, the Youth Education Guarantee Law, and the Law on Protecting the Pyongyang Cultural Language.</li> </ul> </li> <li>· Requests the High Commissioner to submit a comprehensive report containing an update on the situation of human rights in North Korea since 2014, when the report of the COI was published, and taking stock of the implementation of the commission's recommendations, to the Human Rights Council at its sixtieth session, to be followed by an enhanced interactive dialogue.</li> </ul>

\*  Newly added contents

In addition, this resolution urged North Korea to “ensure the right to freedom of thought, conscience, and religion or belief and the rights to freedom of opinion, expression, and association,” by repealing or reforming all practices and laws that suppress these rights. This includes the Law on Rejecting Reactionary Thought and Culture, the Youth Education Guarantee Law, which punishes young people for violating the socialist lifestyle, and the

Law on Protecting the Pyongyang Cultural Language, which imposes more than six years of imprisonment for using South Korean-style language and, in some cases, the death penalty for teaching the language.







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## Concerning Issues

“The Law on Rejecting Reactionary Thought and Culture and the Youth Education Guarantee Law seem to have been enacted in 2020. After that, I witnessed people being arrested and punished under these laws. The 109 Unified Command was renamed the 82 Unified Command, and the crackdown intensified. Since taking power, Kim Jong Un appears to be focused on eliminating anything he dislikes. Creating unreasonable laws like the Law on Rejecting Reactionary Thought and Culture to punish people is an example of this.”

# 1. Information Control

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Under Article 19 of the International Covenant on Civil and Political Rights (ICCPR), every person has the right to freedom to seek, receive, and impart information and ideas of all kinds.<sup>1</sup> This implies that everyone has the freedom to access and share any information, or in other words, the right of access to information.

In the report submitted to the UN Human Rights Council in 2014, the COI pointed out that North Korean residents have been denied the right of access to information from independent sources.<sup>2</sup> The only permitted source of information in North Korea is the state-controlled media, and residents are punished for watching or listening to unauthorized foreign broadcasts, including foreign films and dramas. Furthermore, the COI report condemned the North Korean authorities for seeking to preserve their information monopoly through crackdowns and punishments as the influx of outside information from South Korea and China increased.<sup>3</sup> On December 19, 2023, the UN General Assembly adopted the North Korea Human Rights Resolution for the 19<sup>th</sup> straight year. The resolution described North Korea's control and censorship of information as an "absolute monopoly" and urged North Korea to reconsider the implementation of laws such as the Law on Rejecting Reactionary Thought and Culture.<sup>4</sup> Additionally, at its 55<sup>th</sup> session on April 4, 2024, the UN Human Rights Council adopted a resolution on the situation of human rights in North Korea, condemning North Korea's systematic

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<sup>1</sup> ICCPR, Article 19, paragraph 2.

<sup>2</sup> UNHRC, "Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea," (A/HRC/25/63), 2014, para. 29.

<sup>3</sup> UN Doc. A/HRC/25/63, 2014, para. 30.

<sup>4</sup> On November 15, 2023, the UN General Assembly's Third Committee approved a draft resolution on North Korean Human Rights without a vote, advancing it to a plenary meeting. Subsequently, on December 20, the resolution, which condemns systematic and widespread human rights violations in North Korea, was unanimously adopted by consensus during the 50<sup>th</sup> plenary meeting at the UN headquarters in New York.

human rights violations and urging improvements. The resolution includes recommendations to respect the principle of non-refoulement and to repeal or reform North Korean laws that suppress the right to freedom of thought, religion, and expression.<sup>5</sup>

The North Korean authorities consider the access to and dissemination of outside information by residents to be a threat to regime stability and have continuously developed tools for information control through entities like the “Unified Command”<sup>6</sup> while updating laws and systems and intensifying crackdowns and punishments. Notably, with the enactment of the Law on Rejecting Reactionary Thought and Culture in 2020, the Youth Education Guarantee Law in 2021, and the Law on Protecting the Pyongyang Cultural Language in 2023, control over outside information has been significantly tightened.

## A. The Expansion of Access to Outside Information

The North Korean authorities have exerted control over residents by monitoring their private lives, cracking down on their behavior, and punishing them. However, as the spread of mobile phones, computers, and “Notels” accelerated the inflow of outside information, traditional control methods faced limitations. In response, North Korea has intensified crackdowns and punishments on accessing and disseminating outside information, employing new tactics to maintain its grip on power.

A significant number of North Korean residents were found to have consumed foreign media, accessing various sources of outside information

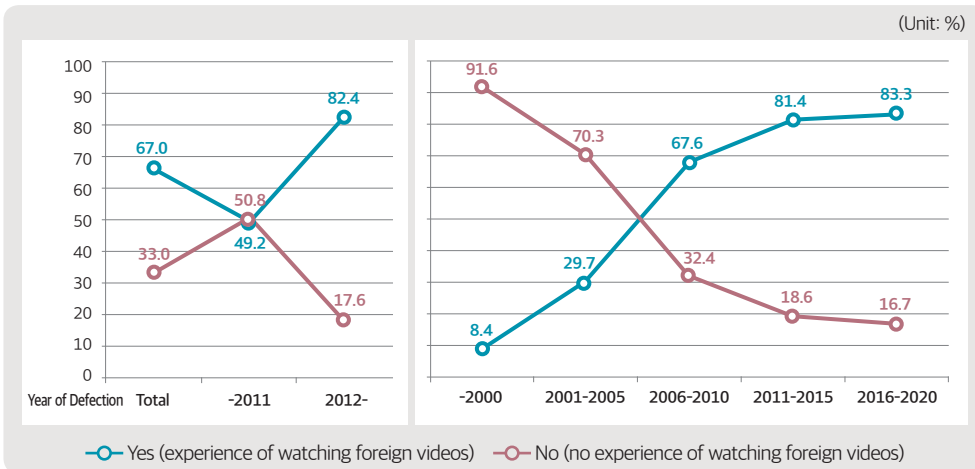
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<sup>5</sup> On April 4, 2024, the UN Human Rights Council adopted the North Korean human rights resolution by consensus without a vote. This resolution, which started in 2003 with the Human Rights Commission (the predecessor of the UN Human Rights Council), has been adopted for 22 consecutive years up to 2024.

<sup>6</sup> “Unified Command” is a special task force composed of personnel dispatched from the Party, the Prosecutor’s Office, the Ministry of State Security, the Ministry of Social Security, the Youth League, and other institutes. Its main responsibilities are the surveillance of residents’ daily lives and censorship.

such as movies, dramas, music, and books. Particularly, since the mid-2000s, the number of people watching foreign videos has significantly increased. According to the Ministry of Unification’s survey of North Korean defectors, 81.4% of those who defected between 2011 and 2015 responded that they had watched foreign videos in North Korea, and this figure rose to 83.3% among those who defected between 2016 and 2020.<sup>7</sup>

**Figure II - 1 Experiences with Watching Foreign Videos (Ministry of Unification)**



\* (Source) Ministry of Unification, "Report on North Korea's Economy and Society as Perceived by 6,351 Defectors," 2024, p. 232 / Based on the year of defection

### (1) Prior to 2010

Initially, outside information entered North Korea primarily through students studying abroad, overseas workers, and traders involved in illicit trade during the 1990s.<sup>8</sup> It then spread within North Korea through acquaintances. Individuals who frequently traveled abroad could smuggle in outside information by bribing customs officers, and it could also be introduced by members of the upper class who were not subject to rigorous

<sup>7</sup> Ministry of Unification, "Report on North Korea's Economy and Society as Perceived by 6,351 Defectors," 2024, p. 232.

<sup>8</sup> OORIT62445, 8IUFRL2462, JUZOTT2380, LOKO8K2228, YKDSNY2213, 3D5BLP1170

ensorship.<sup>9</sup> Additionally, testimonies reveal that residents of South Hwanghae Province, located near South Korea, were exposed to South Korean songs through items like tape recorders that had drifted across from South Korea.

“Around 1992, someone I knew picked up a helmet and a tape recorder that had floated down the river in a county, South Hwanghae Province, and gave them to me. I used them after painting over the word ‘KOREA’ on the helmet and changing the brand name on the tape recorder from ‘*Meari*’ to ‘*Sam-il-po*’ (a North Korean brand). The tape recorder had many South Korean songs, and I remember the lyrics ‘*The person I think of when it rains.*’ When a social security officer asked me where the song I was humming was from, I said it was from Yanbian. These items were given to me after being picked up at the river mouth, having floated down from South Korea. I also received gas lighters and jeans, which were of good quality. I removed the labels and said they were Chinese goods. That same year, at a friend’s house in a city, I watched movies by tuning the television and came across songs by Song Dae-kwan and Na Hoon-a (South Korean singers) as well as advertisements.”<sup>10</sup>

Starting in the 1990s, outside information, such as South Korean songs and dramas, began to flow into North Korea, and it was shared mainly through CDs until the 2000s. During this period, there were no systematic controls or regulations on outside information, making it fairly easy to access and share songs and videos from overseas, which were even sold on the streets.<sup>11</sup> Testimonies also indicate that South Korean songs were openly played at neighborhood parties in the early 2000s to create a lively atmosphere, with people singing along.<sup>12</sup>

As the 2000s progressed, the sharing and spread of outside information

<sup>9</sup> UY2OY52324

<sup>10</sup> OORIT62429

<sup>11</sup> 93VI9U2478

<sup>12</sup> 1BQ5TD2424, 5VRQH72482, OORIT62460

among teenagers and young adults accelerated. Skilled with information and communication devices, younger generations frequently exchanged South Korean movies and dramas, further disseminating content from the outside world. This activity was particularly prevalent among groups of teenagers, with numerous secondary school students watching and sharing South Korean dramas and movies they received from school friends.<sup>13</sup> The majority of young adults watched South Korean films and dramas, and they could often be recognized by their speech patterns, personal grooming habits, and use of metaphorical expressions influenced by the content they were exposed to.<sup>14</sup>

“The dramas and movies produced in South Korea are especially relatable and enjoyable, perhaps because we share the same ethnicity. Experiencing South Korea’s advanced culture through these videos, many young people, especially college students, watch and share a lot of this content despite the risk of punishment. Furthermore, by cleverly hiding these files on laptops or USB drives after watching them, many people avoid being caught during crackdowns, allowing them to frequently enjoy South Korean videos.”<sup>15</sup>

## (2) Since 2010

As the sharing of outside information among the younger generation has become more active and communication devices have advanced, the information-sharing methods have diversified since 2010. In 2012, there was a case where young people in North Korea, where the internet is unavailable, were sharing foreign novels and other outside information using Bluetooth.<sup>16</sup> Additionally, in the China-North Korea border areas, there have

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<sup>13</sup> 5VRQH72482, DFFYXV2451, KNCI462328, 1CHLPG2211, FKJUWV0728, YNNL9N2323, V2FXOT0757

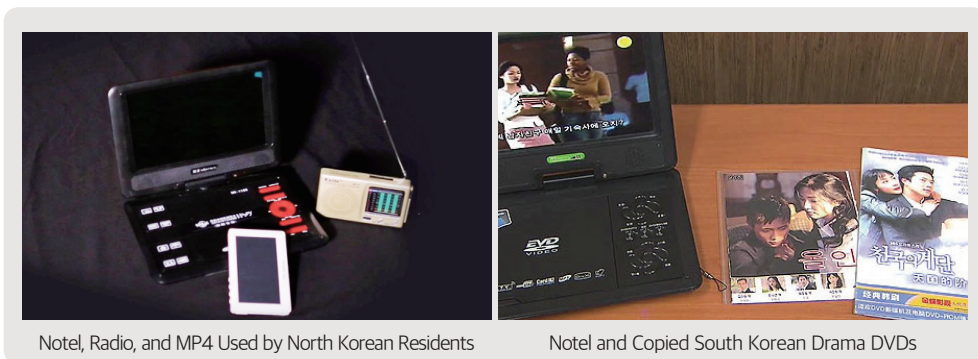
<sup>14</sup> 1CHLPG2211, YKDSNY2213, 00RIT62460

<sup>15</sup> ISO49X0409

<sup>16</sup> Q0MV8C2262

been instances of young people downloading video materials using Chinese smartphones to access outside information.<sup>17</sup> Moreover, as the main storage media shifted to small memory devices (USBs, SD cards, etc.), it became easier to share large amounts of information.<sup>18</sup> Typically, videos stored on USBs were watched by connecting them to Notels (DVD players), but after many Notels were confiscated during inspections in recent years, more people began plugging USBs directly into televisions.<sup>19</sup>

**Figure II - 2** Video Equipment Related to Accessing Outside Information



\* (Sources) Daily NK, SBS

Testimonies indicate that regardless of the period, in places like South Hwanghae Province, South Pyongan Province, and Gangwon Province, it has been possible to listen to South Korean radio and watch South Korean broadcasts. In some areas, it appears that TV programs and radio broadcasts transmitted from South Korea or China have been received.<sup>20</sup> In fact, there is a testimony that even up to 2023, it was possible to watch South Korean dramas and listen to radio broadcasts in South Hwanghae Province.<sup>21</sup> Many

<sup>17</sup> YKDSNY2213, 2E54YT2145

<sup>18</sup> YNNL9N2323, 1ND60Q2377, 1NR82V2372

<sup>19</sup> TGCAEV2403, DFFYXV2451, 93VI9U2478

<sup>20</sup> XHQ3O62407, 00RIT62434, TGCAEV2403, TEIEJA2400, 00RIT62429, 00RIT62441, 1NR82V2465, XHQ3O62395

<sup>21</sup> TGCAEV2403



testifiers also mentioned watching or listening to Chinese broadcasts in the China-North Korea border areas.<sup>22</sup>

Related to this, there have been testimonies revealing that in areas adjacent to South Korea, the North Korean authorities have been using jamming signals to block South Korean broadcasts since around 2008 and that the authorities have forced residents to adjust their television channels to prevent them from watching foreign broadcasts.<sup>23</sup> However, since the channel lock was administered using analog methods, it was easily bypassed, allowing forbidden broadcasts to be viewed.<sup>24</sup> In contrast, it seems impossible to physically block radio frequencies. Thus, the North Korean authorities have made it so that individuals cannot possess radios at all. In fact, a testimony indicates that well up until 2023, measures to limit personal radio possession have been implemented in South Hwanghae Province.

“Radio signals were easily accessible in my hometown (South Hwanghae Province) because of the area’s characteristics. Television signals could also be received, but the authorities prevented unrestricted viewing by fixing each household’s TV channels to specific, approved ones. In the case of radio, broadcasts could be picked up by tuning the frequency, so radios themselves were not allowed in people’s homes. Despite this, some residents secretly kept radios and listened to outside broadcasts.”<sup>25</sup>

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<sup>22</sup> 8IUFR2422, ROD6PD2423, 1BQ5TD2424, ROD6PD2411, 00RIT62429, 00RIT62441, TEIEJA2448, 1NR82V2465, 00RIT62454, 8IUFR2453, 8IUFR2452, 93VI9U2478

<sup>23</sup> Testimonies have described how some television channel buttons were soldered or paper was inserted inside them to restrict the changing of the channels. This method is often referred to as “locking the channel.” (UY2OY52324, 00RIT62434, ZLEDL41338)

<sup>24</sup> 00RIT62434, ZLEDL41338

<sup>25</sup> TGCAEV2403

## B. Tightening Information Control

The North Korean authorities have been blocking residents' access to outside information through various methods. In addition to physical restrictions, they have established dedicated organizations to intensify inspections and censorship. As mobile communication devices have made it easier for residents to share and access information, digital censorship has been strengthened. Recently, new laws have been enacted to further control information.

### (1) Operation of Dedicated Organizations

To prevent residents' access to outside information, the North Korean authorities have created specific task forces dedicated to carrying out inspections. The period when the North Korean authorities began to severely restrict outside information is estimated to be from the 2000s, when storage media became miniaturized and sharing or dissemination became easier. One representative organization dedicated to information control is the "109 Unified Command," which is composed of personnel from the Workers' Party, the Ministry of State Security, the Ministry of Social Security, and technical experts. This organization focuses intensively on North Korean residents' access to foreign videos, publications, radios, DVDs, etc. North Korean residents refer to the 109 Unified Command as 109 *Sangmu*, 109 *Grouppa*, or 109 *Sojo*.<sup>26</sup>

When the 109 Unified Command conducted crackdowns on accessing outside information, it mostly carried out home searches and surprise inspections without presenting search warrants. According to testimonies, the majority who experienced such crackdowns on accessing outside

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<sup>26</sup> 5VRQH72482, 00RIT62468, 1NR82V2442, TGCAEV2403, TEIJA2400, 8WHPWX2397, MAV6AE2388, BW8MUL2358, 5Q8LRL2333

information did not receive a search warrant, and such inspections were carried out randomly and unexpectedly.<sup>27</sup> The nature and methods of the inspections varied. The targets of the inspections included South Korean, American, and Indian movies, and there have been cases where subtitles were detected for using South Korean expressions.<sup>28</sup> Moreover, the frequency and techniques of inspections have differed by region. In Rason City, where a significant number of foreigners reside, the 109 *Sangmu* conducted home searches twice a month, indicating stringent restrictions on accessing external information.<sup>29</sup>

“One day in 2022, officers from the 109 *Sangmu* came to my house for a home search. A few days earlier, I had picked up a memory stick that had fallen on the street, which contained 300 South Korean songs. The officers found the memory stick during the search. I had to arrange KPW 1 million to bribe the inspection officers to mitigate the situation, as possessing South Korean songs could lead to severe punishment.”<sup>30</sup>

Besides the 109 Unified Command, new or modified unified commands (*Sangmu*, *Gruppa*, *Sojo*, etc.) have been established to conduct inspections of specific areas. Unified commands such as 312, 620, 627, and 82 have been active in inspecting residents’ “anti-socialist lifestyles” and their access to outside information. While each of these organizations has slightly different goals for their activities, they share the common purpose of inspecting and censoring, especially the residents’ access to and sharing of South Korean information.<sup>31</sup>

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<sup>27</sup> OORIT62445, 13PN7Y2325

<sup>28</sup> 13PN7Y2325, TGCAEV2403, UYSKRB2399, 2K3MCU1868

<sup>29</sup> OORIT62445

<sup>30</sup> UYSKRB2399

<sup>31</sup> MNH2KG2026, C7OC571623, PNPVJ41087, I9IMQL0545, Z9XY7A0555, F9Q9R31787, TQSHE70026, P767JN1271, IERERO0394, LRINJ90590, BASLOU1798, XP1RFW1509, EA5LI51114, XRAX2R0506, IERERO0394, LRINJ90590, TGCAEV2403, TEIEJA2400

**Table II - 1** Types of Unified Command Organizations That Conduct Crackdowns on Outside Information and Their Respective Areas of Enforcement (Based on the Center's Investigations)

Type	Year of Formation	Target of Crackdown	Notes
82 Unified Command <sup>32</sup>	2021	· Non-socialist activities including illegal videos, unofficial economic activities, and corruption.	Reorganized after the dissolution of all existing <i>sangmus</i>
620 Unified Command	2016	· Non-socialist activities including illegal videos, narcotics, prostitution, and superstitions.	-
84 Unified Command	2015	· Influx of outside information, smuggling, illegal border crossing, and unauthorized use of mobile phones.	-
627 Unified Command	2014	· Non-socialist activities including illegal videos, narcotics, prostitution, and superstitions.	-
312 Unified Command	2014	· Workplace deserters and vagrants.	-
No. 812 of the Ministry of State Security	2013	· Illegal videos, narcotics.	Estimated to have been reorganized after being disbanded in 2019.
414 Unified Command	2010	· Workplace deserters and vagrants.	-
109 Unified Command	2004	· Non-socialist activities including illegal videos, narcotics, prostitution, and superstitions.	Estimated to have been reorganized after being disbanded in 2021.
927 Unified Command	1993	· Workplace deserters and vagrants.	-

## (2) Mobile Phone Censorship

Article 5 of North Korea's Mobile Communication Law specifies the authorities' responsibilities for the promptness, accuracy, service, safety,

<sup>32</sup> Testimonies show that the 109 Unified Command has been restructured into the 82 Unified Command. The 109 Unified Command was composed of a coalition including the Social Security Department, the State Security Department, the Prosecutor's Office, the People's Committee, and the Ministry of Justice. However, because the legal basis for its control was unclear, punishments were not uniformly administered. In 2021, following the 2020 enactment of the Law on Rejecting Reactionary Thought and Culture, the 109 Unified Command became the 82 Unified Command, with clearer regulations on control as well as punishments. (ONW4SH2402, UYSKRB2399, TGCAEV2403)

cultural appropriateness, and confidentiality of the provision and use of mobile communication devices. However, according to testimonies, although they are specified in the law, these principles of mobile communication are not being upheld.

As the functionality of mobile phones in North Korea has diversified, allowing for the storage, playback, and sharing of various information, mobile phones have become a major medium for information dissemination and an efficient means of communication with the outside world. North Korean residents not only use mobile phones to access outside information but also to exchange information with foreigners for smuggling purposes, receive money transfers from defected family members, and exchange greetings. There have been testimonies stating that in 2018 and 2019, it was possible in the China-North Korea border area to use the internet with Chinese smartphones and even chat with people living in South Korea, as well as make calls using WeChat (Chinese mobile messaging application).<sup>33</sup> There was also an account stating that money transfer brokers used smartphones to send photos or make video calls to confirm money transfers.

“Recently, most money transfer brokers have switched to using smartphones, and after transferring money, they confirm their transactions by sending a photo of a letter written that they have received the money. This change was made to avoid eavesdropping and also because young people handle the media well. Using WeChat to make video calls allows you to see someone’s face for a short time, which is more effective than voice calls and can be done quickly, so it is possible to avoid detection.”<sup>34</sup>

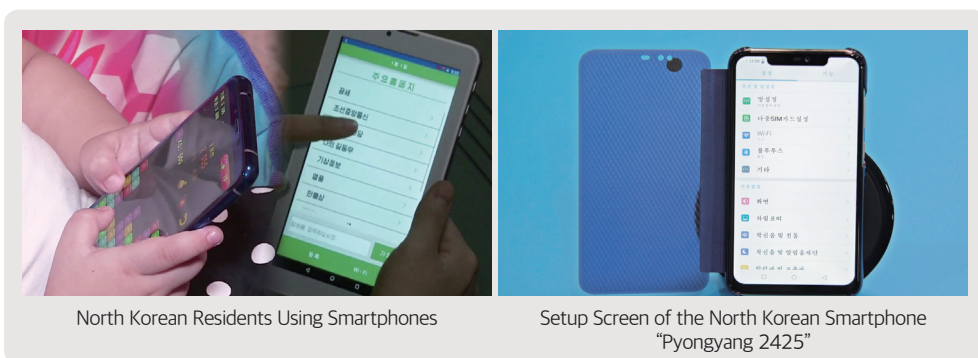
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<sup>33</sup> FVPAU11968, YKDSNY2213

<sup>34</sup> 2E54YT2145

The North Korean authorities are conducting random, unspecified mass mobile phone inspections to limit information sharing and access to outside information. These inspections are especially being conducted more strictly among youth, including university students. The inspections target mobile phones to check for “impure recordings” or non-socialist text content, and “*grouppas*” conduct inspections at schools, on the streets, and in other locations.<sup>35</sup> In the case of university students, the universities’ Party Committee and Youth League members inspect students’ mobile phones to check for South Korean songs, movies, and pornography.<sup>36</sup>

**Figure II - 3** North Korean Smartphones



North Korean Residents Using Smartphones

Setup Screen of the North Korean Smartphone “Pyongyang 2425”

\* (Sources) KBS, Daily NK

Mobile phone censorship is expanding not only to youth but also to the general population. Testifiers stated that regardless of age or gender, their mobile phones were inspected at work, on the streets, or during home searches for files subject to surveillance.<sup>37</sup> Additionally, some inspections were conducted to extort bribes, specifically targeting individuals who appeared able to pay. According to one testimony, phones belonging to well-

<sup>35</sup> YNNL9N2323, 5VRQH72482, TPK8GF2281, P767JN1271, 5PCO9H0150, 2O4G6G1011

<sup>36</sup> E4MJ0I2167, YNNL9N2323, LXUIUC2307

<sup>37</sup> 13PN7Y2325, U4G4Q32334, TPK8GF2281

dressed, seemingly affluent individuals were inspected, and minor issues were exploited as pretexts to demand bribes disguised as fines.<sup>38</sup>

Meanwhile, the North Korean authorities have controlled residents' access to information through measures such as regulating mobile phone purchases, conducting wiretapping and eavesdropping, blocking unauthorized applications, and monitoring residents' usage history. It appears that mobile phone censorship methods were reorganized after Kim Jong Un came into power. Testimonies indicate that around 2014, an operating system storing residents' mobile phone usage and browsing history in the phones' internal mobile system was introduced on a large scale. The users could not delete the stored browsing information, which could only be deleted by the carrier, suggesting that it was a "browsing history" program.

"From around July 2014 to 2015, mobile phone inspections began to be conducted. While claiming the system needed changing, telecommunications staff came to local post offices to collect mobile phones and modify their systems. However, it was not a fundamental system change but rather the installation of a program in the phones' internal memory system. This program created a browsing record and prevented its deletion. When the browsing record was full, it could only be deleted by visiting the carrier."<sup>39</sup>

As the North Korean authorities have enhanced their inspection methods, residents have also upgraded their means of evading censorship. In 2019, North Koreans were instructed to regularly update their phones or computers, ostensibly for updates but in reality, to enhance the phones' surveillance capabilities. Many residents, aware of this, did not comply with the directive. The authorities also checked for updates, but some residents

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<sup>38</sup> DFFYXV2451

<sup>39</sup> UY2OY52324

avoided detection by making it look like they had updated them without actually doing so. Additionally, programs that could block file tracking were shared among friends via USBs so that they could manage their devices without leaving any history of file playback on their computers or mobile phones.<sup>40</sup> Furthermore, testimonies have stated that residents in the China-North Korea border area believed Chinese smartphones were safe from interception and used them as secure communication tools.<sup>41</sup>

North Korean students studying abroad and overseas workers are also subject to mobile phone inspections by North Korean state security officers. According to testimonies, internet use was prohibited for these individuals, and they were nominally only allowed to have 2G mobile phones capable of simply making calls. Those who violated these regulations by using smartphones had their phones confiscated and were fined.<sup>42</sup>

### (3) Legal Control

As the types of information storage media and sharing methods have diversified and the number of smartphone users has increased, the North Korean authorities have enacted laws and restructured systems to strengthen restrictions on residents' access to outside information.

#### Law on Rejecting Reactionary Thought and Culture

The North Korean authorities legally restrict residents' rights to freedom of expression and access to information by imposing severe punishments. This includes the enactment of the Law on Rejecting Reactionary Thought and Culture in December 2020, which was amended in 2022. This law stipulates that individuals who import or distribute large quantities of

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<sup>40</sup> FVPAU11968

<sup>41</sup> 2E54YT2145, YKDSNY2213, FVPAU11968

<sup>42</sup> KQ9C5Q2261, CM8P8K0045



films, recordings, edited materials, or books from hostile countries, who disseminate them to many people, and who organize or encourage group viewing or reading can face punishments as severe as the death penalty. Comprising four chapters and 41 articles, the law outlines its purpose and principles, identifies targets for blocking the inflow of reactionary thought and culture, prohibits watching or disseminating such content, and defines legal responsibilities for violations.

**Table II - 2** Main Content of the 「Law on Rejecting Reactionary Thought and Culture」

Clause	Main Content
Article 1	<b>(Mission of the Law on Rejecting Reactionary Thought and Culture)</b> The Law on Rejecting Reactionary Thought and Culture aims to combat the infiltration and dissemination of reactionary and anti-socialist ideology and culture, thereby strengthening the ideological, revolutionary, and class fortresses.
Article 3	<b>(Basic Principles of Rejecting Reactionary Thought and Culture)</b> Rejecting reactionary thought and culture is a necessary requirement for upholding socialist ideology and firmly protect the socialist system. The state must suppress and restrain anti-socialist and non-socialist activities, such as importing, watching, and disseminating reactionary publications and propaganda.
Article 7	<b>(Principles for Punishing Violators of the Order Against Reactionary Thought and Culture)</b> Individuals who import, watch, or spread reactionary thought and culture may face legal sanctions up to the death penalty, depending on the severity of the act.
Article 27	<b>(Crime of Spreading Puppet Thought and Culture)</b> Watching, listening to, storing, or disseminating puppet (South Korean) movies, recordings, edited materials, books, pictures, or photographs shall result in a <i>rodong-kyohwa</i> punishment sentence of 5 to 10 years. In severe cases, a <i>rodong-kyohwa</i> punishment sentence of 10 years and more shall be imposed. Importing or disseminating puppet movies, recordings, edited materials, or books shall lead to an indefinite period of <i>rodong-kyohwa</i> punishment.
Article 28	<b>(Crime of Spreading Hostile Nation's Ideology and Culture)</b> If one watches, listens to, stores, or disseminates movies, recordings, books, songs, pictures, or photographs from a hostile nation, a <i>rodong-kyohwa</i> punishment sentence of up to 5 years shall be imposed. In cases of serious offenses, a <i>rodong-kyohwa</i> punishment sentence of 5 to 10 years shall be imposed. If one imports or disseminates movies, recordings, edited materials, or books from a hostile nation, a <i>rodong-kyohwa</i> punishment of 10 years or more shall be imposed. Depending on the extent of dissemination, an indefinite period of <i>rodong-kyohwa</i> punishment or the death penalty shall also be possible.
Article 32	<b>(Crime of Reproducing Puppet Culture)</b> Anyone who speaks or writes in the puppet (South Korean) style, sings using puppet (South Korean) techniques, or produces printed materials using puppet (South Korean) fonts shall be sentenced to <i>rodong-danryun</i> punishment. In severe cases, they shall be sentenced to up to 2 years of <i>rodong-kyohwa</i> punishment.

From the cradle to the grave, North Korean residents are subjected to strict ideological control by the authorities, and they cannot hold or express any thoughts that deviate from the regime's security measures, either verbally or non-verbally. When people become curious about and fond of exotic cultures and encounter new information, it is highly likely that their manner of speaking, behavior, clothing, and lifestyle will change accordingly. The North Korean authorities appear to be concerned that such changes might undermine their control over public opinion. This concern stems from the belief that if ideological control fails, it will become impossible to make residents conform to the regime's expectations, a failure that could directly threaten the regime's security. Article 3 of the Law on Rejecting Reactionary Thought and Culture states that rejecting reactionary thought and culture is essential for upholding socialist ideology and firmly protecting the socialist system.

The North Korean authorities have been found to carry out propaganda and educational campaigns to inform residents about the Law on Rejecting Reactionary Thought and Culture after it was enacted in December 2020. One defector stated that she understood this law as one that prohibits the use of South Korean dramas, speech, and clothing. She also mentioned encountering this law in lecture materials, where actions considered reactionary were detailed.<sup>43</sup> Another defector mentioned that the head of the *inminban* gathered all residents at her house, where she had them write down the provisions of the Law on Rejecting Reactionary Thought and Culture, and then instructed them to take them home and post them on their doors.

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<sup>43</sup> TGCAEV2403

“By the end of December 2020, the Law on Rejecting Reactionary Thought and Culture had been enacted, creating a tense atmosphere. I vividly remember this period because I frequently watched South Korean dramas and movies and had to restrain myself from watching them once the law took effect. The head of the *inminban* gathered all residents at her house, instructing them to write down the provisions of the Law on Rejecting Reactionary Thought and Culture and post them on their doors. The content specified that anyone who watched or distributed puppet (South Korean) videos would be subject to the maximum penalty of execution.”<sup>44</sup>

According to collected testimonies, North Korean residents were informed about the provisions of the new law through meetings held by enterprises and *inminban*, but most of them did not fully understand the specific details. Broadcasts also warned that individuals could face execution or *rodong-kyohwa* punishment for actions such as distributing impure recordings, using South Korean language, wearing jeans, or making political statements.

“Regarding the Law on Rejecting Reactionary Thought and Culture, we are aware of it as it has been communicated to us according to directives issued based on Kim Jong Un’s policies. Meetings are held within individual units (such as enterprises and *inminban*), where the provisions of the law are read out loud. Most residents do not fully understand the specific details. Broadcasts also publicly announce that individuals can be executed or sentenced to *rodong-kyohwa* punishment for reasons such as distributing impure recordings, using puppet language (South Korean), dressing in puppet culture style (jeans), or making political statements.”<sup>45</sup>

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<sup>44</sup> SYYKDH2214

<sup>45</sup> TEIEJA2400

**Table II - 3** Examples of Reactionary Ideological Behavior in a Testimony<sup>46</sup> (Based on the Center’s Investigations)

- 1) The act of the groom giving a piggyback ride to the bride at a wedding
- 2) The act of the bride wearing a white dress at a wedding
- 3) Wearing sunglasses
- 4) The act of drinking wine from a wine glass
- 5) The act of a woman wearing multiple pieces of jewelry
- 6) Writing the last name as “Yi” (South Korean style) instead of “Li” (North Korean style)

Since the enactment of the Law on Rejecting Reactionary Thought and Culture, crackdowns and punishments for accessing outside information have noticeably intensified. According to testimonies, until 2019, there was a practice of sharing outside information among close acquaintances. However, after the law was implemented, the 82 Unified Command significantly stepped up its crackdowns on outside information, and punishments began to be administered under this law.<sup>47</sup> Another testimony indicates that after the law was enacted, from 2021 to 2023, house searches became more frequent to uncover and prevent access to and dissemination of outside information. Previously, house searches were conducted about two to three times a year, but from 2021 onward, they were carried out approximately three times every two months and were more rigorous.<sup>48</sup>

“Until 2019, I occasionally watched foreign media, but after the Law on Rejecting Reactionary Thought and Culture was enacted in 2020, the crackdowns became severe, and I stopped. Before this law was enacted, it almost didn’t feel like North Korea. I remember visiting a friend, where almost everyone was watching South Korean movies. People would even exchange files with each other, claiming, ‘I have something even more interesting than this.’ This made me wonder, ‘If it’s like this in a local city, what must it be like in Pyongyang?’ It appears that the introduction of laws

<sup>46</sup> TGCAEV2403

<sup>47</sup> ONW4SH2402

<sup>48</sup> TEIEJA2400

like the Law on Rejecting Reactionary Thought and Culture and the Youth Education Guarantee Law in 2020 was a response to such activities. After that, I witnessed people being arrested and punished under these laws. The 109 Unified Command was renamed the 82 Unified Command, and the crackdown intensified. Since taking power, Kim Jong Un appears to be focused on eliminating anything he dislikes. Creating unreasonable laws like the Law on Rejecting Reactionary Thought and Culture to punish people is an example of this.”<sup>49</sup>

“Since the enforcement of the Law on Rejecting Reactionary Thought and Culture during the COVID-19 period from 2021 to 2023, the frequency of house searches has significantly increased. Previously, house searches were conducted about two to three times a year, mainly to inspect televisions, but after the law started to be enforced, searches started to be carried out approximately three times every two months and were thoroughly done, with inspectors searching every possible place within the house to locate any USB drives.”<sup>50</sup>

During investigations conducted by the Center in 2023, testimonies were collected indicating that public executions were actually carried out for violations of the Law on Rejecting Reactionary Thought and Culture. One witness testified that a public execution was carried out in South Hwanghae Province for watching and listening to South Korean movies and songs and disseminating them to others. According to the testimony, since the enactment of the law, punishments have become stricter. Previously, watching outside information like South Korean dramas or movies would result in a *rodong-kyoyang* penalty, but after the law was enacted, even just viewing something could result in one being sent to a *kyohwaso*.

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<sup>49</sup> ONW4SH2402

<sup>50</sup> TEIEJA2400

“In 2022, I witnessed a public execution at a mine in a county in South Hwanghae Province. The executed was a 22-year-old farm worker. At the execution site, someone who was presumed to be a judge from the county court announced that the individual was arrested for listening to 70 South Korean songs and watching three South Korean movies. During the interrogation, it was revealed that the individual had distributed them to seven other people. During Kim Jong Il’s regime, watching such content would result in being sent to a *rodong-kyoyangdae*. Since the law’s enactment, even just viewing South Korean media content can lead to being sent to a *kyohwaso*. The person who initially imported such content faces the most severe punishment, which is execution by firing squad. The punishment for those who disseminate outside information varies depending on the extent of their violation of the law. If the content targets the authorities, the punishment is severe, and the same goes for sexual content. While general South Korean dramas are viewed less harshly, even these can result in 10 years or more in a *kyohwaso*.”<sup>51</sup>

Recently, public executions appear to have increased for violations of the Law on Rejecting Reactionary Thought and Culture. Testimonies have been collected indicating that individuals who violated this law were executed alongside those convicted of violent crimes, including murder, during March and April of 2023.

“The last public execution I witnessed took place in February 2023 in a field cultivated with vegetables in a county. Recently, there have been numerous executions under the Law on Rejecting Reactionary Thought and Culture. I have heard that additional executions occurred in March and April of 2023. Those subjected to execution included violators of the law, as well as individuals convicted of violent crimes, including murder.”<sup>52</sup>

<sup>51</sup> TEIEJA2400

<sup>52</sup> TEIEJA2400

## Youth Education Guarantee Law

After enacting the Law on Rejecting Reactionary Thought and Culture in 2020, North Korea further demonstrated its resolve to control the ideological perspectives of the youth by introducing the Youth Education Guarantee Law in 2021. However, even before this law was implemented, the authorities had already been restricting young people's access to outside information and imposing re-education punishments for violations, thereby intensifying their control over the ideological orientation of the youth as well as censorship. Numerous accounts have shown that the sharing and dissemination of outside information predominantly occur among youth peer groups, leading to targeted crackdowns on these groups.<sup>53</sup> One testimony revealed that any university student spotted walking with a computer bag was automatically targeted for inspection. The testifier noted that an officer in civilian clothes abruptly demanded to see a computer registration card<sup>54</sup> and then proceeded to check the computer's internal system with a specialized device.<sup>55</sup> Another testimony detailed an incident in 2017 where a young person exposed to foreign information became a target for ideological struggle, and the Youth League decided to handle it through re-education.<sup>56</sup>

The North Korean authorities appear to be concerned that exposure to outside information could influence young people's ideologies. This is because young people quickly absorb outside information and can easily share it with their peer groups. Therefore, the authorities seem to have established the Youth Education Guarantee Law as a way to more

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<sup>53</sup> 00RIT62468, KJ7IFB2239, TPK8GF2281, DEJ6ST2342, XHQ3O62395, FVPAU11968, K5ZJ5U1964, 7630RS2099

<sup>54</sup> The process of computer registration is cumbersome, so individuals often pay USD 5-10 to the relevant agency to handle it. The registration involves a paper approximately 12×25cm, detailing the computer's model and the registration date, which must be attached to the bottom of the computer. There are testimonies revealing that if caught with an unregistered computer, a bribe of about USD 20-25 is required to mitigate the situation.

<sup>55</sup> 5VRQH72482

<sup>56</sup> 43Z03T0583

systematically control young people. North Korean media describes this law as setting clear boundaries on what young people, institutions, state-owned enterprises, organizations, and residents must avoid to maintain a socialist lifestyle, along with outlining the legal consequences of violations.<sup>57</sup> The law emphasizes the need for youth to adopt an anti-imperialist mindset and restricts activities such as singing and dancing in non-North Korean styles, as well as adopting foreign styles of dress and grooming.<sup>58</sup> Furthermore, it mandates that youth report any such behaviors, specifying both administrative and criminal responsibility for violations of the law.<sup>59</sup>

**Table II - 4** Main Content of the ‘Youth Education Guarantee Law’

Clause	Main Content
Article 1	<b>(Mission of the Youth Education Guarantee Law)</b> By thoroughly implementing youth-centered policies, we are preparing young people to be reliable successors of the <i>Juche</i> revolutionary cause and are contributing to further solidifying the status of a powerful youth nation.
Article 10	<b>(Arming the Youth with Anti-Imperialist Class Consciousness)</b> Young people must uphold socialist principles and fight against imperialism. They should possess a sharp anti-imperialist class consciousness and become vanguard fighters, steadfastly battling against imperialists and class enemies until the end.
Article 39	<b>(Personal Appearance)</b> Young people must always maintain a neat and refined hairstyle and attire in accordance with the nation’s customs and the socialist lifestyle.
Article 41	<b>(Actions Young People Shall Not Engage In)</b> 1. Committing violent crimes, including murder, robbery, and rape. 2. Engaging in sexual misconduct, indecent behavior, prostitution, and gambling. 3. Participating in religious and superstitious activities. 4. Importing, producing, copying, storing, distributing, or watching impure publications and propaganda. 5. Manufacturing, trafficking, storing, or using narcotics. 6. Stealing, seizing, deceiving, embezzling, or otherwise illegally taking state or personal property. 7. Engaging in beating, assault, or fighting, which disrupts social order. 8. Forming or organizing groups or gangs.

<sup>57</sup> Korean Central TV (KCTV), February 5, 2022.

<sup>58</sup> ‘Youth Education Guarantee Law’ (2021) Article 41 to Article 44.

<sup>59</sup> ‘Youth Education Guarantee Law’ (2021) Article 45.



Clause	Main Content
Article 41	9. Avoiding military service by using family circumstances or health as an excuse, entering into early marriages, unfairly receiving physical examinations and life evaluations, inflicting injuries on oneself, or escaping, thus failing to participate sincerely in military mobilization.
	10. Leading a jobless, vagrant lifestyle or drifting away from organized social activities.
	11. Distorting our national songs or dancing in non-traditional styles.
	12. Using an unusual style of speech or writing that is not in accordance with our customs.
	13. Engaging in divorce, early marriage, or cohabitation without being married.
	14. Wearing unusual attire and having grooming habits that are not in accordance with our customs and disrupting the healthy social atmosphere with unconventional wedding ceremonies.
	15. Behaving in a vulgar and irrational manner that undermines social stability and order.
	16. Other actions that violate the laws of North Korea
	<b>(Duty to Report or Notify)</b>
Article 44	Institutions, enterprises, organizations, and residents must promptly report or notify the relevant authorities if any unhealthy or unusual phenomena appear among the youth or if the social order to guarantee youth education is infringed upon.
	<b>(Administrative or Criminal Responsibility)</b>
Article 45	Those responsible for institutions, enterprises, and organizations, as well as individuals who violate this law and cause serious consequences shall be held accountable administratively or criminally, depending on the severity of the consequences.

\*  Subparagraphs related to information control within Article 41 of the 「Youth Education Guarantee Law」

Under this new law, the North Korean authorities have intensified their enforcement measures against students who represent the younger generation. Testimonies indicate that the Youth League primarily conducts these crackdowns, routinely collecting and censoring the mobile phones of its members at workplaces and universities before returning them.<sup>60</sup> Additionally, as the sharing of outside information among young people, particularly students, has increased, there is testimony stating that in early 2020, the North Korean authorities began requiring parents to sign pledges promising to prevent their children from watching “impure recordings” at home.

<sup>60</sup> 5VRQH72482, R0D6PD2423

“People who are exposed to phenomena labeled as ‘non-socialist’ in movies or dramas often begin to mimic the speech, dress, and hairstyles depicted in these media, which then encourages others to do the same. This leads the authorities to conduct severe crackdowns. The authorities claim that the influx of outside information has led to an increase in juvenile crime. I heard that in late February or early March 2020, the authorities collected pledges from parents, requiring them to prevent their children from watching impure recordings at home. The authorities assert that they conduct these crackdowns because such influence from the outside can corrupt the residents’ thoughts. However, the underlying reason is that allowing residents to learn about the outside world makes governing them more challenging.”<sup>61</sup>

“From 2021 to 2023, people were randomly stopped on the streets and subjected to body searches. The main targets of these searches were young people. Those who dressed insincerely or distinctively, or appeared that way, based on North Korean standards, were particularly likely to be searched.”<sup>62</sup>

### Law on Protecting the Pyongyang Cultural Language

In 2023, North Korea enacted the Law on Protecting the Pyongyang Cultural Language, thereby regulating its residents’ language usage as another way to control their daily lives.

Even before this law was implemented, the North Korean authorities had already been monitoring the language usage of North Korean residents. According to investigations conducted by the Center, mobile phone inspections in 2017 focused on identifying and censoring the use of South Korean expressions, symbolic language, and unconventional speech and tones.<sup>63</sup> Similar unannounced mobile phone inspections in 2018 targeted records containing South Korean-style expressions for censorship.

<sup>61</sup> HNTCJ42201

<sup>62</sup> TEIEJA2400

<sup>63</sup> 2ITQJ51282

“While walking with my mobile phone, inspection officers approached me and searched through my contacts. Terms like ‘*Appa* (daddy),’ common in South Korea, are not allowed. Only names, not nicknames, can be stored in the contacts. Abbreviations and shortening of names are also prohibited. Additionally, if you write ‘teacher’ as *sam* (a South Korean slang term), you will also be reprimanded.”<sup>64</sup>

The Law on Protecting the Pyongyang Cultural Language specifically bans the use of South Korean-style expressions and address terms. Its aim is to legally restrict the language of those who might be influenced by outside information. This law labels the South Korean language as “puppet language” and strictly prohibits both the use and dissemination of South Korean words and expressions.<sup>65</sup> South Korean language, described as “garbage language” due to its vocabulary, grammar, and accents being influenced by Western, Japanese, and Chinese elements, is rigorously guarded against and despised.<sup>66</sup> For instance, using the term “*oppa*” for someone who is not a blood relative or adding the honorific suffix “*nim*” after a job title are deemed South Korean expressions. Under this law, using South Korean fonts and accents can lead to *rodong-kyohwa* punishment or, in severe cases, even death.

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<sup>64</sup> 4TYPAG0762

<sup>65</sup> 「Law on Protecting the Pyongyang Cultural Language」 (2023) Article 5 (Principles of the societal struggle to eradicate puppet language debris) The struggle to eradicate puppet language debris is a serious political and class struggle that is crucial to the fate of the socialist system and the very survival of our people and future generations. The state shall intensively conduct this struggle in all sectors and units, rejecting any imitation or adoption of puppet speech patterns throughout society, while promoting utmost vigilance and constant alertness among each other.

Article 6 (Legal punishment principles for distributors of puppet speech) The state shall label individuals who mimic or spread puppet speech as tainted by puppet culture and as criminals. They will face harsh legal penalties, regardless of their identity or the seriousness of their actions, up to and including the death penalty.

<sup>66</sup> 「Law on Protecting the Pyongyang Cultural Language」 (2023) Article 2 (Definition) 2. Puppet speech refers to a jumble of words in which the vocabulary, grammar, and intonation have been Westernized, Japanized, or localized, completely losing the essence of the North Korean language. It is considered a trashy and repulsive language.

**Table II - 5 Main Content of the 「Law on Protecting the Pyongyang Cultural Language」**

Clause	Main Content
Article 1	<p><b>(Mission of the Law on Protecting the Pyongyang Cultural Language)</b></p> <p>The Law on Protecting the Pyongyang Cultural Language aims to fundamentally eliminate the use of South Korean speech patterns, reject non-standard language elements, establish a socialist language culture, and contribute to the protection and active preservation of the Pyongyang cultural language.</p>
Article 58	<p><b>(Crime of Using Puppet Speech Patterns)</b></p> <p>Anyone who speaks or writes in South Korean speech patterns, exchanges text messages or emails in South Korean style, or creates printed materials, recordings, paintings, photographs, or scrolls marked in South Korean language or script will be subject to a <i>rodong-kyohwa</i> punishment sentence for at least six years. In severe cases, a <i>rodong-kyohwa</i> punishment for an indefinite period or the death penalty may be imposed.</p>
Article 59	<p><b>(Crime of Spreading Puppet Speech Patterns)</b></p> <p>Anyone who teaches South Korean speech patterns to others or distributes printed materials, recordings, paintings, photographs, or scrolls marked in South Korean language or script to others will be subject to a <i>rodong-kyohwa</i> punishment sentence of at least ten years. In severe cases, a <i>rodong-kyohwa</i> punishment for an indefinite period or the death penalty may be imposed.</p>
Article 60	<p><b>(Fine Punishment)</b></p> <p>Fines of KPW 1-1.5 million will be imposed on institutions, enterprises, and organizations, and KPW 100,000-150,000 on residents for the following cases:</p> <ol style="list-style-type: none"> <li>1. Posting price lists, menus, signs, advertisements, etc., in non-standard languages such as Japanese.</li> <li>2. Using mobile phones, computers, etc., without installing software designed to remove South Korean speech patterns.</li> <li>3. Failing to properly educate and control children, leading them to mimic South Korean speech patterns.</li> <li>4. Speaking or writing in foreign languages not approved by the state.</li> <li>5. Using new words without the review of linguistic authorities, which negatively affects language practices.</li> </ol>
Article 61	<p><b>(Rodong-kyoyang Penalty)</b></p> <p>Offenses outlined in Article 60 that are repeated or those that cause social controversy due to the use of unconventional language elements may result in a <i>rodong-kyoyang</i> penalty of at least three months.</p>
Article 62	<p><b>(Unpaid Labor Penalty, Demotion, Dismissal, Expulsion)</b></p> <p>Unpaid labor penalties of at least three months can be imposed in the following cases:</p> <ol style="list-style-type: none"> <li>1. Failure to properly conduct border inspections, thereby permitting the infiltration of South Korean language.</li> <li>2. Improper handling and processing of river and sea waste, creating the possibility for the infiltration of South Korean language.</li> <li>3. Failure to properly control foreign publications and propaganda, creating the possibility for the infiltration of South Korean language.</li> <li>4. Inadequate supervision and control of internet usage, leading to the dissemination of South Korean language.</li> <li>5. Inadequate education and control efforts to eliminate the use of the South Korean language, leading to the use and spread of South Korean speech patterns.</li> <li>6. Failure to properly control computer network usage, resulting in the use of South Korean language nicknames.</li> </ol>

Clause	Main Content
Article 63	<b>(Closure Penalty)</b> A business will be closed if it displays, sells, or hides items labeled in the South Korean language or South Korean typeface.
Article 64	<b>(Confiscation Penalty)</b> Any money or items used in the commission of a crime or illegal act that violates this law, or results from such actions, shall be confiscated.

## C. Punishment

As outside information has become more widespread in North Korea, the authorities have intensified punishments for accessing and disseminating it. This trend has escalated under the Kim Jong Un regime, with its focus on an “All-out war against non-socialist practices.” Testimonies indicate that since Kim Jong Un’s rise to power, people can no longer openly discuss their exposure to outside information. Additionally, the frequency of distributing lecture materials on restricting access to outside information has increased from once a month to two or three times a month, and punishments have become more severe. Harsher penalties are particularly imposed on those who access or share South Korean movies or songs.<sup>67</sup> Especially, the punishments for accessing or disseminating South Korean movies or music seem to have become stricter.

### (1) Prior to 2017

Even before the Law on Rejecting Reactionary Thought and Culture was enacted, the North Korean authorities had been intensifying crackdowns and punishments related to South Korea. This was linked to an increase in the influx of outside information and changes in how it was shared. In the mid-2000s, as the sharing of outside information surged among North Korean residents, leading to noticeable changes in their speech, lifestyles, and

<sup>67</sup> 1BQ5TD2412, 5VRQH72482

clothing, the authorities stepped up their crackdowns, particularly targeting the use of South Korean-style speech and vocabulary.<sup>68</sup> One defector recalled hearing slogans that South Korean movies and speech had to be rejected since around 2015.<sup>69</sup>

Before the groundwork for these measures was laid, from the 1990s to the mid-2000s, residents often found it relatively easy to mitigate or avoid punishment even if they were caught.<sup>70</sup> However, as the circulation of outside information surged in the mid-2000s, leading to changes in residents' speech, lifestyle, and attire, the North Korean authorities intensified their enforcement efforts. In fact, around 2014-2015, the cost to resolve being caught for accessing outside information or possessing storage media was approximately CNY 100.<sup>71</sup> In 2015, in Ryanggang Province, an incident involving the possession of a Chinese movie CD was resolved by offering a pack of cigarettes as a bribe.<sup>72</sup> There was also a case where being caught watching an American movie required a bribe of about CNY 50 (approximately USD 8).<sup>73</sup>

## (2) Since 2017

Testimonies indicate a notable shift in the crackdowns and punishments for accessing or sharing outside information, particularly since 2017.<sup>74</sup> One defector mentioned that from 2017 onwards, directives to eradicate non-socialist practices were constantly issued, resulting in intensified crackdowns on lifestyles influenced by outside information.<sup>75</sup> Another defector stated that in a public disclosure gathering (essentially a public

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<sup>68</sup> 2ITQJ51282, 4TYPAG0762, 5VRQH72482, 00RIT62445, YKDSNY2213

<sup>69</sup> U47HAV2314

<sup>70</sup> 1BQ5TD2424, 93VI9U2478

<sup>71</sup> DFM95V2357, ER4LK20082, NHVN9E0241, I35JRF0185, 5CFGOG1270

<sup>72</sup> NHVN9E0241

<sup>73</sup> VPAR1A1430

<sup>74</sup> FNC9SL0409, 4NBSJ30408

<sup>75</sup> 4BKD1P2254

denunciation gathering) held in 2019, 15 men and women in their 20s were sentenced to one to three years of *rodong-kyohwa* punishment for watching or listening to South Korean dramas or music.<sup>76</sup> There were also testimonies of individuals receiving three and a half years of *rodong-kyohwa* punishment in 2018 for sharing files of South Korean dramas with friends,<sup>77</sup> and in 2019, a person caught sharing South Korean dramas with friends was sentenced to four years of *rodong-kyohwa* punishment.<sup>78</sup>

“Since 2017, directives to eradicate non-socialist practices have continuously been issued, leading to intensified surveillance of clothing and other lifestyle aspects. The Women’s Union’s Inspection Unit was established to educate and regulate those who increasingly adopted Western styles. As the exposure to outside information grew, these censorship efforts also gradually intensified.”<sup>79</sup>

However, it seems that many instances involving allegations of accessing or distributing outside information were resolved through bribery.<sup>80</sup> Especially after 2017, as policies regarding access and dissemination of outside information were repeatedly announced and enforcement was strengthened, the amount of bribes needed to resolve these cases also increased.<sup>81</sup> Testimonies commonly reveal that since around 2017, when crackdowns and punishments began to be intensified, the amount of bribes increased, particularly for information related to South Korea or the United States. Testimonies reveal that in 2018-2019, resolving a case involving an Indian movie required a bribe of CNY 1,000, while for a Chinese movie, it

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<sup>76</sup> 2PBGNC1384

<sup>77</sup> HNTCJ42201

<sup>78</sup> 5COPUN1290

<sup>79</sup> 4BKD1P2254

<sup>80</sup> 00RIT62460, YNNL9N2323, HOF4LU0739, PNPVJ41087, 7XXJ8I1937, RU1F6F2209, 100S8G2205, K5ZJ5U1964, 3AE12R1871, DBZIQP2152, TZURKG1073, 6DCJY01788

<sup>81</sup> 00RIT62434, 13PN7Y2325, TGCAEV2403, 2K3MCU1868, 0M5DQL1786, MNH2KG2026

was CNY 600.<sup>82</sup> However, possession of an American movie detected in 2017 necessitated a bribe of CNY 2,000, and by 2019, approximately CNY 5,000 was needed.<sup>83</sup>

In particular, cases involving South Korean information required significantly larger bribes demanded by officers. In 2018, it took CNY 5,000 to resolve an incident related to South Korean songs, while South Korean dramas or movies required bribes of over CNY 10,000.<sup>84</sup> In 2019, an individual detained for distributing South Korean dramas paid CNY 7,000 to various officers, including the head of the social security department, to secure release. Another instance involved someone caught watching South Korean media who managed to resolve the situation with a bribe of USD 10,000 in 2019.<sup>85</sup> The most recent case occurred in 2022, when an individual resolved a situation involving a memory stick containing South Korean songs by paying KPW 1 million.<sup>86</sup> The amount of the bribe varied depending on whether the situation was settled on the spot right after the crackdown or if it reached the 109 Unified Command Office, with many people becoming aware of it before it was hushed up.<sup>87</sup> However, the general trend has been an increase in the amount of bribes required to resolve such situations.

“In February 2019, my cousin was arrested and held by a social security department for distributing South Korean dramas. He had sent South Korean dramas to someone, but that person was caught, leading to my cousin being exposed as the distributor. He spent about two months detained and under investigation at the social security department. However, our maternal relatives managed to secure his release without any punishment by offering CNY 7,000 (equivalent to the price of a house at that

<sup>82</sup> SOONAT0744, TGCAEV2403

<sup>83</sup> MNH2KG2026, KYONW0800, OM5DQL1786

<sup>84</sup> OWQVLA0773, 1BX4NN0758, AWQ1RI1386, HNTCJ42201, 1CHLPG2211, MNH2KG2026

<sup>85</sup> K5ZJ5U1964, YKDSNY2213

<sup>86</sup> UYSKRB2399

<sup>87</sup> SYKDH2214



time) to several officials, including the head of the social security department. Given the seriousness of the crime of distribution, a substantial sum of money was necessary.”<sup>88</sup>

### (3) Others

The punishment for minors accessing or disseminating outside information has also been strengthened. When minors are caught accessing or sharing such information, they typically receive educational measures. Additional measures such as public criticism in front of their fellow students at school or removal from Youth League membership have also been implemented.<sup>89</sup> In 2014, a student watching South Korean and American dramas was caught by the 109 Unified Command, expelled from the Youth League, and disqualified from military service.<sup>90</sup> In 2017, another student who shared South Korean dramas was investigated by the 109 Unified Command, reported to the school, publicly criticized in front of fellow students, and ultimately expelled.<sup>91</sup> Recently, there have been cases where minors accessing outside information have been sentenced to *rodong-kyohwa* punishments.<sup>92</sup> One defector mentioned that since 2015, as children began watching more “impure recordings,” the Unified Command intensified its crackdown efforts. Consequently, a minor was apprehended in Kyongsong County, North Hamgyong Province, and placed in a youth *kyoyangso*.<sup>93</sup> Furthermore, in 2018, two senior secondary school students in Musan County, North Hamgyong Province, received *rodong-kyohwa* punishment and were detained at a youth *kyoyangso* for watching South Korean and

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<sup>88</sup> K5ZJ5U1964

<sup>89</sup> CW14HP2075, 3AE12R1871, X90TSD0888, PICFQL1154

<sup>90</sup> X90TSD0888

<sup>91</sup> 18QU5P1660

<sup>92</sup> P4ILM91470, OIHR9O0138

<sup>93</sup> V2FXOT0757

## Japanese movies, along with pornography.

“In August 2018, two third-year students at a senior secondary school in Musan County, North Hamgyong Province, were sentenced to over 10 years of *rodong-kyohwa* punishment and were detained at a youth *kyoyangso* for watching South Korean and Japanese movies, as well as pornography. I witnessed the public trial of these two students at the Youth Hall, with officials from the 109 Unified Command and the courthouse in attendance, along with mobilized secondary school students. During the trial, it was announced that this marked the first occasion where minors were sentenced to more than 10 years of *rodong-kyohwa* punishment for watching impure recordings.”<sup>94</sup>

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<sup>94</sup> P4ILM91470

## 2. Forced Repatriation

North Korean defectors risk their lives to escape North Korea, seeking to sustain their livelihoods or gain freedom. Even after settling in China, they remain vulnerable to inspections that may detect their defections. While some eventually make their way to South Korea after spending some time in China, others are caught and forcibly repatriated to North Korea.

Article 33, paragraph 1 of the Convention Relating to the Status of Refugees specifies, “No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened.” In addition, Article 3, paragraph 1 of the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment states, “No State Party shall expel, return (refouler) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.” North Korean defectors in China are exposed to forced repatriation, facing torture and threats to their life and freedom when they are forcibly returned to North Korea. In October 2023 and April 2024, hundreds of North Korean defectors in China reportedly underwent forced repatriation, sparking increased international concern for their safety.

Forced repatriation of North Korean defectors in China violates the right to freely leave one’s country as stipulated by the ICCPR, during which various human rights violations occur. Those returned to North Korea often face torture and harsh treatment by North Korean officers during their forced repatriation or investigations. Female detainees are particularly vulnerable to sexual assaults and forced abortion. Once returned to North Korea, defectors go through on-the-spot public trials<sup>95</sup> to be openly criticized for

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<sup>95</sup> 「Criminal Procedure Law」 (2021) Article 282 (Organization of on-the-spot public trial) A court may organize

their defection and their behavior is monitored to prevent re-defection.

## A. Human Rights Violations After Repatriation

Human rights violations against forcibly repatriated defectors typically include torture, inhuman treatment, forced labor, on-the-spot public trials, and discrimination, along with targeted surveillance. In particular, women frequently face sexual assaults. Children are also subjected to detention and interrogation with the same conditions as adults.

### (1) Torture and Harsh Treatment

It appears that North Korea has used torture to extract confessions from repatriated defectors during their investigations and preliminary examinations by the Ministries of State Security and Social Security. Testimonies have been revealed of frequent harsh treatment and physical assaults taking place in detention facilities during criminal procedures or in transit facilities during their repatriation to North Korea. In particular, torture intensified in cases involving defectors' attempts to flee to South Korea, contacts with Christianity, or exposure to South Korean broadcasts. For instance, a female defector forcibly returned to North Korea in 2000 was assaulted and coerced into retracting her statement that she "never attended a Christian church while in China," calling it a false confession.<sup>96</sup> Another case in 2009 involved a woman who was interrogated at a state security office for 10 days. During this period, she was repeatedly beaten by an officer numerous times each day. Whenever she spoke Chinese out of panic or denied watching South Korean broadcasts while in China, the officers accused her of lying and beat her.

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a trial on location to awaken the masses and prevent crimes in advance. In this case, a representative of an institution, enterprise, or organization may be allowed to expose and denounce the acts of the criminal.

<sup>96</sup> BPM8VY2125

“When I was repatriated in 2017 and investigated by the state security of Onsong County, I faked my personal information, including my name, age, and registered residence, claiming I was an orphan without parents. Because my identity remained unverified due to these lies, the officers beat me every day. During the interrogation, the state security officer would bluntly strike my face and body with his hand, and sometimes kicked my shin with his foot.”<sup>97</sup>

Officers also mocked the motives of those who defected and their lives in other countries, often verbally abusing them with violent language. A woman repatriated in 2013 recounted that an officer berated her, saying “You all betrayed your own country for such filthy money. Traitors are not human. These bastards deserve to die.”<sup>98</sup>

Repatriated defectors were subjected to brutal physical conditions, including being forced to maintain fixed postures and perform repeated motions. They also faced physical assaults and group punishment.<sup>99</sup> A woman repatriated in 2017 and detained in a *jipkyulso*, or a holding center, testified that an officer repeatedly smacked her face because she used the restroom without permission.<sup>100</sup> (Refer to IV-4. Rights of Detainees A-(3) Harsh Treatment of Detainees.)

## (2) Human Rights Violations Faced by Repatriated Women

The human rights of forcibly repatriated women have been largely disregarded. Frequent violations occurred in detention and investigation facilities, involving invasive body cavity searches<sup>101</sup> such as uterus

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<sup>97</sup> 226P8S0640

<sup>98</sup> L1AHMRO503

<sup>99</sup> ASQN3S2398, QBLB242355, 1BQ5TD2470, Q7JYS80578, RYSRZP1824, A9ZFAH1637

<sup>100</sup> Z4F5JE2331

<sup>101</sup> A body cavity search involves either a visual examination or a manual internal inspection of body cavities. This procedure is primarily conducted on individuals detained in facilities to check for items concealed within body cavities, including the rectum.

examinations, as well as sexual molestation, sexual assault, sexual harassment, and forced abortions.

### Body Cavity Searches

Testimonies reveal that repatriated women have often been subjected to strip searches and body cavity searches at customs or state security department, mainly to find money concealed within their bodies. A woman forcibly returned in 2013<sup>102</sup> underwent a body cavity search carried out by a female state security officer, and another woman in 2018 also experienced a similar body cavity search while completely naked, during which she felt humiliation and degradation.<sup>103</sup>

“In 2017, after being forcibly repatriated, I was subjected to a naked search and body cavity search at an illegal border crosser *jipkyulso*. They claimed these procedures were to find any hidden money. It’s too overwhelming for me to describe the details.”<sup>104</sup>

### Sexual Violence

During repatriation, officers from various departments engaged in violence including sexual harassment and assaults. In Sinuiju City, North Pyongan Province, a detention guard at *kuryujang* of a state security department asked a woman repatriated in 2001 the demeaning questions, “Did you enjoy sleeping with Chinese men?” making her feel humiliated. Similarly, in 2003, a state security officer in Hyesan City, Ryanggang Province pressured another woman to compare her “sexual experiences with Chinese and North Korean men.”<sup>105</sup> According to a woman repatriated in 2007, female

<sup>102</sup> JUZ0TT2362

<sup>103</sup> Z4F5JE2331

<sup>104</sup> PXKT6W0772

<sup>105</sup> BPM8VY2125, W1133Z1503

detainees in a *jipkyulso* for illegal border crossers in Jagang Province were forced to crawl naked through a field filled with snow while male guards were watching. Another woman who entered a *jipkyulso* in North Hamgyong Province in 2009 testified that officers often engaged in sexual molestation, such as touching female detainees' breasts or pressing their bodies close together.<sup>106</sup> In 2013, a former female detainee of the Sinuiju *Jipkyulso* in North Pyongan Province mentioned that detention officers frequently engaged in sexual molestation.<sup>107</sup>

It appears that security officers have continuously committed sexual assaults against repatriated detainees. In 1998, the warden of a *jipkyulso* in South Hamgyong Province singled a female detainee out and sexually assaulted her.<sup>108</sup> A woman repatriated in 2008 was raped by a social security officer stationed near her residence, who was responsible for the investigation, as well as by a detention guard, and she subsequently became pregnant. Another woman, who was returned in 2013, was detained in a state security office in Sinuiju City, where she was sexually assaulted by a state security secretary who had committed sexual assaults against other detainees numerous times.<sup>109</sup>

Female detainees face challenges in raising issues or refusing sexual advances due to the potential for revenge or disadvantage at the hands of officers during incidents of sexual violence. A defector detained in a state security department in Onsong County, North Hamgyong Province, in 2009 resisted an officer's sexual assault attempt and ended up being punished along with her fellow inmates.<sup>110</sup> A woman who was undergoing a preliminary examination while detained at a social security office in her area of residence following her repatriation in 2014

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<sup>106</sup> 2ZREY21430, YHH9BI0748

<sup>107</sup> CSPD370754

<sup>108</sup> OT95801352

<sup>109</sup> GOEII91237, QHDIXY0471

<sup>110</sup> 226P8S0640

witnessed her fellow inmate being beaten by detention guards after reporting their repeated sexual molestation against detainees.<sup>111</sup>

“A fellow inmate returned to the cell crying around 1:00 and told me to go to the dressing room for male officers because a secretary was looking for me. Having witnessed him sexually assaulting my fellow inmate, I was terrified to get asked and did not want to go. However, refusing the secretary’s order was akin to risking my life, so I considered begging him to stop. Despite this, I was also raped by him.”<sup>112</sup>

### Forced Abortions

Among the repatriated women, those impregnated by Chinese men appear to have undergone forced abortions. These procedures took place in various institutions, including state security and social security departments, *jipkyulso*, and *rodong-kyoyangdae*. Evidence indicates that the North Korean authorities systematically carry out these forced abortions. For instance, repatriated pregnant women were subjected to these procedures, which were performed in hospitals or medical facilities within detention centers, under officer supervision. This is supported by hearsay testimonies from medical personnel or direct statements from those who have participated in these procedures. A healthcare worker from a city or county-level general clinic in North Hamgyong Province recounted that in 2008, a gynecologist performed forced abortion surgeries on repatriated women.<sup>113</sup> A former nurse who worked at a city or county-level people’s hospital in North Hamgyong Province around 2015 assisted a gynecologist in performing an abortion procedure on a repatriated woman.<sup>114</sup>

<sup>111</sup> 59MU0R0570

<sup>112</sup> QHDIXY0471

<sup>113</sup> Q8799U0026

<sup>114</sup> TB5CFI0524



There are also testimonies from women who were coerced into abortions. One witness, repatriated to North Korea in 2008, was four months pregnant. She was detained at an illegal border crosser *jipkyulso* in Manpo City, Jagang Province. The head of the *jipkyulso* ordered her to have an abortion because the baby was fathered by a Chinese man, and she underwent the procedure at a people's hospital in Manpo City.<sup>115</sup> Another woman, who was three months into pregnancy when forcibly repatriated in 2009, underwent a forced abortion in a gynecology clinic inside the illegal border crosser *jipkyulso* located in North Pyongan Province. She emphasized that the abortion was mandatory.<sup>116</sup> In addition, a woman eight months pregnant who underwent an investigation at a social security office near her residence after being repatriated in 2010, was threatened and coerced with the promise of release on medical bail if she agreed to an abortion. Eventually, she was forced to undergo the procedure.<sup>117</sup>

“The social security officer who escorted me to the hospital said, ‘We need to get rid of the baby.’ Right after he spoke, the doctor injected something near my belly button and instructed me to return in 24 hours. I went back to the social security office and returned to the hospital the following day. The officer handled everything, and I remained silent throughout the process. The doctor prepared a document that appeared to be a certificate, presented it to the *inminban* head for his signature, and then had him sign it. Later, I had a miscarriage and was made to place my thumbprint on a document stating that the decision to abort the baby was mine.”<sup>118</sup>

There have been numerous eyewitness accounts of forced abortions. A male defector, repatriated in 2002, was sent back along with five other pregnant defectors. They were forced to undergo abortions because they

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<sup>115</sup> F0GD770601

<sup>116</sup> J1V7AH0058

<sup>117</sup> 9L0DIZ0514

<sup>118</sup> EXK39G0160

were all pregnant with children fathered by Chinese men.<sup>119</sup> A woman repatriated in 2003 witnessed her fellow inmate, who was six months pregnant, return to the *jipkyulso* after undergoing a forced abortion. At the officer's command, she buried her inmate's deceased baby.<sup>120</sup> In 2005, a woman observed a fellow inmate being forced to have an abortion while detained at a social security office and overheard an officer stating, "North Korea cannot raise any Chinese babies, and their seeds must be eliminated."<sup>121</sup> In addition, a detainee at an illegal border crosser *jipkyulso* in Ryanggang Province, repatriated in 2016, saw a pregnant woman return to the *jipkyulso* after a forced abortion was performed at a gynecology clinic in the municipal people's hospital.<sup>122</sup> A woman repatriated in 2017 heard directly from a fellow detainee at an illegal border crosser *jipkyulso* in North Pyongan Province that she had been forced to have an abortion at a nearby hospital.<sup>123</sup>

**Table II - 6** Cases of Forced Abortions After Forced Repatriation (Based on the Center's Investigations)

#	Year of abortion	Months into pregnancy	Location	Agencies in charge
1	1999	5 months	People's hospital near Onsong County, North Hamgyong Province	<i>Rodong-kyoyangdae</i> in Onsong County, North Hamgyong Province
2	1999	7 months	Maternity hospital in Ganggye City, Jagang Province	State security office in Manpo City, Jagang Province
3	2001	8 months	Maternity hospital in South Hamgyong Province	State security office of Songchongang District in Hamhung City, South Hamgyong Province
4	2001	Killed after premature birth	People's hospital in Kimhyongjik County, Ryanggang Province	Social security department in Kimhyongjik County, Ryanggang Province
5	2003	7 months	Hospital near state security office, North Pyongan Province	State security bureau, North Pyongan Province

<sup>119</sup> ABNTW0293

<sup>120</sup> M9MJ8G0441

<sup>121</sup> 6NWOCC0535

<sup>122</sup> 4G8QSH0924

<sup>123</sup> 8E4Q2W1478

#	Year of abortion	Months into pregnancy	Location	Agencies in charge
6	2004	9 months	People's hospital near Sinuiju City, North Pyongan Province	<i>Sinuiju Jipkyulso</i> , North Pyongan Province
7	2005	8 months	Maternity hospital in Hoeryong City, North Hamgyong Province	<i>Rodong-kyoyangdae</i> in Hoeryong City, North Hamgyong Province
8	2006	3 months	People's hospital near Sinuiju City, North Pyongan Province	<i>Sinuiju Jipkyulso</i> , North Pyongan Province
9	2007	8 months	People's hospital near Sinuiju City, North Pyongan Province	<i>Sinuiju Jipkyulso</i> , North Pyongan Province
10	2008	4 months	People's hospital near Manpo City, Jagang Province	<i>Manpo Jipkyulso</i> , Jagang Province
11	2009	3 months	Gynecology clinic at a <i>jipkyulso</i> , North Pyongan Province	<i>Jipkyulso</i> of North Pyongan Province
12	2010	8 months	Hospital in Chongjin City, North Hamgyong Province	Social security department in Chongjin City, North Hamgyong Province
13	2010	5 months	People's hospital in Hyesan City, Ryanggang Province	Provincial social security bureau in Hyesan City, Ryanggang Province
14	2010	4 months	People's hospital near Sinuiju City, North Pyongan Province	<i>Sinuiju Jipkyulso</i> , North Pyongan Province

After being forced to undergo abortions, these women were unable to check their health status or receive any medical treatment. A woman, detained at a *jipkyulso* in North Pyongan Province after being repatriated while eight months pregnant in 2007, was forced to have an abortion at a nearby hospital under the supervision of a sanitary officer. Immediately afterward, she was mobilized to work without any time allowed for her recovery.<sup>124</sup>

### (3) Human Rights Violations Faced by Repatriated Children

The treatment of children who were forcibly repatriated was no different from that of adults. North Korea appears to have consistently failed to protect the rights of repatriated minors, despite stipulations under the Convention on the Rights of the Child. Article 37, subparagraph (a) states, “No child shall be subjected to torture or other cruel, inhuman, or degrading treatment

<sup>124</sup> LJTQAS1561

or punishment.” In addition, subparagraph (c) specifies that “every child deprived of liberty shall be separated from adults unless it is considered in the child’s best interest not to do so, and shall have the right to maintain contact with his or her family through correspondence and visits, except in exceptional circumstances.”<sup>125</sup>

Testimonies indicate that children undergo investigation and detention alongside adults and are also subjected to body cavity searches. Furthermore, legal procedures for children are not prioritized or expedited. For instance, a defector who was only 14 years old when repatriated to North Korea in 2003 underwent a body cavity search at a state security office in Onsong County, North Hamgyong Province, in the same manner as adults. She was also not detained separately from adults and was even mobilized for labor.<sup>126</sup> In 2019, a 13-year-old was detained in the same *koryujang* as adult inmates after being repatriated. He testified that a 10-year-old child was also detained there.<sup>127</sup>

“When I was 13, I was directed to enter the same detention facility as the adult women who were repatriated with me. Two female state security officers ordered us to completely undress. They searched through our belongings, checked if we had hidden anything in our hair, and conducted anal and vaginal searches on us. One of the officers brought a chair and had each of us sit down and then stand up repeatedly, one by one. During the vaginal search, the officer performed examinations on several women without wearing sanitary gloves or washing her hands. These searches were intended to dislodge any hidden money or valuables from women’s vagina or anus. The officers asked me if I had hidden any money, to which I responded that I had not; however, they did not believe me.”<sup>128</sup>

There were a few exceptions where underage children who were

<sup>125</sup> Under the Convention, “A child means every human being below the age of eighteen years.”

<sup>126</sup> PQ59JJ2344

<sup>127</sup> OORIT62468

<sup>128</sup> PQ59JJ2344

repatriated were detained separately and did not have to undergo body cavity searches. A defector<sup>129</sup> repatriated in 1997 mentioned that she was 16 years old then and was sent to the “927 Relief Center.”<sup>130</sup> A woman repatriated in 2015 stated that an 11-year-old child was separated from the adults.<sup>131</sup>

Although the criteria are unclear, the punishment for forcibly repatriated children may have been influenced by their age and whether it was their decision to defect.<sup>132</sup> A woman who defected after having a disagreement with a family member was repatriated in 2016<sup>133</sup> at the age of 15 and received a punishment of one year and four months of *rodong-kyohwa* for illegal border crossing.<sup>134</sup> On the contrary, another witness, who followed her mother and defected, was repatriated twice between 2003 and 2005, but was not punished, being a child of 14 at the time.<sup>135</sup>

“My sister was 15 years old when she was repatriated in 2016 and received a punishment of one year and four months of *rodong-kyohwa* for illegal border crossing. In North Korea, individuals under 14 are considered children and are not subject to criminal penalties, but those who are 14 and older can be. I was informed by law enforcement that people who are 14 years and above are deemed adults. After her release from *kyohwaso*, my sister told me about her experience.

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<sup>129</sup> JV3LT02350

<sup>130</sup> The “927 Relief Center” is a protective facility that detains individuals apprehended during crackdowns by the 927 Unified Command. This organization is responsible for targeting runaways from workplaces and *kkotjebi*, including vagrants and beggars. (ZFT15G1121, BXWVLR0727, S2HYV1296, DXQLXA2122, JV3LT02350)

<sup>131</sup> 8IURL2452

<sup>132</sup> North Korea’s Law on Protection of the Rights of the Child stipulates prohibitions on criminal penalties for children who have not reached 14 years. Article 48 (Prohibition on interrogation and death penalty for criminal liability against children) specifies that criminal liability shall not be imposed on children who have not reached 14 years, and for children who have reached the age of 14 at the time of committing the crime, the death penalty shall not be applied. Article 49 (Application of social education procedures) states that in the case where a child who has reached the age of 14 years has committed a crime, the foundation shall be to apply social education procedures. A child who has received social education procedures shall not be discriminated against compared to a child who has not committed a crime.

<sup>133</sup> HKT6IU1075

<sup>134</sup> 「Criminal Law」 (2022) Article 260 (Illegal border crossing) A person who illegally crosses the border shall be sentenced to *rodong-danryun* punishment. In severe cases, they shall be sentenced to *rodong-kyohwa* for up to five years.

<sup>135</sup> JUZ0TT2446

She was detained in the same cell as adults, had to maintain a fixed posture, and was only allowed to move upright for 10 minutes every two hours. She also needed permission to use the restroom.”<sup>136</sup>

#### (4) On-the-spot Public Trials and Privacy Surveillance After Repatriated

Repatriated defectors face human rights violations by being subject to public trials and surveillance of their private lives. North Korea utilizes the public trial system as a form of propaganda to educate its residents, ensuring that individuals from institutions, state-owned enterprises, and organizations, as well as victims of crime, will disclose criminal acts and denounce such actions. In particular, defectors who were sent back to North Korea were found to have confessed to their offenses and subsequently faced punishment through on-the-spot public trials or a practice known as a “public disclosure gathering” in order to “awaken the masses and prevent crime.” For instance, a man repatriated in 2012 had to undergo a public trial in a yard of his former workplace.<sup>137</sup> Another male defector who was forcibly returned in 2016 underwent a public trial for illegally crossing the border. This trial took place in front of 150 residents at the playground of a secondary school near his previous residence.<sup>138</sup>

“After turning myself in and being released from a detention facility for crossing the border river, I was rearrested. My first trial was held on May 11, 2015, in front of a *jangmadang* in our province, alongside other repatriated defectors. Desks were set up in front of the *jangmadang* for a judge, prosecutor, people’s assessor, and attorney. The judge listed the crimes I had committed and asked if I admitted to them, to which I responded in the affirmative. I was sentenced to six years and eight months in a *kyohwaso*, thus concluding the trial.”<sup>139</sup>

<sup>136</sup> HKT6IU1075

<sup>137</sup> 9WSCLM1542

<sup>138</sup> M7EQE91399

<sup>139</sup> 7TUMOA1406

Defectors subjected to public trials and disclosures often testified about the humiliation they endured during the process. One witness, who faced “open struggle” sessions twice before her sentence was finalized, felt insulted by accusations of being a spy after being forcibly repatriated for the second time in 2011.<sup>140</sup> A woman repatriated in 2015 also experienced a public denunciation gathering at a public stadium before her trial, an event her son had a difficult time watching.<sup>141</sup>

Individuals punished for crossing the border or defecting are placed under constant surveillance, facing invasions of their privacy and discrimination. Various officials, including responsible state and social security officers, reporters, and informants, monitored the private lives of the repatriated defectors.<sup>142</sup> The families of repatriated individuals have also been subjected to surveillance. A defector sent back to North Korea in 2017 stated that a state security officer bluntly inquired about the whereabouts of her family and conducted random inspections to check if her family members were at home.<sup>143</sup> Another woman, detained in a *kyohwaso* for illegally crossing the border, was under constant monitoring after her release in 2018.

“I was repatriated in 2013 and detained in *Jeonge Ri Kyohwaso* until 2018 after being sentenced to five years of *rodong-kyohwa* punishment. After my release, I was closely monitored by the *inminban* head as well as social security officers responsible for my region. I stayed at my aunt’s house, where officers frequently visited to check if I was present. Despite having served my sentence for illegally crossing the border while in *kyohwaso*, I found it insulting that they continued to keep such a close watch on me.”<sup>144</sup>

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<sup>140</sup> 10KZQ70838

<sup>141</sup> 1JU8U71993

<sup>142</sup> 67KL2N0678, 00RIT62468

<sup>143</sup> V605EJ1969

<sup>144</sup> JUZ0TT2362

## B. Process and Punishment of Forced Repatriation

Forced repatriation infringes upon the rights of North Korean defectors. Those residing in China are still repatriated despite facing the risk of torture and threats to their lives and freedom. The reasons for their defection, such as being victims of human trafficking or experiencing economic hardships that threatened their livelihood, are not taken into account. Instead, all are subject to punishment under the Criminal Law.

### (1) Repatriation Process

The widely known routes and punishment processes for defectors who are repatriated to North Korea are as follows. When they are arrested in China for illegally residing after defection, they first undergo an investigation by Chinese public security institutions and are handed over to North Korean customs. Subsequently, North Korea's Ministry of State Security interrogates them before they are officially repatriated. Upon their arrival in North Korea, they first pass through a state security department and the *jipkyulso* of the locality to which they are transferred, followed by investigations at state and social security offices of their residence. After this series of investigations, they are subjected to criminal procedures or administrative punishment.

Defectors are primarily caught due to reports from people around them. Other reasons include being caught during their attempted journey to South Korea, for not possessing identification during random inspections, or due to language barriers.<sup>145</sup> In rare cases, some defectors turn themselves in to return to North Korea.

Repatriated individuals are transferred from customs to a local state security department for investigation and transferred to an illegal border crosser *jipkyulso*. If the *jipkyulso* is distant from the state security

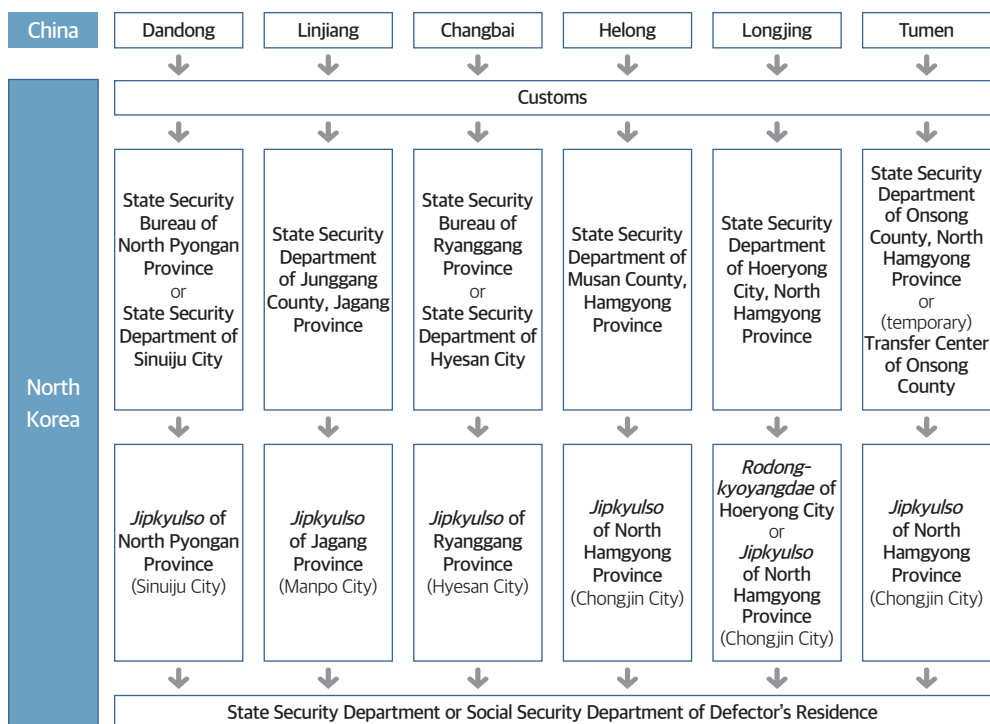
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<sup>145</sup> 6T5MFA1385, 2RBSIP0837



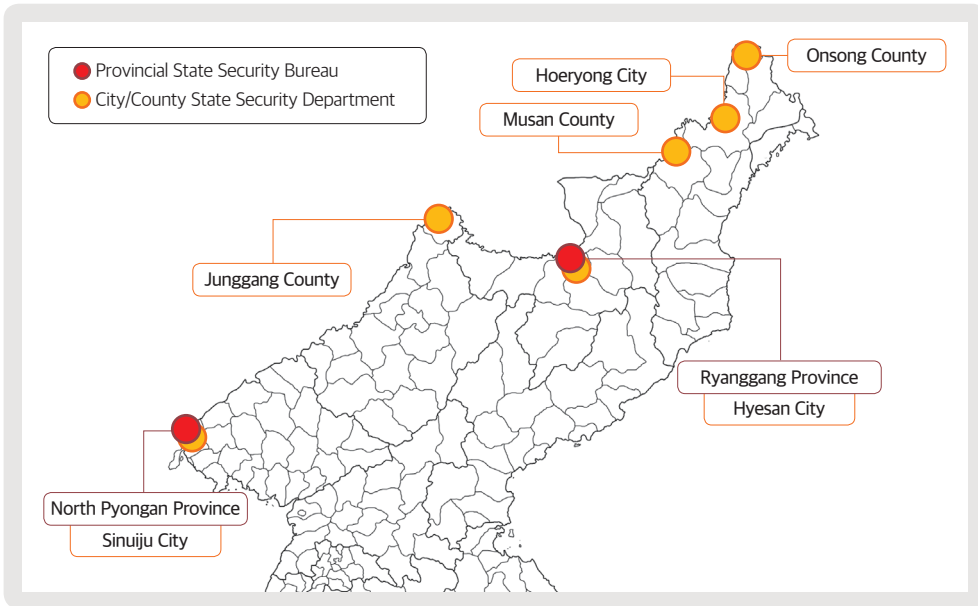
department, they are held at a transfer center.<sup>146</sup> Repatriated individuals detained in Onsong County are initially sent to a transfer center and subsequently transferred to the *jipkyulso* in Chongjin City. Localities like Hyesan City, Hoeryong City, and Sinuiju City have *jipkyulso* within their jurisdiction and thus do not operate a separate transfer center. After being detained at the *jipkyulso*, the repatriated defectors are sent to the state or social security department of their residence, held in a temporary detention cell known as a *daekisil* or a pretrial detention cell known as a *kuryujang*, where they are interrogated about their period of residence in China and their number of defection attempts. After these steps, it is decided whether criminal procedures will be initiated.

**Table II - 7 Major Transfer Routes of Repatriated Defectors (Based on the Center's Investigations)**



<sup>146</sup> According to testimonies, a transfer center is a temporary detention facility where repatriated defectors who have completed investigations by the state security department are held. These centers are located in the region that have customs stations. The defectors remain there until a certain number is reached for transfer to a *jipkyulso*. The transfer center is operated in the Onsong region of North Hamgyong Province. (NEHTDO0763)

**Figure II - 4** Locations of State Security Department in Charge of Repatriation (Based on the Center’s Investigations)



## (2) Changes in Punishment Regulations and Severity for Border River Crossings or Defection

As the economic crisis led to an increase in residents defecting and crossing the border river, the North Korean authorities implemented new penalty codes in the Criminal Law. Initially, punishments often did not occur as outlined in the law. Following several amendments, there was an increase in both administrative punishments and criminal procedures. This explains why, after an initial spike in defections, the level of punishment was low for a period but gradually increased. Notably, when separate orders or policies are issued regarding punishments for defection, they are prioritized over the legal regulations.

### Changes in Punishment Regulations

The evolution of North Korean laws to punish repatriated defectors and those who cross the border river closely corresponds with the rise in

defection numbers. After the mid-1990s, as more residents tried to flee North Korea, the North Korean authorities amended the Criminal Law in 1995 to designate the act of illegally crossing the border as a criminal act, and they continually revised the types and severity of punishments for doing so.<sup>147</sup>

Since 1987, North Korea has classified “escaping to another country or siding with the enemy” as treason against the state. In 1995, new provisions were introduced specifically to punish illegal border crossings. The Criminal Law was amended in 2004, making defection or crossing the border river a designated offense. This provision was updated in 2008 to strengthen

**147** Key Amendments to the Criminal Law Regarding Border River Crossings or Defections

Year	Charges and Relevant Articles	Type of Punishment	Sentence	Note
1987	Treason against the state (Article 47)	- <i>Rodong-kyohwa</i> - Death penalty, confiscation of property	Seven years and more	Punished for an act of treason against the state
1995	Treason against the state (Article 47)	- <i>Rodong-kyohwa</i> - Death penalty, confiscation of property	Seven years and more	Newly established punishment for unauthorized border crossers, apart from treason against state
	Unauthorized border crosser (Article 117)	- <i>Rodong-kyohwa</i>	Three years and less	
1999	Treason against the state (Article 47)	- <i>Rodong-kyohwa</i>	At least five years up to 10 years (For severe cases, 10 years and more, death penalty, or confiscation of property)	
	Unauthorized border crosser (Article 117)	- <i>Rodong-kyohwa</i>	Three years and less	
2004	Treason against the state (Article 47)	- <i>Rodong-kyohwa</i>	Five years and more (For severe cases, sentence to indefinite <i>rodong-kyohwa</i> , death penalty, or confiscation of property)	
	Illegal border crossing (Article 233)	- <i>Rodong-danryun</i> - <i>Rodong-kyohwa</i>	- Two years and less - Three years and less	Moderately weakened punishment
2008	Treason against the state (Article 62)	- <i>Rodong-kyohwa</i>	Five years and more (For severe cases, sentence to indefinite <i>rodong-kyohwa</i> , death penalty, or confiscation of property)	
	Illegal border crossing (Article 233)	- <i>Rodong-danryun</i> - <i>Rodong-kyohwa</i>	- Two years and less - Three years and less	Strengthened punishment
2012	Treason against the state (Article 63)	- <i>Rodong-kyohwa</i>	Five years and more (For severe cases, sentence to indefinite <i>rodong-kyohwa</i> , death penalty, or confiscation of property)	
	Illegal border crossing (Article 221)	- <i>Rodong-danryun</i> - <i>Rodong-kyohwa</i>	- One year and less - Five years and less	Reduced sentence for <i>rodong-danryun</i>
2015	Treason against the state (Article 63)	- <i>Rodong-kyohwa</i>	Five years and more (For severe cases, sentence to indefinite <i>rodong-kyohwa</i> , death penalty, or confiscation of property)	
	Illegal border crossing (Article 221)	- <i>Rodong-danryun</i> - <i>Rodong-kyohwa</i>	- One year and less - Five years and less	
2022	Treason against the state (Article 63)	- <i>Rodong-kyohwa</i>	Five years and more (For severe cases, sentence to indefinite <i>rodong-kyohwa</i> , death penalty, or confiscation of property)	
	Illegal border crossing (Article 260)	- <i>Rodong-danryun</i> - <i>Rodong-kyohwa</i>	Five years and less	Change of charge

punishments for those involved in defections.

Despite the penalties for defection, the number of defectors, those who crossed the border river, and repatriated individuals did not decrease. Motivations for defection diversified, and the length of time defectors spent in China increased. In response, the North Korean authorities began to explore non-criminal responses, such as administrative measures. In 2004, the Administrative Punishment Law was expanded to include not only residents attempting to defect but also administrative officers involved in assisting their defection.<sup>148</sup> In addition, the sentence of labor education, a mild administrative penalty without punishment, was reduced. These measures demonstrate a broad attempt to penalize defection through any means possible.

### Changes in Punishment Severity

The punishment for defectors forcibly repatriated has evolved through the enactment and amendment of criminal penalties, reflecting the authorities' increasing intent to punish these individuals. Initially, the proportion of cases that actually resulted in punishment was not very high when criminal penalties were first introduced for unauthorized

**148** Key Amendments to the Administrative Punishment Law Regarding Border River Crossings or Defections

Year	Charges and Relevant Articles	Type of Punishment	Sentence	Note
2004	Acts of violating border crossing of money and products (Article 156)	<i>Rodong-kyoyang</i>	Three months and less	Newly established provisions regarding defection
2008	Acts of violating border crossing of money and products (Article 156)	<i>Rodong-kyoyang</i>	Three months and less	
2011	Acts of violating border crossing and product crossing order (Article 185)	<i>Rodong-kyoyang</i>	Three months and less	
2021	Illegal border crossing (Article 285)	<i>Rodong-kyoyang</i>	Three months and less	Specified violation acts
	Neglect of border quarantine activity (Article 284)	<i>Rodong-kyoyang</i>	Three months and less (For severe cases, Three months and more)	

border crossing. However, after the amendment of the Criminal Law and the enactment of the Administrative Penalty Law in 2004, the severity of punishments for defectors appears to have continuously increased.

A surge in forced repatriations around 1997 aligned with an increase in defections due to the food crisis in North Korea. Typically, individuals were investigated and either released with social educational measures or given labor punishments of no more than six months in a *rodong-kyoyangdae*, as determined by administrative bodies.<sup>149</sup> These practices remained unchanged until the Criminal Law was amended in 2004. According to testimonies, a male defector repatriated in 1998 was sent back to his home region but was released without legal sanctions once it was confirmed that his defection was motivated by economic necessity. Another woman, forcibly returned in 2002, was detained and served one month of labor punishment at a *rodong-kyoyangdae* following an investigation in her hometown.<sup>150</sup> In another case in 2003, a man was interrogated by the state security department of Onsong County, which equated his defection with being a traitor. Nevertheless, he was ultimately detained for six months in a *rodong-kyoyangdae* near his previous residence.<sup>151</sup> It seems that specific orders or directives related to these punishments were disseminated. In 1999, a woman was discharged with social educational measures and required to write a self-criticism, following Kim Jong Il's policy to "forgive those who defected to sustain a living."<sup>152</sup> A similar directive from Kim Jong Il in 2003 resulted in a female

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<sup>149</sup> Article 11 of the Criminal Law in 1999 expanded the range of social educational measures from the 1995 version of the same law. In 1995, the Criminal Law stipulated that social educational measures could be taken for those who had committed crimes between the ages of 14 and 17. In 1999, the law was amended that even those 17 years and older who were recognized as being possible to reform through social educational measures could be sentenced to social education in consideration of how likely they were to be reformed as well as the severity of their crimes.

<sup>150</sup> 04IGT00858, 24FIE70255

<sup>151</sup> FPP9K81507

<sup>152</sup> ASQN3S2398

defector not receiving any punishment.<sup>153</sup>

“I defected in 1999 and subsequently married a Chinese man. Later, I was arrested by Chinese public security officers and repatriated to North Korea. Upon my return, I was transferred to a social security office in North Hamgyong Province, my place of residence, after passing through the state security department and a *jipkyulso* in Sinuiju City. Following two hours of detention, I was allowed to return home after signing an agreement pledging never to go to China again. I was released without facing any punishment.”<sup>154</sup>

On the contrary, there are cases where severe punishments such as *rodong-kyohwa* were administered after forced repatriation. This was possibly because the region they defected from was one where few defections occurred at the time, so the punishment served as an experimental measure. A more severe punishment could also be the result of additional offenses that were discovered during the investigation. For instance, a woman from Jagang Province who was repatriated for illegally crossing the border in 2002 received a sentence of three years of *rodong-kyohwa*.<sup>155</sup> Another female defector, who received a one-year *rodong-kyohwa* sentence after being repatriated following a two-year stay in China, testified that hers was the first repatriation case in her area, so her punishment appears to have served as a warning to others.<sup>156</sup>

Before 2004, punishments for those who illegally crossed the border were not systematically administered. Testimonies suggest that *rodong-danryun* punishments<sup>157</sup> were imposed without preliminary examinations

<sup>153</sup> 8ZJ0JT1438

<sup>154</sup> 5M57PJ1316

<sup>155</sup> M9MJ8G0441

<sup>156</sup> 2RBSIP0837

<sup>157</sup> *Rodong-danryun* is a punishment that involves sending an individual to a specific location to perform labor. This applies to those who have committed less severe crimes, during which their basic human rights are guaranteed. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised

or trials, although this was uncommon. Decisions for punishments at the time are presumed to have been made by administrative organs, as the border crossings occurred before the penal code for *rodong-danryun* was established. A woman repatriated in 1999 was investigated by the provincial social security bureau near her residence, and she received a one-year *rodong-danryun* punishment, but did not undergo a trial.<sup>158</sup> Another woman, repatriated in 2002, stated that her *rodong-kyohwa* sentence was decided solely based on a preliminary examination.<sup>159</sup>

In 2004, the Criminal Law provision regarding illegal border crossings was amended. Although this amendment appeared to reduce sentences, those repatriated continued to be punished in accordance with specific offenses outlined in the Criminal Law, leading to an increase in imprisonment sentences. In a notable instance in 2005, North Korea issued a complaint to the Chinese government about a Chinese employer who had recruited North Korean residents to work in China. Related accounts have indicated that North Korean workers in China were repatriated. In addition, a repatriated woman who had already undergone a trial was arrested by the social security department for “disgracing the country” openly in a convention hall with other residents watching.<sup>160</sup> These actions underscore the determination of the North Korean authorities to harshly penalize those who cross the border, even if their intent was to work and earn money in China. For instance, a woman repatriated in 2005 was sentenced to one year of *rodong-danryun* in a public trial, and another woman in 2006 received a six-month *rodong-danryun* sentence for illegal border crossing.<sup>161</sup> Multiple testimonies from North Korean defectors who have experienced several forced repatriations

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Edition), Vol. 1, 2017, p. 1754)

<sup>158</sup> E277U01502

<sup>159</sup> UGZQSQ1275

<sup>160</sup> FDH8VA0163

<sup>161</sup> DOX9WK0419, JY92FO0799

confirm that penalties have become more severe. A female defector repatriated twice, first in 2001 and then in 2007, was initially released with a warning but received a three-year *rodong-kyohwa* punishment for her second repatriation.<sup>162</sup> Another defector, who was released without punishment in 2002, was sentenced to two years of *rodong-danryun* in 2007.<sup>163</sup>

“I fled to China in 2005 due to severe economic hardships and was sent back to North Korea in 2006. Upon my return, I was detained by the state security department in Onsong County, then at a *jipkyulso* in Hoeryong City, and ultimately transferred to North Hamgyong Province, where I resided. After undergoing a preliminary examination and a trial while detained at a *kuryujang* in the social security office, I was sentenced to one year of *rodong-danryun* for illegally crossing the border.”<sup>164</sup>

After the Criminal Law was amended in 2008 to allow for *rodong-kyohwa* punishments of up to five years for illegal border crossing, there was a significant increase in sentences ranging from four to five years following forced repatriations. A woman who underwent five forced repatriation from 2001 to 2008 was not punished for her first three defections until 2003. However, she received *rodong-kyohwa* punishment after her fourth and fifth defections.<sup>165</sup> Another female defector, who had lived in China for 12 years, was sentenced to five years of *rodong-kyohwa* upon her return to North Korea in 2010 for illegally crossing the border.<sup>166</sup>

It seems there was a policy after 2012 that intensified the punishments for those forcibly repatriated. Testimonies reveal that Kim Jong Un ordered

<sup>162</sup> XUIQ7S0518

<sup>163</sup> W4D93C1558

<sup>164</sup> AEPR431012

<sup>165</sup> OVIJCV1431

<sup>166</sup> U9Q7G81516



the imprisonment of individuals who had stayed in countries like China for three months and more after defecting from North Korea, sentencing them to terms in prison, known as *kyohwaso*. Another account indicates that the authorities sentenced an individual to one year of *rodong-kyohwa* for staying in another country for one month after illegally crossing the border.<sup>167</sup> In addition, a man who had resided in China for about three months while working there after defecting in 2012 was sentenced to one year of *rodong-kyohwa*. Another defector who had inadvertently crossed the border into China was also repatriated in 2012 and received a three-year *rodong-kyohwa* sentence.<sup>168</sup>

“In 1998, I was taken to China via ship as part of a human trafficking operation and subsequently lived with a Han Chinese man. In 2009, two men dressed as Chinese public security officers came to my house, claiming they needed to take me to the police station for an investigation. When I resisted, they forcibly took me to the station. From there, I was repatriated to the customs stations in Sinuiju City, North Korea, and then transferred to the provincial state security bureau in the same city. I underwent a preliminary examination at a social security office in North Hamgyong Province, near where I lived, and was later tried in court. I was sentenced to five years of *rodong-kyohwa* for illegally crossing the border.”<sup>169</sup>

Among North Korean defectors, those attempting to enter South Korea faced severe penalties. For instance, a woman who was caught and faced repatriation in 2008 bribed her way out of being sent back with others who were arrested with her, fearing that her intention to reach South Korea might be revealed. She was ultimately transferred separately.<sup>170</sup> Another woman repatriated in 2011 witnessed a family whose attempt to flee to South Korea was discovered during an investigation by the state security department in

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<sup>167</sup> XFOPPI0869, 8IUURL2452

<sup>168</sup> XFOPPI0869, LVAFIL0424

<sup>169</sup> J7TMW81434

<sup>170</sup> YF9YWN1165

Sinuiju City. They were subsequently detained at a political prison camp.<sup>171</sup>

### Punishments for Victims of Human Trafficking

Many female defectors have said they were victims of human trafficking, yet this fact was not considered in their subsequent legal proceedings, neither to mitigate their sentences nor to offer them protection. Instead, the mere act of crossing the border and the length of their stay in China heavily influenced their sentencing. For example, a woman repatriated in 2005, despite stating she was being trafficked, was sentenced to two years of *rodong-kyohwa* for trying to go to South Korea. Similarly, another defector, who fled in 2006 and was repatriated in 2010, stated in her trial that she had been kidnapped to China and had voluntarily surrendered to return to North Korea, yet she was sentenced to five years of *rodong-kyohwa*.<sup>172</sup> Furthermore, another woman who was sent back in 2013 and sentenced to five years of *rodong-kyohwa* begged a state security officer for understanding, explaining she had been trafficked. Instead of receiving help, she was severely beaten.

“During my trial, I sought to locate a friend who had been trafficked with me to corroborate my account of being a victim of human trafficking, but I discovered that she had not been repatriated. I vehemently stated during my interrogation by the state security department in Onsong County that I had been sold in China. However, the officer did not believe me and responded with violence. In court, I questioned the judge about the severity of my sentence, which was five years of *rodong-kyohwa* punishment. The judge explained that the law had changed, mandating a standard five-year sentence for *rodong-kyohwa*, regardless of the duration of one’s stay in China.”<sup>173</sup>

<sup>171</sup> WHG1L01336

<sup>172</sup> 8IUFRL2418, 5QJ9CE0679

<sup>173</sup> JUZOTT2362

## Adjustment of Punishment Severity Through Bribery

Following amendments of the Criminal Law in 2004 and 2008, which increased criminal penalties for illegal border crossing, bribery became a common method to lessen the severity of these punishments. For instance, a woman who had lived in China for seven years was repatriated in 2011 with an initial sentence of five years under *rodong-kyohwa*. She successfully reduced her sentence to two years and six months by bribing the judge.<sup>174</sup> Another repatriated woman, who defected in 2012 and was caught in 2014, reduced her three-year sentence to one year by bribing the officer responsible for her preliminary examination.<sup>175</sup> Testimonies also indicate that sentences already decided and passed on for enforcement could be nullified through bribes. One witness, whose sentence had been set at one year of *rodong-danryun* following her repatriation, secured her release by providing a falsified medical certificate as part of a bribe.<sup>176</sup> Furthermore, another defector, who was repatriated for the second time in 2017, stated that she managed to escape punishment by bribing the head of the illegal border crosser *jipkyulso*.<sup>177</sup>

## C. Motives for Defection and Life in Other Countries

Regarding the right to leave one's country, as stipulated in Article 12, paragraph 2<sup>178</sup> of the ICCPR, General Comment No. 27 of the UN Human Rights Committee specifies, "Freedom to leave the territory of a State may not be made dependent on any specific purpose or on the period of time the individual chooses to stay outside the country,"<sup>179</sup> and "the right to

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<sup>174</sup> OB3HZM1462

<sup>175</sup> WNGXGW0373

<sup>176</sup> ROD6PD2439

<sup>177</sup> 67KL2N0678

<sup>178</sup> 「ICCPR」 Article 12, paragraph 2 "Everyone shall be free to leave any country, including his own."

<sup>179</sup> UNHRC, ICCPR General Comment, No. 27: Article 12 (Freedom of movement), para. 8.

leave a country must also include the right to obtain the necessary travel documents.”<sup>180</sup> North Korean residents are only permitted to leave North Korea if they are visiting relatives in China who are Chinese nationals. However, even in these cases, the process of issuing a passport is complex and extensive, often requiring bribery and taking a significant amount of time before the issuance of these documents. North Koreans are for all practical purposes deprived of the “right to leave any country, including their own,” and the “right to obtain the necessary travel documents,” as highlighted by the General Comment.

### (1) Shifts in Motives for Defection

The number of North Korean defectors entering South Korea has expanded since the onset of the so-called “Arduous March”<sup>181</sup> in the mid-1990s. Most of them are known to reside in China, while those staying in other countries have not been specifically identified. The number of defectors and their countries of residence during different periods are estimated based on the number of North Korean defectors entering South Korea.

It appears that most defectors stay in China after escaping North Korea, given that most of North Korea’s border adjoins China. On the contrary, regions closer to Russia, like Rason City in North Korea, are not as easily accessed as the regions that border China. Therefore, North Korean defectors who had resided in Russia or other countries were typically overseas workers who escaped while stationed abroad.

Motives for defection show variations by period. A survey investigating motives for defection revealed that before 2000, the majority of respondents

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<sup>180</sup> UNHRC, ICCPR General Comment, No. 27: Article 12 (Freedom of movement), para. 9.

<sup>181</sup> The Arduous March refers to the crisis situation that the North Korean regime experienced in the 1990s. This term draws a parallel to the challenging march that occurred during a blockade protest against Japan in the winter of 1938. The reference was first made in the New Year’s remarks of 1996. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 42)

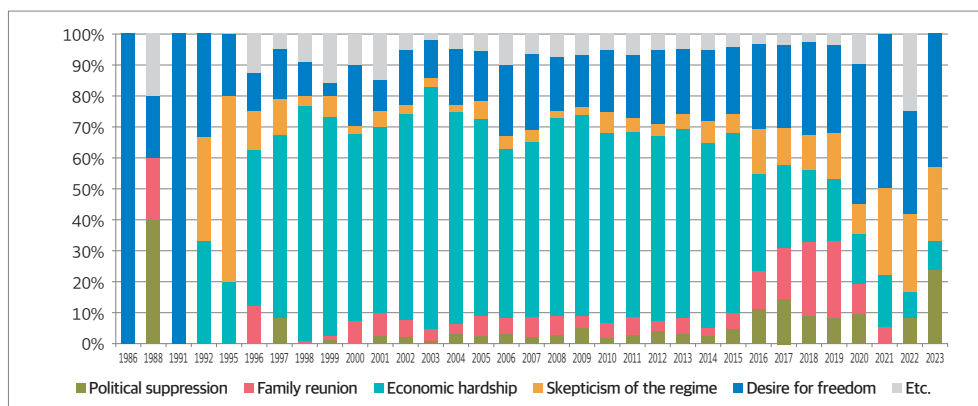
(65.2%) cited “economic reasons.” However, between 2016 and 2020, the proportion of those citing economic reasons decreased to 24.9%. During this period, other factors such as political suppression (10.7%), skepticism towards the regime (13.0%), a desire for freedom (28.8%), and family reunification (19.7%) were also mentioned. In particular, those who defected to reunite with family received assistance from family members who had previously defected from North Korea and were residing in China or South Korea. Since the late 1990s, these family members had achieved financial stability, enabling them to help their remaining relatives in North Korea to escape.

**Table II - 8** Motives for Defection (Based on the Center’s Investigations)

(Units: # of Respondents)

Year of Defection	Number of People	Motives for Defection					
		Political suppression	Family reunion	Economic hardship	Skepticism of the regime	Desire for freedom	Etc.
2000 and before	<b>302</b>	8	7	197	21	39	30
2001-2005	<b>636</b>	17	28	433	21	104	33
2006-2010	<b>870</b>	26	47	518	35	182	62
2011-2015	<b>1,108</b>	40	48	661	55	245	59
2016-2020	<b>1,967</b>	210	385	487	255	563	67
2021-2023	<b>64</b>	7	1	7	16	27	6

\* Multiple selections by respondents were permitted



Defections to China for the sake of one’s livelihood appear to have persisted from the time of the Arduous March until around 2010. For

instance, a female defector who fled three times between 1998 and 2004 initially engaged in private economic activities such as selling daily necessities during the Arduous March, but later opted to escape North Korea due to economic hardship.<sup>182</sup> Furthermore, the “currency reform” implemented by the authorities at the end of 2009 exacerbated the financial strain on residents. During this period, the exchange rate was set at 100 to one in an attempt to alleviate the pressure of inflation. In response, a woman defected in 2010 to earn money, as the revaluation of currency wiped out all the money she had accumulated over her lifetime. In addition, another testified leaving North Korea in 2014 due to a significant drop in the value of the currency, making it difficult to sustain a livelihood.<sup>183</sup>

“Due to the currency reform in North Korea that took place from November 30 to December 6 in 2009, there was widespread panic in the economy. The money I had earned in the *jangmadang* since 2007 was devalued by more than 90%. All the efforts I had put into earning money suddenly amounted to nothing. Consequently, I lost hope and decided to defect to China to earn money for my family.”<sup>184</sup>

After 2010, more people defected for reasons other than economic difficulties. The yearning for freedom or skepticism of the North Korean regime have become commonly reported motivations for defection, and access to external information including that of South Korean culture may have influenced their decisions to defect. For instance, a woman who defected in 2018 was disadvantaged due to her personal background, known as *songbun*, and grew interested in South Korea after coming into contact with South Korean dramas, leading to her decision to cross the border river into China. A family who defected the same year stated that they decided to

<sup>182</sup> 6WS6I8I214

<sup>183</sup> LOJO7A0920, 9UC2BY1211

<sup>184</sup> 5IN4XA1880

leave North Korea upon realizing that its regime would never guarantee the human rights of its people.<sup>185</sup>

## (2) Means of Defection

The methods of defection have varied over time. During the Arduous March, defection was relatively straightforward and could be accomplished without a defection broker, regardless of gender. However, after this period, the authorities began to tighten border security, which resulted in differing experiences for men and women. According to testimonies, it has been easier for men to escape without a broker or a guide to cross the river as they tend to be more familiar with the geography of rivers that are easy to cross from experiences with smuggling. On the contrary, women have often defected through brokers. Among them, no small number have defected through trafficking brokers. In one rare case, some women were kidnapped and forced to leave North Korea.

“Initially, I had no intention of escaping. In the spring of 2008, my aunt defected, and a broker visited my house to inform us that she had sent us some money. The broker said that his house was across the river and that we could collect the money there. I refused to cross the river, but suddenly, he picked me up and carried me across. Once in China, I was unaware of my location or if I had arrived at the intended place. Unable to return to North Korea on my own, I realized that I had been trafficked. I stayed in Liaoning, China, before eventually making it to South Korea.”<sup>186</sup>

A man escaped North Korea in 2018 through a route to China that he used when he was involved in smuggling. Another woman stated that she had left North Korea to earn money, but once she crossed the Amnok River, she realized she had been trafficked.<sup>187</sup>

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<sup>185</sup> 4TYPAG0762, 1BX4NN0758

<sup>186</sup> 100S8G2205

<sup>187</sup> D1114B1648

“In 2003, I was selling items in a *jangmadang* and met a woman in her early 30s. She would talk to me and bought twisted donuts that I used to sell. She told me if I worked in China for a month, I would earn CNY 1,000, and suggested doing so if I wanted to earn a lot of money in China. I thought about her recommendation and said ‘yes.’ Then she took me to cross the river, and once we arrived in China, she left me at a broker’s house and took off, saying that she needed to look for a place to work. Later, I found out that she had sold me for CNY 6,000, and the broker then sold me to a Han Chinese man in Jilin as a purchased bride for CNY 10,000.”<sup>188</sup>

### (3) Life in China

The lives of North Korea defectors in China seem to have differed based on their gender, age, and means of defection. Male defectors or women who escaped without brokers mostly resided in China and were involved in wage labor or restaurant work, mostly basic labor since they were illegally employed and because of the language barrier. A women who defected in 2006 to earn money worked as a maid in a Chinese household, and another male defector in 2007 worked in places like a Chinese-run pig and fish farm.<sup>189</sup> Another defector in 2018 was deceived by a trafficker and almost forced to marry a Chinese man, but she strongly resisted and worked at a construction site.<sup>190</sup>

“I defected to Antu County in China to pick bog bilberries in 2013. But it was late August, which was not the season for them, so I got involved in plastering at construction sites in Longjing and Helong. Then I earned money by working at a farm to harvest corn and beans in Erdaobaihezhen, while staying with one of my acquaintances who is Korean-Chinese during the winter when I had no work.”<sup>191</sup>

<sup>188</sup> 8IUFRL2422

<sup>189</sup> 6LNEVB0551, 52MXNB1472

<sup>190</sup> 4XIK2K0784

<sup>191</sup> QF22611971



On the other hand, many of the women who defected through brokers were forced to get married by traffickers, and some were sold to the adult entertainment industry. Among those forced into marriage, a majority had to earn money for their living by farming or working in restaurants or factories. A defector who left North Korea in 2004 testified that she was sold to marry a Chinese man and was forced to sustain their livelihoods by washing dishes at a local restaurant.<sup>192</sup> Another woman who defected in 2014 was sold to a prostitution house and forced to work there.<sup>193</sup>

Defectors have faced many difficulties in their daily lives. Most of their residences have been in rural areas, and not knowing Chinese has impeded their ability to communicate. Furthermore, Chinese families were concerned that their defector wives could run away, thus deepening internal conflicts. On top of these issues, defectors illegally staying in China were not able to obtain official identification cards,<sup>194</sup> so a large portion of their lives were restricted. A defector who left North Korea in 2003 through being sold to a Han Chinese man stated that her former in-laws often looked down upon her and told her to do challenging tasks.<sup>195</sup> Another defector, who escaped North Korea in 2006 and stayed in Liaoning in China, could not maintain a normal life without an identification card, and was consistently beaten by her boyfriend with whom she lived. However, she mentioned that she was not able to report him to the police.<sup>196</sup> In addition, a woman who lived in China for 12 years after defection without an identification card was always fearful of being repatriated to North Korea, and that even medical treatment was difficult.<sup>197</sup>

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<sup>192</sup> VIC7TY0953

<sup>193</sup> MM9BJX0626

<sup>194</sup> A system of household registration in China. Those who are not registered in this system are referred to as “without registration” or “without identity.”

<sup>195</sup> 91S6MO1255

<sup>196</sup> 8IUFRL2453

<sup>197</sup> X1AH6J0893

A number of female defectors were found to experience sexual violence at the hands of Chinese brokers in the process of being trafficked. A woman who was deceived by a trafficker to defect from North Korea in 2004 was sexually assaulted by a Korean-Chinese broker before getting married to a Chinese man. Another woman who defected in 2018 was also raped by a broker while waiting in the broker's house to leave for South Korea. She testified that she was not able to report it due to her fear of being repatriated.<sup>198</sup>

Though being accustomed to life in China, North Korean defectors are always afraid of being arrested because of their identity. One female defector was actually threatened by Chinese people who were well aware of her fear and told her that they would report her to Chinese public security.<sup>199</sup> Testimonies reveal that obtaining a fake identification card did allow one woman to get a job, but she was not able to get an insurance for industrial accidents due to her concern that it might reveal her identity as a North Korean defector.<sup>200</sup> Recently, Chinese public security officials have reportedly suggested that defectors register their fingerprints and photographs by saying that their safety would be assured. However, multiple defectors have commonly stated that the authenticity of such remarks could not be confirmed.<sup>201</sup>

“After I defected in 2006, I was married to a Han Chinese man and lived with him, working at a poultry farm for seven years and a Chinese-run South Korean restaurant for eight months. I received quite a lot of wages, but there was always anxiety in my mind because of my illegal status.”<sup>202</sup>

<sup>198</sup> JUZ0TT2362, EO2TWG1095

<sup>199</sup> ZBJE6Z1518, 1BQ5TD2412

<sup>200</sup> JUZ0TT2362

<sup>201</sup> OORIT62445

<sup>202</sup> BVB1ON1426

Among female defectors, some risk another forced repatriation after being sent back to North Korea and later re-defect to be with their children and family who remain in China. A mother who resided in China after defecting in 1999 was forcibly repatriated in 2003. She was released with a penalty to undergo social education, but she defected again in order to reunite with her son and boyfriend in China. Another woman, who gave birth to a baby girl in China after defecting in 2003, re-defected in 2007. Similarly, a woman repatriated to North Korea in 2005 also defected again in 2010 for the same reason.<sup>203</sup> (\*No testimonies were collected from North Korean residents who had lived in other countries besides China, except for those dispatched overseas.)

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<sup>203</sup> WVI0GJ1665, Q9NIS31166, 6NW0CC0535

### 3. Overseas Workers

It is known that the overseas dispatch of North Korean workers began in the late 1960s when North Korea signed a forestry agreement<sup>204</sup> with the Soviet Union. Based on testimonies collected by the Center, the first instance of dispatched workers dates back to 1990 when the Ministry of Coal Industry sent workers abroad. The dispatch of logging workers to Russia began in the early 1990s. Initially limited to Russia (formerly the Soviet Union), the dispatch locations later expanded to China, Central Asia, and the Middle East. Around 2010, the dispatch of workers expanded to Eastern Europe and Africa as well.

The primary sectors for dispatched workers have expanded from logging and coal mining to the construction sector. Workers have also been dispatched for tasks such as statue construction and mural painting, as well as for work in the manufacturing, service, and IT sectors. In the Middle East and Central Asia, construction work has predominated, while in Africa, smaller numbers of construction workers and doctors have been dispatched. Many manufacturing workers and restaurant employees have been sent to China and Southeast Asia. More recently, workers in IT-related fields such as software development and system maintenance have also been dispatched abroad.<sup>205</sup>

North Korean workers dispatched overseas have been found to be working in poor conditions regarding their wages, working hours, and working environments. Due to the continuous increase in worker contributions mandated by national plans (referred to as “national plan fees”), workers themselves receive almost no wages despite enduring long

<sup>204</sup> Agreement on Comprehensive Logging and Timber Processing within the Territory of the Soviet Union between the Soviet Union and North Korea, concluded on March 2, 1967, in Moscow.

<sup>205</sup> LXUIUC2307, 271E382274

hours of labor without proper holidays or rest. Sanctions against North Korea and COVID-19 have further worsened their lives. However, the North Korean authorities appear to be continually dispatching workers through various means, circumventing the international sanctions against North Korea.

## **A. Working Conditions**

The working conditions of North Korean workers dispatched overseas have varied depending on the timing of their dispatch and the host country in which they work. However, many have been subjected to long hours of labor under the control and surveillance of the North Korean authorities without receiving fair compensation. Additionally, methods of payment and working hours differed according to the type of contract. The ways in which North Korea dispatches workers overseas can be divided into three types. The first type is the initial form where the North Korean authorities conclude a manpower supply contract with the host country's government. The second type involves dispatching North Korean workers through a service contract between a North Korean company and a local company in the host country. The third type is where a North Korean company signs a subcontract in the host country and directly undertakes work by using the dispatched North Korean workers. In this third case, workers are subjected to abnormally long working hours because North Korean companies shorten the construction period to increase profits. Additionally, the means by which wages are calculated changes, further deteriorating the human rights of dispatched workers.

### **(1) Wage Exploitation**

#### **Changes over Time**

Compensation and payment methods for overseas dispatched workers have varied slightly depending on the industry and the host country, but it has been found that most workers have not received proper compensation. In the

early 1990s, some compensation was provided, but as North Korea's economic situation worsened, the working conditions of workers deteriorated further, leaving them unaware of the wages they were supposed to receive.

In the 1990s, North Korean workers dispatched to Russia in the logging, mining, and agricultural sectors received part of their compensation locally, and their families in North Korea received *donpyo* (money coupons)<sup>206</sup> that could be used at foreign goods stores. This system seems to have been possible because the contracts were made between the North Korean and Russian authorities, and North Korea's ration system was still somewhat in place. According to testimony from workers dispatched in the 1990s, the local business office would report the labor amount quarterly or annually as a wage statement to North Korea's General Bureau of Forestry. This allowed the worker's family to purchase goods at foreign goods stores in North Korea for the corresponding amount.<sup>207</sup> Another worker testified that no wages were paid to them directly, and instead, their family in North Korea received *donpyo* that was worth KPW 250.<sup>208</sup> Workers dispatched by the General Bureau of Coal Industry around the same time also received their wages in the form of *donpyo*. Workers dispatched by the Agricultural Committee and construction workers testified that they were compensated in the same way.<sup>209</sup> Families used these *donpyo* to purchase items such as televisions, sewing machines, bedding, and cigarettes.<sup>210</sup>

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<sup>206</sup> "*Donpyo*" are special currency coupons that were issued by the Chosun Trade Bank from 1979 until June 2002 and were used to purchase imported goods sold in foreign goods stores within North Korea. (Korea Development Bank, Future Strategy Research Institute, "Status and Significance of *Donpyo* Issuance in North Korea," Weekly KDB Report, December 20, 2021.) According to testimonies, *donpyo* is the term commonly used in North Korea, but the currency is also sometimes referred to as "*yemaedon*" or "*yemaendon*." (FDGN8N2165, 00RIT62428)

<sup>207</sup> 00RIT62428, UDZ6KU2155

<sup>208</sup> TL9FO32161

<sup>209</sup> ZNOYFE1456, L0K08K2228, R0D6PD2427

<sup>210</sup> UDZ6KU2155, FY872C2229, FDGN8N2165

However, as North Korea's economic situation gradually worsened from the mid-1990s, foreign goods stores began to close, and residents could no longer use *donpyo*. Workers testified that from around 1995, it became difficult to exchange *donpyo* due to the lack of goods in these stores. In areas with high demand for exchanges caused by thousands of dispatched workers to Russia, it became practically impossible to purchase goods at foreign goods stores.<sup>211</sup>

As this problem emerged, the method of paying workers gradually shifted to local currency.<sup>212</sup> However, few workers testified that they actually received their wages. One worker, dispatched in 1995, testified that the company promised to pay him about USD 1,500 after working for two years, but they never paid him any wages, using the excuse that they had no money.<sup>213</sup> Another worker, dispatched in 2002, mentioned receiving a wage of RUB 1,200 once at the beginning of his dispatch.<sup>214</sup> A worker who worked in logging for 10 years testified that the company did not pay his wages, citing state contributions and management expenses as reasons.<sup>215</sup> Additionally, a worker dispatched as a middle manager testified that the wage amounts were not disclosed to the workers.<sup>216</sup>

"I did not receive a single penny of any wages for over two years of work in Russia starting from 1995. Although wages should be settled and paid monthly, the company kept making various excuses, such as claiming to have no money, and did not pay us our wages."<sup>217</sup>

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<sup>211</sup> FDGN8N2165, TL9FO32161

<sup>212</sup> Z0WWJD2245

<sup>213</sup> JKFPMU0323

<sup>214</sup> X72S720280

<sup>215</sup> ZLJYSV1529

<sup>216</sup> C13HUG0242

<sup>217</sup> JKFPMU0323

The reason overseas dispatched workers did not properly receive their wages is that most of their earnings were appropriated by the North Korean authorities or taken by North Korean companies operating in Russia for operational expenses. Testimonies from many construction workers, collected by the Center, show that most workers were unaware of the exact amount that was appropriated by the authorities.<sup>218</sup> One dispatched worker testified that less than 10% of the earnings were paid to the workers, with the remainder going to the North Korean authorities.<sup>219</sup> From the workers' wages, national plan fees, living expenses, operational expenses, and dispatch costs were first deducted. Even then, many companies did not pay out the remaining amount on a monthly basis.

### Changes by Country

The amounts that business offices had to remit to the authorities for national plans and the amounts they paid to the workers varied depending on the host country and the specific circumstances of the business office. In particular, North Korean workers dispatched to Russia sometimes had to make additional contributions based on the authorities' instructions, on top of the national plan fees. For example, one worker, dispatched in 2003, testified that just before Kim Jong Il's birthday, the business office instructed each team to contribute a canister of musk, with each of the six workers contributing RUB 500.<sup>220</sup> Another worker, dispatched to Russia in 2006, stated that their business office assigned musk contributions at the squad (team) level.<sup>221</sup> Additionally, around 2010, in Russia and Mongolia, if workers did not meet their work

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**218** There is also research suggesting that a portion of the wages of dispatched North Korean workers were used to repay some of the debt North Korea incurred during the Soviet era. Lee Young-hyung, "Current Status and Role Analysis of North Korean Workers in the Russian Far East," *Journal of International Politics*, Vol. 10, 2007, p. 69.

**219** UDZ2HR2160

**220** X72S720280

**221** BVPE3D1429



quotas, their wages were reduced, often leaving them with little to no pay.<sup>222</sup>

“When I was dispatched to Russia in 2017, there was no fixed salary. After deducting national plan fees, the amount given to individual workers varied depending on the time and the person. Non-productive workers (those in roles other than general laborers) received a fixed amount, earning USD 4,000 to 4,500 annually. Positions classified as non-productive included presidents, party secretaries, finance officers, interpreters, labor safety officers, state security officers, drivers, accounting assistants, restaurant staff, and doctors. For productive workers (general laborers), after various deductions from their wages, their pay often ended up in the negative. If the wages were negative, the shortfall was deducted from the next payment. The national plan fee was USD 7,500 annually, and in my understanding, the party fee was 2% of the wages.”<sup>223</sup>

**Table II - 9 Deducted Amounts and Worker Wages by Host Country (Based on the Center’s Investigations)**

Host Country	Monthly Deducted Amounts		Workers’ Actual Monthly Wages
	Total Amount (Approx.)	Details	
Russia	USD 650	<ul style="list-style-type: none"> <li>· State Contribution: USD 200</li> <li>· Operating Expenses, etc.: USD 450</li> </ul>	USD 50-150
Mongolia	USD 300-670	<ul style="list-style-type: none"> <li>· December to February: USD 300</li> <li>· March to November: USD 670 (Average of about USD 580)</li> <li>* In the case of <i>Cheongbu</i>, approximately USD 40 is paid daily (over USD 1,000 monthly).</li> </ul>	USD 143 * Received upon achieving the plan; reduced if not achieved.
Middle East	UAE	USD 400  <ul style="list-style-type: none"> <li>· State Contribution: EUR 200* * This is paid in euros.</li> <li>· Company Operating Expenses: USD 100</li> <li>· Worker Food &amp; Accommodation Costs: USD 100</li> <li>· Party Fee (or Trade Union Fee): USD 5</li> </ul>	USD 100 * Manager: USD 240
	Kuwait	USD 850  <ul style="list-style-type: none"> <li>· State Contribution, Operating Expenses, etc.: USD 750</li> <li>· Loyalty Funds: USD 50</li> <li>· Support Funds for National Construction Projects: USD 50</li> </ul>	USD 100

<sup>222</sup> 8CWCD32231

<sup>223</sup> YNZ1CJ2226

Host Country	Monthly Deducted Amounts		Workers' Actual Monthly Wages
	Total Amount (Approx.)	Details	
Europe	USD 900	· The local company pays USD 1,170 per month per dispatched worker according to the contract.	USD 150-300 * Before 2017: paid monthly
		· Of this amount, 70-85% (about USD 900) is allocated to state contributions, company operating expenses, and other costs.	USD 100-150 * After 2017: paid every 2-3 months
Africa	USD 420	· Approximately 80% of the Total Income	USD 200 * Paid irregularly

In Mongolia, the wages of dispatched construction workers varied each month, and sometimes they were not paid at all. Dissatisfied with this, workers protested to the North Korean company and managed to receive USD 200, but thereafter, the monthly payments continued to decrease, leading to inconsistencies.<sup>224</sup>

In the Middle East, it was common for local North Korean companies to operate by merely providing manpower. Although the host country's companies paid the workers' wages in bulk, the North Korean companies only informed the workers of this without actually paying them.<sup>225</sup> One worker stated that although the host country's company deposited wages into the workers' personal accounts, the North Korean company withdrew them all, so most workers did not know exactly how much their salary was.<sup>226</sup> Additionally, there were cases where the North Korean company paid only 20% of the wages to the workers, with the remainder allocated to state contributions, company operating expenses, food expenses, local brokerage fees, management fees, party fees, and other costs.<sup>227</sup>

The situation for workers dispatched to Europe and Africa was not much

<sup>224</sup> 2RGIXC1370, Q2EDBD0856

<sup>225</sup> FXFIZ81251

<sup>226</sup> OHUMNM0240

<sup>227</sup> EIU6381596

different. One worker, dispatched to Europe after 2010, testified that the company paid each worker about USD 150-300 every two to three months. However, starting in 2017, under the pretext of increased taxes in the host country, the company reduced the payment to about USD 100-150.<sup>228</sup> Similarly, another worker, dispatched to Africa around the same time, testified that he irregularly received USD 200 per month, and the national plan fee was set at USD 5,000 per person per year, or 80% of the total income.<sup>229</sup>

Meanwhile, the excessive contributions imposed on the workers and the exploitative wages they worked for have led to worker unrest. One worker dispatched to Africa testified that the amount they received was minimal due to deductions for national plan fees, loyalty funds, and company operating expenses. Furthermore, sometimes even these payments were not made, leading some workers to refuse to work in 2018.<sup>230</sup>

### **Medical or IT Sectors**

Workers in the medical or IT sectors have been found to have most of their wages deducted for state contributions, like national plan fees, leaving them with around USD 200 per month. Doctors were employed by hospitals in the host country or opened their own clinics. Those employed by host country hospitals received a salary of USD 200-300 after deducting the amount required for the national plan fees. Those running clinics faced difficulties in reliably securing the amount needed for the national plan fees due to language barriers and the local economic situation.<sup>231</sup> One IT worker who received USD 100 per month stated that the company paid the workers only 10% of their wages after deducting the amounts for the national plan

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<sup>228</sup> BJ25941541

<sup>229</sup> 5KJESK2235

<sup>230</sup> 32CICV2337

<sup>231</sup> CVQIN52013, RQU50U2001, O7ADWS2158

fees (about USD 1,500 per person per month, 40% of their wages), the local company's service fee (10%), and living and company operating expenses (40%).<sup>232</sup> Workers dispatched to sectors like garment manufacturing received wages similar to construction workers, about USD 100-200 per month.<sup>233</sup>

"When asked about the amount of our wages, the company would not tell us. For the entire year of 2019, I was mobilized for apartment framework construction and never received any salary. It was said that at the end of each month, the Russian company paid about RUB 50,000-100,000 to the North Korean company, and the monthly amounts for the national plan, accommodation and food expenses, education expenses (related to student visas), party fees, and other costs were deducted from that amount. However, there was no financial review for the entire year, and we received no wages. Then, in January 2020, at the work review session, the company said each person had a debt of RUB 500,000, which was absurd to hear."<sup>234</sup>

National plan fees have continuously increased, adding to the workers' burden. Particularly in Russia, it was noted that the national plan fee steadily increased depending on the dispatch institution and the region. Indeed, around 2005, the national plan fee remitted monthly per worker increased from USD 100 to USD 200, and by 2008, it reached as high as USD 800.<sup>235</sup> One worker dispatched to Vladivostok, Russia, testified that starting around 2018, the remittance amount kept increasing, requiring them to contribute over USD 1,000 each month.<sup>236</sup>

Due to such excessive national plan fees and low wages, some workers resorted to what is known as "*cheongbu*."<sup>237</sup> In Russia, there were *cheongbu*

<sup>232</sup> 271E382274

<sup>233</sup> 1QUJHM2199

<sup>234</sup> KQ9C5Q2261

<sup>235</sup> 5OR5F62241, G8OHOV1495, J69FHD2164

<sup>236</sup> KJCA6X2009

<sup>237</sup> "*Cheongbu*" typically refers to taking on tasks, such as civil engineering or construction work, with an

workers who would perform separate work under the condition of providing monthly bribes to site managers or state security officers. Some companies even formed *cheongbu* teams by work team unit. Similarly, workers dispatched to the Middle East could engage in *cheongbu* after a certain period, working in small groups on tasks like home repairs.<sup>238</sup>

“In Russia in 2018, ordinary workers received RUB 1,000 (about USD 16) per month for living expenses, and once a year, they were given RUB 10,000–30,000 (USD 170–500) once a year in the annual plan review. Since the payment was insufficient, I earned money by doing *cheongbu* work. I heard that company management personnel received USD 200 each month. While doing *cheongbu* work, I earned an average of RUB 80,000–90,000 per month. Out of this, I contributed RUB 45,000 (USD 750) monthly for the national plan fee, and separately, I gave RUB 2,000 to the site manager and RUB 2,000–3,000 to the state security officer each month.”<sup>239</sup>

## (2) Excessive Working Hours

It has been found that most North Korean overseas dispatch workers are subjected to excessively long working hours. Although there are differences depending on the type of job and contract, in the construction sector, which was a major industry for overseas dispatched workers in the 2000s, it is presumed that the increase in working hours was due to contractual forms that differed from those in the forestry and mining sectors. The reason for the extended hours is because of the differences in profit structures. In the 1990s, when forestry and mining worker dispatches were frequent, North Korea

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agreement to complete the work in exchange for a specified payment. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 3, 2017, p. 910.)

According to testimonies, *cheongbu*, also known as *so-cheongbu*, involves North Korean workers in host countries finding work opportunities individually or in small groups, rather than working at the sites or on the projects contracted by North Korean companies. (3VZQ5S0861, O8GQOX1910, ONGA8G1091, G8OH0V1495)

<sup>238</sup> 3Z681Y1213

<sup>239</sup> KBY0XE2010

provided labor through contracts with the Russian authorities, and since earnings were not dependent on work performance, the working hours were not abnormally long. In fact, workers dispatched from the General Bureau of Coal Industry in the early 1990s testified that an eight-hour workday regulation was adhered to.<sup>240</sup> Workers from the General Bureau of Forestry testified that those involved in logging transport worked 12-hour shifts in two shifts per day,<sup>241</sup> and those in logging often worked from sunrise to sunset.<sup>242</sup>

“When working in Russia, the road maintenance squad woke up at 6:00 (while the loggers woke up at 5:00 for mobilization), ate breakfast between 7:00 and 8:00, started road maintenance work at 9:00, and worked until 17:00. Dinner was around 19:00, and afterward, there was free time when North Korean movies were shown every Wednesday. Bedtime was at 22:00. Loggers typically worked from 6:00 to 18:00 and did not work late into the evening.”<sup>243</sup>

However, even during this period, workers were not ordinarily able to take holidays or vacations. Testimonies reveal that while drivers of vehicles, cranes, etc., could take a month-long vacation once every three years, ordinary workers could not take vacations.<sup>244</sup> Workers who were granted leave had to go to North Korea, spend their vacation there, and then return, a measure reportedly taken for the sake of renewing their passports.<sup>245</sup>

After 2000, working hours were generally found to be excessive. Especially in subcontracted forms, companies shortened construction periods to maximize profits, which led to long working hours and often no

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<sup>240</sup> ZNOYFE1456, T1OKYP2242

<sup>241</sup> FDGN8N2165

<sup>242</sup> KG0US71554, USF8GY0835, C13HUG0242

<sup>243</sup> UDZ6KU2155

<sup>244</sup> FDGN8N2165

<sup>245</sup> TL9FO32161

provision of holidays. A worker dispatched to Russia in 2019 testified that they worked from 7:00 until 1:00 the next day, daily, totaling 16-17 hours, with only two days off provided per year and only one half-day break every two months.<sup>246</sup>

“In 2019, workers dispatched to Russia woke up at 7:00, worked from 8:00 to 12:00, ate from 12:00 to 13:00, and then worked from 13:00 to 22:00. If they did not complete their assigned tasks, they often worked until 5:00. They went to sleep as soon as they came back from work, and they continued to work regardless of whether it was Saturday or Sunday. Personal rest time was provided twice a month, but most workers just slept.”<sup>247</sup>

“My work schedule began at 6:00 with an hour of work before breakfast. I worked from 8:00 to 12:00, then from 13:00 to 18:00. After dinner, night operations took place from 19:00 to midnight. I was allowed only four hours of sleep. We had no holidays, except for January 1-2 and Labor Day. Occasionally, I could take one or two days off, but this required finishing any remaining work during holidays or facing reduced wages.”<sup>248</sup>

Working hours in countries other than Russia seemed to vary depending on the labor supervision of the host country or local area. A worker dispatched to Mongolia testified that they usually worked from 8:00 until 21:00, but sometimes until 2:00 the next day.<sup>249</sup> The only days off were New Year’s Day, the birthdays of Kim Il Sung and Kim Jong Il, and one national holiday in Mongolia, totaling only four to five days.<sup>250</sup> Workers dispatched to the Middle East worked six days a week, excluding Fridays, from 5:00 until

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<sup>246</sup> KQ9C5Q2261

<sup>247</sup> J69FHD2164

<sup>248</sup> 1BOIH12246

<sup>249</sup> Q2EDBD0856

<sup>250</sup> 2RGIXC1370

22:00, a total of 16 hours per day.<sup>251</sup>

Discontent due to long working hours without holidays also led to collective actions. In 2018, after being exposed to a South Korean media report stating that “North Korean dispatched workers in Mongolia work excessively long hours and receive very low wages,” the workers protested by only working until 18:00.<sup>252</sup> Moreover, in 2020, workers in Russia, discontent with long hours and unpaid wages, pretended to be sick to avoid working.<sup>253</sup>

## B. Workplace Environments

### (1) Dangerous Workplace Environments

North Korean overseas dispatch workers have been identified as not receiving adequate safety at their worksites. Particularly, construction workers, who are at risk of safety accidents, were found to have not been provided with sufficient safety equipment. A worker dispatched in the mid-1990s testified that they worked without winter clothing or safety shoes during the winter.<sup>254</sup> Another worker, who was dispatched as a middle manager, also mentioned that safety shoes or work clothes were never provided during the period of employment.<sup>255</sup>

Safety training and supervision were also found to be inadequate. Although procedures varied by dispatch location, North Korean companies’ safety officers have been found to conduct about one day of training and perform vehicle safety checks but only in a perfunctory manner.<sup>256</sup> It is

<sup>251</sup> 3Z681Y1213, 3VZQ5S0861, KPLPU31295

<sup>252</sup> Q2EDBD0856

<sup>253</sup> KQ9C5Q2261

<sup>254</sup> WCDC3E0584

<sup>255</sup> C13HUG0242

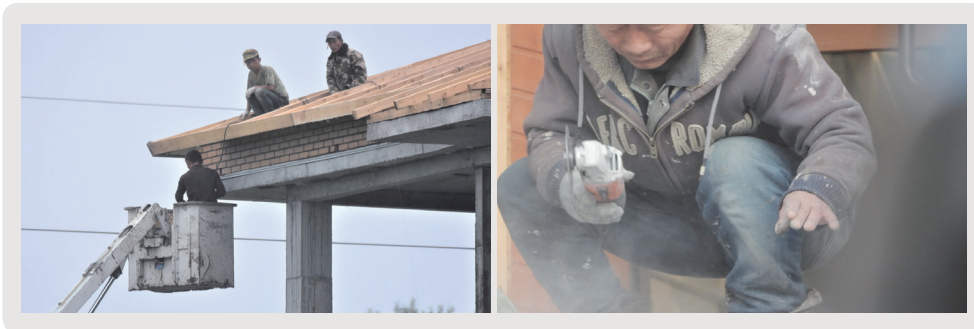
<sup>256</sup> FDGN8N2165, USF8GY0835



estimated that one of the reasons for frequent safety accidents at logging sites was such negligence in safety management and supervision. Indeed, testifiers stated that there were fatalities among workers in vehicle accidents while transporting cut trees down the mountains, and there were injuries during the logging process.<sup>257</sup> Moreover, when a worker was injured during work, they were treated by North Korean doctors dispatched to the enterprise, but these treatments were often inadequate due to a lack of medical equipment and medicines.<sup>258</sup>

“In 1997, when I was dispatched as a logger to Russia, I was given a single set of work clothes to last three years, and no additional safety equipment was provided. If a vehicle broke down, the two assigned workers had to fix it themselves. We also did our own vehicle safety checks. However, since the vehicles needed to keep running, there were effectively no real safety inspections, and vehicles frequently broke down.”<sup>259</sup>

**Figure II - 5** North Korean Workers Dispatched to Russia Working Without Safety Equipment



\* (Source) Prof. Kang Dong Wan (Dong-A Univ.)

Safety education, management supervision, and the provision of safety equipment have seen little improvement since the 2000s. Especially critical safety equipment, even if the principal company paid for it, was often not

<sup>257</sup> TSNCRP0367, BVPE3D1429, FDGN8N2165, ZOWWJD2245

<sup>258</sup> ZOWWJD2245

<sup>259</sup> FDGN8N2165

provided to the workers. As for specific countries, most safety training was not provided for workers dispatched to Russia, and the provision of safety equipment varied significantly by workplace. One worker stated that the company provided helmets, safety belts, and safety shoes, but the cost of some items like gloves and work clothes were deducted from their wages.<sup>260</sup> Another worker with experience in Mongolia stated that the contract required the North Korean company to provide safety equipment, but in reality, workers had to purchase it themselves, and no safety education or supervision was conducted.<sup>261</sup>

In contrast, safety training and supervision were relatively well provided in Europe and the Middle East. However, even when local companies provided safety equipment, there were cases in the Middle East where party officials or managers resold it for their personal gain.<sup>262</sup>

“In 2018, when I was dispatched to Kuwait, the local company provided labor protection safety tools, but the managers and party officials present at the worksite resold them, so almost none were supplied to the workers.”<sup>263</sup>

## (2) Poor Living Conditions

The living conditions of workers dispatched overseas have generally been poor. Especially when the North Korean company was responsible for the expenses, spending on accommodations and meals was minimized, making the conditions even worse. Workers dispatched to the forestry sector in the 1990s typically stayed in wooden houses or mobile accommodation units called “*bbangtong*,” and it was commonly stated that they were overcrowded

<sup>260</sup> IBOIH12246

<sup>261</sup> Q2EDBD0856

<sup>262</sup> OHUMNM0240, OD4XYG1294, 3Z681Y1213

<sup>263</sup> 3Z681Y1213

relative to their size. There were testimonies reporting that about five to six people lived in a mobile wooden house measuring about 2m×7m (14 *ft*<sup>2</sup>), and that an entire squad of 10 people lived together in a wooden house measuring 10m×6m (60 *ft*<sup>2</sup>).<sup>264</sup>

“I think it might have been built by North Korean workers in the past. About 10 members of a squad lived in a ‘trumok house’ (a structure made of logs on a mud floor, approximately 10m long and 6m wide). There were no separate washing facilities, so we washed ourselves in the river outside and occasionally used the shower facility in the enterprise building on weekends. In winter, washing ourselves was almost impossible.”<sup>265</sup>

Even after the shift to construction as the primary industry of dispatch in the 2000s, the living conditions for dispatched workers in Russia did not significantly change. Most workers used temporary accommodations (containers) set up within the sites, and some rented accommodations near the construction sites. Additionally, *cheongbu* workers sometimes lived in the basements of buildings under construction.<sup>266</sup> After 2010, in some Middle Eastern countries, similar to Russia, workers lived in containers or rented housing units, which were cramped and unclean, and had to deal with poorly functioning air conditioning, causing significant discomfort.<sup>267</sup> Additionally, workers dispatched to Europe rented detached houses, which were clean but cramped.<sup>268</sup>

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<sup>264</sup> XH60NH1530, JKFPMU0323

<sup>265</sup> JKFPMU0323

<sup>266</sup> EJRHLJ2244, J69FHD2164, 1BOIH12246

<sup>267</sup> 3Z681Y1213

<sup>268</sup> BJ25941541

“In 2019, about 40 workers lived in containers right at the construction site. There were no facilities for bathing, so we didn’t bathe for six months and only washed our faces once a month. The drinking water was so poor that we had to boil construction site water. From 2020, we lived in an empty room at the site, filled with dust and without running water, making it impossible to wash ourselves. It was an extremely miserable situation.”<sup>269</sup>

**Figure II - 6** Accommodations for North Korean Workers Dispatched to Russia



\* (Source) Prof. Kang Dong Wan (Dong-A Univ.)

## C. Surveillance and Control

### (1) Surveillance

Surveillance and control have been constant features of the lives of overseas dispatched workers. State security officers, utilizing informants, regularly inspected workers’ accommodations and personal belongings. Typically, one state security officer per North Korean company oversees workers, ensuring that they do not leave the local area and controlling their access to outside information. Surveillance was not only carried out by the state security officers directly but also through informants within each work team, who reported on the workers’ movements in detail.

In the early days, the Ministry of Forestry, which handled overseas

<sup>269</sup> KQ9C5Q2261

dispatches to Russia, sent several state security officers to each business office under the first and second Combined Enterprises of the General Bureau of Forestry. These officers had informants (“spies”) who directly monitored workers at the squad or company level. According to one testimony, while doing “cheongbu” work, one worker jokingly said, “Should I go to South Korea?” An informant heard this and reported it to a state security officer, resulting in the worker being repatriated.<sup>270</sup> Another testimony from a worker dispatched in the early 1990s mentioned that after returning home on vacation and witnessing North Korea’s difficult situation, he lamented this to the organizational secretary of the primary party committee, which led to him being monitored.<sup>271</sup> Additionally, for construction workers often scattered across various sites in teams or workplace units, state security officers placed informants within their teams to effectively monitor the workers. Informants were also embedded among *cheongbu* workers who worked individually. These informants regularly reported unusual behaviors or violations of regulations, such as contacting foreigners, acting alone, or possessing smartphones, to the state security officers.

“In Russia, in 2017, if the relationship between the state security officer and the site manager was good, personal belongings were inspected every five to six months. Otherwise, if trust was lacking, inspections were conducted unexpectedly. Generally, the state security officer would call the site manager for an inspection right after the workers left. The state security officer usually predetermines the targets of inspections based on reports from spies among the workers.”<sup>272</sup>

Surveillance also took the form of censoring letters sent by workers to their families in North Korea. One worker mentioned that when state

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<sup>270</sup> USF8GY0835

<sup>271</sup> BSQXYF2224

<sup>272</sup> 5W2TE10975

security officers returned to North Korea, they carried letters intended for the workers' families, which were required to be submitted unsealed for inspection.<sup>273</sup> If a worker placed a letter in the company's mailbox, it was collected by the enterprise and had to pass through the state security officer's inspection before reaching the family.<sup>274</sup>

Inspections of personal belongings also became routine, especially during the 2010s when workers began possessing personal communication devices, leading to regular checks on whether they accessed the internet via smartphones. One worker recounted undergoing an unannounced inspection during *Saenghwal Chonghwa* (life review session),<sup>275</sup> while another worker mentioned that inspections of workers' belongings were carried out by state security officers alone after all the workers were sent out, causing much dissatisfaction.<sup>276</sup> Even independent professionals like doctors were not exempt from such inspections. One defector described a state security officer visiting his home to inspect letters and computers.<sup>277</sup> Those caught in such crackdowns were typically able to mitigate the situation through bribes, but then they were often coerced into becoming informants themselves. It was commonly testified that security officers demanded that workers become informants under the pretext of cracking down on censorship, and that the workers had no choice but to comply out of fear of being repatriated. Once repatriated, it was difficult for one to be dispatched again.<sup>278</sup>

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<sup>273</sup> UDZ6KU2155

<sup>274</sup> TL9FO32161

<sup>275</sup> *Saenghwal Chonghwa* (life review session) refers to meetings where North Korean residents reflect on their work and personal lives and engage in mutual criticism within their affiliated party, organization, or labor group. These meetings are held weekly, monthly, quarterly, and annually. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 492.)

<sup>276</sup> KBY0XE2010, KM99R62163, 5W2TE10975, 1BOIH12246

<sup>277</sup> CVQIN52013

<sup>278</sup> TWCVOL2227, CUKQSL2289

## (2) Control

### Control over Passports

The control over overseas workers involved confiscating their passports, restricting their outings, prohibiting their access to outside information, and banning their use of smartphones, thereby affecting all aspects of their daily lives. Passports were managed collectively by the North Korean company, and most regular workers had to submit their passports to the company immediately after immigration clearance at the dispatch location. Only individuals in managerial roles, such as presidents, site managers, interpreters, and state security officers, all of whom needed to engage externally, were allowed to keep their passports in their personal possession.

“In 1994 and again in 2014, when I was dispatched abroad, a Party representative managed all workers’ passports. Without a passport, it was difficult to go out, and there were cases where workers were arrested by Russian police and fined for not having their passports.”<sup>279</sup>

Since the 2000s, construction has become the main industry for workers dispatched to Russia, and while many workers started undertaking *cheongbu* work individually, almost none managed their own passports. They were only given copies of their passport, visa, and work permit. However, even these copies were not provided to the workers at the construction sites managed by the company.<sup>280</sup> Similar situations were also reported by workers dispatched to other countries, including Mongolia and the Middle East, where companies held on to workers’ passports and residence permits. A doctor dispatched to Africa had his passport managed by the embassy

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<sup>279</sup> BVPE3D1429

<sup>280</sup> YNZ1CJ2226, 1BOIH12246

and only received a copy of his residence permit. A worker who worked in construction mentioned that due to the company managing passports and residence permits, he witnessed a colleague being detained by local police and deported.<sup>281</sup>

### Control of Outings and Contacts with Locals

Workers were also restricted from leaving their accommodations and work sites freely, and their contact with locals was strictly controlled. One worker who was dispatched to Russia in 1993 as a logger mentioned not even considering outings since the work site was surrounded by mountains, and not being allowed to visit nearby villages to buy necessities.<sup>282</sup>

However, because construction sites are typically located in urban areas, controls over workers' outings and their contact with outsiders appear to have been intensified. One construction worker dispatched to Russia in 2012 mentioned that while he could go to nearby shops with the manager's permission, he could not be out for more than an hour.<sup>283</sup> Another worker dispatched during his military service stated that until 2019, the company did not allow outings, and going to nearby shops required permission and being accompanied by at least two people.<sup>284</sup> For doctors, outings near their residences were less restricted, but traveling to other areas required them to report their outing to the team leader and the state security officer.<sup>285</sup> Furthermore, in locations where defections occurred in 2018, outings for workers were completely banned.<sup>286</sup>

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<sup>281</sup> O7ADWS2158, 32CICV2337

<sup>282</sup> UDZ6KU2155, USF8GY0835, WCDC3E0584

<sup>283</sup> 338CPJ1396

<sup>284</sup> KJCA6X2009

<sup>285</sup> Z63J852157, O7ADWS2158, RQU50U2001

<sup>286</sup> 2QJLD11284



## Control over Access to Outside Information

Control over access to outside information has been strictly enforced, and as the means of access became more sophisticated, the controls tightened. In the 1990s, when workers rarely had communication devices, surveillance by state security officers and informants was sufficient for control, and before their dispatch, workers were only educated to the extent of “making no contact with South Koreans.” Workers’ accommodation facilities lacked TVs, and the shared TV in communal spaces could only broadcast North Korean channels, so there was no need to control local broadcast viewing. In fact, one worker dispatched to Russia in 1995 mentioned that there were no radios or TVs in the accommodation facilities, so he had no access to local broadcasts. A worker dispatched in 2000 also noted that there were no TVs or radios in his unit.<sup>287</sup> However, another worker mentioned that it was possible to secretly listen to local broadcasts, and even if someone was caught, it was rare for that person to be punished.<sup>288</sup>

Indeed, access to information related to South Korea or the U.S. was strictly controlled, and exposure to it could lead to forced repatriation and punishment. There are testimonies from the mid-1990s of loggers who were repatriated to North Korea for listening to South Korean radio broadcasts during work hours.<sup>289</sup> In 1997, a worker was investigated and continuously threatened with repatriation by the enterprise manager after being caught lending a cassette of an American movie to a colleague.<sup>290</sup> In 2006, a worker was punished and repatriated as the instigator after watching South Korean dramas and American movies with colleagues on a personally purchased TV.<sup>291</sup>

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<sup>287</sup> ZOWWJD2245, XH60NH1530

<sup>288</sup> O1748A0834

<sup>289</sup> 5T1BAM1849

<sup>290</sup> FDGN8N2165

<sup>291</sup> ROD6PD2427

Around the 2010s, as the internet became easier to access and individual *cheongbu* work increased, control over workers' access to external information also intensified. In 2015, a worker residing in Russia witnessed a worker who was caught with a CD containing pornographic videos being required to write a critique for a month.<sup>292</sup> Additionally, there were checks to prevent CDs or USBs containing publications or videos from being brought into North Korea by workers returning from being dispatched abroad or on temporary home visits.<sup>293</sup>

### Mobile Phone Control

The proliferation of communication devices and the personal ownership of mobile phones by many workers led to the control and censorship of cell phones. In the 1990s and early 2000s, when cell phone possession was rare, it was impossible to control *cheongbu* workers unless they voluntarily contacted a state security officer,<sup>294</sup> but after mobile phones became widespread, only *cheongbu* workers and managers who were required to report their locations on a daily basis were allowed to have mobile phones. After smartphones became widely distributed, both managers and *cheongbu* workers were only allowed to use 2G phones that could not access the internet. Since phone censorship and control were intended to prevent workers from accessing external information via the internet, general workers' use of 2G phones was not strongly controlled. However, smartphones and South Korean-made products were prohibited.<sup>295</sup>

Nevertheless, many workers possessed smartphones, purchasing them from local second-hand markets or migrant workers,<sup>296</sup> and there are

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<sup>292</sup> 016VUD1398

<sup>293</sup> BJ25941541, 016VUD1398

<sup>294</sup> FY872C2229, ZLJYSV1529

<sup>295</sup> 2RGIXC1370

<sup>296</sup> 1BOIH12246

testimonies that those with smartphones usually watched South Korean dramas, movies, news, and channels operated by North Korean defectors on YouTube.<sup>297</sup> As a result, when workers were caught with smartphones during inspections, they were assumed to have watched South Korean videos.<sup>298</sup>

As more workers accessed external information via smartphones, the measures of censorship taken by state security officers changed. Interpreters were allowed to use smartphones for work but had their browsing history frequently inspected. *Cheongbu* workers also had their 2G phones checked by state security officers during weekly life review sessions, leading to some keeping separate phones for inspection purposes.<sup>299</sup>

However, most cases where workers were caught with smartphones were mitigated with bribes. In 2020, a dispatched worker was fined and had his device confiscated after being caught twice, and another worker mentioned having to pay a USD 500 fine due to an inspection.<sup>300</sup> While such instances were rare, there were cases of workers being repatriated after it was confirmed that they had accessed outside information via their smartphone. A worker witnessed in 2018 a colleague who had watched South Korean dramas and movies and YouTube channels operated by South Koreans on a smartphone being forcibly repatriated.

“I witnessed a colleague being forcibly repatriated to North Korea after being caught by state security officers watching South Korean dramas on a mobile phone. Later, I heard that the colleague was executed.”<sup>301</sup>

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<sup>297</sup> UY2OY52324

<sup>298</sup> 1BOIH12246

<sup>299</sup> CUKQSL2289, SWNH4K1399

<sup>300</sup> KQ9C5Q2261, CM8P8K0045

<sup>301</sup> Z63J852157

“In Russia, in 2018, although possessing a smartphone was technically prohibited, all workers had one. Most bought used ones, and the purpose of them was not for making calls but for using the internet. The state security officer came down about once a month to inspect the workers’ accommodations while they were working. If someone was caught with a smartphone, the state security officer would check his internet search history and call logs to gather evidence. If he was confirmed to have broken the law, the state security officer would decide whether to repatriate the individual after consulting with the company’s president and the party secretary. However, repatriation was not so common because the site manager usually bribed the state security officer to mitigate the situation first.”<sup>302</sup>

### **Saenghwal Chonghwa (Life Review Sessions)**

Life review sessions were primarily influenced by the conditions at each dispatch site. At workplaces with strict adherence to regular working hours, life review sessions were conducted as stipulated. However, at locations where long hours were common or holidays were not properly observed, these sessions were often conducted as a formality. For example, workers dispatched from the Coal Industry Department in the early 1990s participated in life review sessions as in North Korea, as working regulations were relatively well observed.<sup>303</sup> Additionally, a person dispatched as a middle manager also conducted weekly life review sessions and organized political education sessions two to three times a month, using holidays for political studies or lectures.<sup>304</sup> Nevertheless, many workers mentioned never having life review sessions during their dispatch period or only participating in them as a formality. One worker mentioned that loggers, living in mountainous areas for long periods with irregular workloads, were unable to properly conduct life review sessions according to regulations.<sup>305</sup>

<sup>302</sup> IBOIH12246

<sup>303</sup> ZNOYFE1456, FY872C2229

<sup>304</sup> C13HUG0242, UDZ2HR2160, ROD6PD2427

<sup>305</sup> WCDC3E0584

Around 2010, the frequency and ways of conducting life review sessions diversified due to the fact that the main overseas dispatch industry had become construction and because of the increase in the number of dispatched personnel, along with the unique conditions at each dispatch location. In the Middle East, life review sessions were held on Fridays, the local day off, and dispatched workers like doctors who lived far away from the work site were only required to attend once a month.<sup>306</sup> Furthermore, life review sessions were often held monthly in a brief format where the site manager would give a 10-minute presentation using educational guidance plans issued weekly by the embassy.<sup>307</sup> This was because “the primary display of worker loyalty was considered to be their contribution to the national plan,” so life review sessions were conducted as a formality, and the time during which they would be held was instead used for work.<sup>308</sup> During the COVID-19 period in 2020, life review sessions were suspended, and instead, study materials were distributed monthly by the embassy and handed out by a state security officer.<sup>309</sup>

“Until 2021, in Russia, life review sessions were conducted weekly. All except three workers at the company were party members. For those three non-party members, due to the heavy workload, the sessions were conducted as a formality, merely to maintain records. Party members within the management staff held their sessions among themselves, while workers who were party members participated in them under the supervision of the site manager. The sessions for workers were also reduced to mere documentation. With only five hours allowed for sleep, there was simply no time to conduct full life review sessions.”<sup>310</sup>

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<sup>306</sup> CVQIN52013

<sup>307</sup> 8CWCD32231

<sup>308</sup> 1BOIH12246

<sup>309</sup> KQ9C5Q2261

<sup>310</sup> CUKQSL2289

## D. Sanctions Against North Korea and COVID-19

The dispatch of North Korean workers abroad is a violation of international sanctions, but it is suspected that the North Korean authorities have continued to send workers through indirect means. United Nations Resolution 2375, adopted on September 11, 2017, in response to North Korea's sixth nuclear test, prohibits the issuance of work permits to North Korean workers. Additionally, UN Resolution 2397, adopted on December 22, 2017, in response to North Korea's long-range ballistic missile launch on November 29, 2017, includes a ban on the overseas dispatch of North Korean workers as part of the UN sanctions.<sup>311</sup> Consequently, existing overseas workers were required to return by December 2019 (within 24 months of the resolution's adoption), and no new workers could be dispatched abroad. Despite these measures, it appears that North Korea has still managed to send workers to countries like Russia and China through various means.

One way to circumvent these sanctions is to issue visas under the guise of tourism or study.<sup>312</sup> One worker dispatched to China stated that before the sanctions, obtaining official travel documents was possible. However, after the sanctions were imposed, he had to leave on a tourist visa and return to the North Korean border region monthly to receive entry and exit stamps at customs before returning to China.<sup>313</sup> In Russia, since October 2019, workers have been returning to their home country and subsequently re-entering Russia on student visas, often without knowledge of the university they were supposedly attending.<sup>314</sup> Following the implementation of sanctions, there have been testimonies of workers entering Russia on tourist visas, undertaking *cheongbu* work, and returning to North Korea every three

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<sup>311</sup> Member States must repatriate North Korean overseas workers within a period not exceeding 24 months. (UN Doc. S/RES/2397 (2017), para. 8.)

<sup>312</sup> EHDC1T2297, 8CWCD32231, CUKQSL2289, 32CICV2337, EIU6381596

<sup>313</sup> 1QUJHM2199, 9F06UX2305

<sup>314</sup> 3Z681Y1213

months.<sup>315</sup> In the Middle East, companies circumvented sanctions by hiring local individuals as company presidents and engaging primarily in subcontracted construction projects.<sup>316</sup> In Africa, when the North Korean authorities could no longer directly make manpower supply contracts with host countries, they bypassed the sanctions by dispatching North Korean workers to Chinese companies in Africa that already had agreements with North Korean institutions.

“Until 2022, I was affiliated with a Chinese construction company. As far as I know, this company had signed a contract with the trade management department of a city in North Korea, and upon approval from the authorities, overseas dispatch was permitted. At that time, due to UN sanctions preventing a direct country-to-country dispatch, as I understand it, the arrangement involved a contract between North Korea’s city-level trade management department and the Chinese company.”<sup>317</sup>

Some overseas dispatched workers had to work in an illegal status after the imposition of sanctions against North Korea and the outbreak of COVID-19. In fact, there were testimonies that some workers who had been dispatched to Russia just before the sanctions against North Korea were implemented ended up working illegally because they were unable to obtain residence permits due to the sanctions.<sup>318</sup> Furthermore, as COVID-19 spread globally in 2020 and North Korea closed its borders, workers who had completed their dispatch periods could not return home, resulting in some remaining abroad illegally. One worker dispatched to Africa in 2019 testified that due to sanctions, overseas workers’ visas were not extended, leading to illegal stays, and during the COVID-19 pandemic, they could not leave

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<sup>315</sup> HLYRUJ2290

<sup>316</sup> EIU6381596

<sup>317</sup> 32CICV2337

<sup>318</sup> UY2OY52324

the country. In 2021, the immigration office of the host country required all North Korean workers to report themselves and then face detention at a shelter for interrogation.<sup>319</sup> At that time, the immigration office confirmed that due to COVID-19, the workers could not return to North Korea, and required each worker to pay USD 850 before issuing a temporary residence permit valid up to two months. In Mongolia, after their visas expired in June 2019 and were not extended, workers faced a daily fine of 10,000 Tugrik (approximately USD 3).<sup>320</sup> Eventually, following North Korea's declaration of the end of COVID-19 and the lifting of the border closure in August 2023, the workers dispatched to the Russian region were allowed to return.<sup>321</sup>

“When dispatched in 2019, we were working under education visas without work permits. When the Russian police regularly inspected our construction site, we often resorted to bribes to avoid being caught. However, in October 2020, four workers were detained for working without proper authorization and were handed over to the immigration authorities for an investigation and a trial. Due to the closure of North Korea's borders, they were not deported but were fined instead. Before 2019, only workers who had been dispatched with work visas returned to North Korea, and even then, only about 70% managed to do so. The rest remained illegally, along with those dispatched after 2019, and continued their construction activities.”<sup>322</sup>

## E. Conditions for Selection

The North Korean authorities seek to prevent defection and information leaks when selecting workers for overseas dispatch. Initially, those with siblings who had been criminally punished, single candidates, or those married without children were disqualified. Additionally, candidates with family members imprisoned in political prison camps or siblings residing

<sup>319</sup> 5KJESK2235

<sup>320</sup> 2RGIXC1370

<sup>321</sup> 5VRQH72482

<sup>322</sup> KQ9C5Q2261



abroad were also ineligible. For the sake of preventing information leaks, college graduates or those who had served in special military units were typically excluded. In examining the actual dispatched workers, during the 1990s, when forestry was the main industry, the majority were members of the Workers' Party. Around 2010, as the primary dispatch industry shifted to construction, in addition to the basic disqualification criteria mentioned above, the possession of practical skills, including plastering, also became a criterion for evaluation.

However, these selection conditions were not uniformly applied. Particularly for middle managers, their abilities and qualifications to perform dispatch duties were significantly considered. There was also an account indicating that interpreters were not limited to those who were married with children. Instead, a regulation was established allowing unmarried individuals under 27 years old, whose parents were still alive, to be dispatched once.<sup>323</sup> In addition, to qualify as an interpreter, candidates were required to have excellent university grades and pass written and oral exams administered by the department responsible for foreign language exams for overseas dispatch at the foreign publishing company. From 2010 onwards, medical workers were also required to demonstrate specific job competencies. For doctors, it was necessary to have at least 10 years of hospital experience and to have been a member of the Workers' Party for over three years. Furthermore, after selection, they were expected to undergo English language training for two to six months and pass an evaluation of their conversational skills.<sup>324</sup>

"In 2015, when I was dispatched to Russia, individuals were excluded from dispatch if they had a family member who had defected to South Korea or had been imprisoned as a political criminal. Those involved in family disputes, suffering from illnesses, or

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<sup>323</sup> EHDC1T2297

<sup>324</sup> RQU50U2001, CVQIN52013, Z63J852157, ULIF611577

having relatives working in special institutions such as the Workers' Party's central institutions, military factories, or military research institutions, as well as those who had worked in such positions themselves, were also disqualified. Graduates of full-time universities were only dispatched as officers, not as workers. Additionally, only married individuals were eligible for overseas work, but exceptionally, interpreters were permitted to be dispatched even if they were single."<sup>325</sup>

## F. Selection Process

The selection process for dispatched workers varied over time and by industry but typically included recommendations, document reviews, background checks, physical exams, and interviews. Forestry workers in the 1990s were selected at the national level by the General Bureau of Forestry. The recommended workers underwent a background check and workplace evaluation as part of the document review process, followed by a physical exam, and were ultimately selected after interviews.<sup>326</sup>

Construction workers were typically chosen among workers who had been employed for at least one to two years at the external construction training agency (referred to as "training agency") under the External Construction Guidance Bureau. Additionally, central agencies independently dispatched workers or soldiers performing military service.<sup>327</sup> For middle managers, such as site managers, the selection process involved additional interviews with organizational secretaries and Party secretaries. At the interview stage with the central institutions of the Workers' Party, officers and directors from the Eighth Section, which is in charge of overseas dispatch, conducted the interviews, followed by approval from the Deputy Head of the Organization and Guidance Department.

<sup>325</sup> J69FHD2164

<sup>326</sup> U9QUH40316, JKFPMU0323, ZNOYFE1456

<sup>327</sup> V6PE6V2232, 8CWCD32231

The selection process for doctors varied depending on their affiliation and the institution responsible for their dispatch. It started with interviews by the city or provincial Party committee overseeing the affiliated hospital, followed by interviews with the central institutions of the Workers' Party, including the Eighth Section and an interview by the state security department. For restaurant workers, selections were made among graduates of the external service academy in Pyongyang or through recommendations.

**Table II - 10** Selection Process (Based on the Center's Investigations)

Dispatched Area	Selection Process
<b>Forestry Worker</b>	Notification of the allocated personnel number by the General Bureau of Forestry to administrative committees in cities or counties nationwide → Announcement of the number of personnel to be selected by each enterprise → Recommendations from the Party secretaries of the enterprises → Background checks and submission of workplace evaluations → Physical examinations → Interviews with officials from city or county Party committees and provincial Party committees → Optional interviews with the central institutions of the Workers' Party
<b>Construction Worker</b> (Training Agency of the External Construction Guidance Bureau)	Recommendations from the officials of the cadre division → Background checks by the cadre division, verification by guarantors, and submission of evaluation reports by workplace state security officers → Interviews with the officials and director of the cadre division → Submission of documents to the External Construction Guidance Bureau → Interviews with the officials, director general, organizational secretary, and chief secretary from the cadre department of the External Construction Guidance Bureau → Interviews with the Eighth Section of the central institution of the Workers' Party (for managers only)
<b>Doctor</b>	Interviews with the provincial Party committee overseeing the hospital → Interviews with the department responsible for overseas dispatch or the Eighth Section of the central institution of the Workers' Party
<b>Restaurant Staff</b>	Interviews with the higher-level organization overseeing the restaurant → Submission of evaluation reports from affiliated organizations (such as the Youth League) → Background checks

Although there are specific criteria for recommending and selecting overseas dispatched workers, ordinary residents of North Korea rarely have the opportunity to go abroad, and the selection conditions are stringent, leading many to use connections or bribes to secure dispatch. However, in the early instances of overseas dispatches, such as those in the forestry sector, connections such as friendships with company Party secretaries or help from relatives were primarily used instead of bribes. It seems that depending on the situation, it was possible to be dispatched without relying

on connections or bribes.<sup>328</sup>

Over time, bribes became more commonplace. Especially in construction, since the authority to recommend dispatched workers lies with the supervisor of the relevant department, workers in the training agency typically had to offer bribes to undergo evaluation. One construction worker dispatched to Russia in 2019 stated that he gave USD 150 to the head of the training agency, USD 250 to the Party chairman, and USD 70 to the responsible state security officer as bribes.<sup>329</sup> Doctors were officially supposed to be selected through announcements, but there were cases where selections were predetermined through bribes to the institutions responsible for their dispatch.<sup>330</sup> One worker mentioned paying a total of USD 4,500 in bribes prior to the selection process, with an additional USD 300-500 given at each interview session.<sup>331</sup> Another worker, who had worked as an interpreter since 2017, also stated he had paid a total of USD 1,500 in bribes to various officials involved in the paperwork and qualifications process, including those in his agency's cadre division, the cadre department of the External Construction Guidance Bureau, and the cadre department of the central institution of the Workers' Party.<sup>332</sup>

“When I was dispatched to Africa in 2017, I heard that other people being sent abroad as interpreters were paying bribes of USD 500-1,000. In my understanding, the amount of the bribe depends on the profession and region, which in turn depends on how much one can earn in the host country. I heard that doctors dispatched from the General Bureau of Rear Service paid over USD 5,000 to go abroad.”<sup>333</sup>

<sup>328</sup> O1748A0834, 5T1BAM1849

<sup>329</sup> KQ9C5Q2261

<sup>330</sup> B305WN2002, RQU50U2001, CVQIN52013

<sup>331</sup> B305WN2002, RQU50U2001

<sup>332</sup> EIU6381596

<sup>333</sup> 8B5CA02248

## 4. COVID-19

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After early 2020, the COVID-19 pandemic spread widely across the globe. North Korea denied the presence of COVID-19 cases until May 2022, when it officially recognized the outbreak. By August of that year, North Korean media claimed the pandemic had ended. At the pandemic's onset in January 2020, the North Korean authorities declared a national emergency anti-epidemic system, leading to the enactment of the Law on Emergency Anti-Epidemic Work on August 22, 2020. The law was amended three times to tighten border controls and increase oversight.

### A. Anti-Epidemic Work

At the onset of the pandemic, North Korea closed its borders and coastal areas. The authorities ordered a decree<sup>334</sup> to establish a 1-km buffer zone along the northern border regions, coastal areas, and the frontlines near South Korea. Testimonies reveal that areas a certain distance from the coastline were strictly off-limits to North Korean residents.<sup>335</sup> In addition, tap water sourced from the Duman River in the regions near the border was shut off to prevent the spread of the COVID-19 virus from the outside world.<sup>336</sup>

Measures targeting residents, such as travel bans, disinfections, and quarantines, were implemented. The authorities restricted people from physically moving to regions outside of their place of residence and limited gatherings of 40 people and more during celebrations or commemorations.<sup>337</sup> In addition to this, quarantine measures were intensified at homes and

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<sup>334</sup> The North Korean authorities often issue “decrees” to communicate orders to residents.

<sup>335</sup> UBWCTO2335, OTP8Z62291, ONW4SH2402

<sup>336</sup> HNTCJ42201

<sup>337</sup> HNTCJ42201, RQU50U2001

public facilities. The authorities mandated the use of face masks and hand hygiene, and officials visited homes to monitor temperatures and enforce health guidelines. Medicines, primarily produced by North Korean clinics, were distributed to the public.<sup>338</sup> Furthermore, the number of people allowed in a private service car (a form of paid private taxi) was limited. Passengers were required to have their temperatures checked before boarding vehicles, and the vehicles were required to be disinfected. Vehicles traveling between regions had to be sterilized at each guard post.<sup>339</sup>

At the beginning of the COVID-19 outbreak, infected patients and suspected cases were isolated at specific facilities. However, as the infection rate surged, self-isolation became mandatory. Soldiers in communal settings were required to wear face masks, wash their hands, disinfect their belongings, limit group gatherings, and maintain a social distance from each other of at least 2m.<sup>340</sup>

“Around March 2020, I first realized the severity of the COVID-19 pandemic while watching news reports on television about its global spread. Starting in August 2020, our *inminban* head instructed residents to wear masks outdoors. We bought the masks from local marketplaces known as *jangmadang*. By September 2020, clinic doctors began visiting each household daily to check for fevers using digital thermometers, recording the temperatures. Temperature checks and hand sanitization became mandatory before entering buses, shops, and the *jangmadang*. The *inminban* head also advised residents to avoid gatherings of three or more people, not including family members. For ceremonial events, including weddings and birthdays, attendance was capped at 40 people, and gatherings were restricted to no longer than two hours.”<sup>341</sup>

<sup>338</sup> ONW4SH2402

<sup>339</sup> 7IAFLD2191

<sup>340</sup> OTP8Z62291

<sup>341</sup> 7IAFLD2191

Vaccination was largely unavailable to most residents, except for three instances over a five-month period starting in June 2022 in a specific region. Notably, clinics in regions near the Demarcation Line offered free vaccinations, according to testimonies.<sup>342</sup> The medical staff at that time mentioned that “getting the shots was as costly as buying a cow, and their availability was credited to the great care of the Supreme Leader (Kim Jong Un).”<sup>343</sup>

In lieu of relying solely on vaccines, North Korea seemed to develop its own oral antiviral medication. Testimonies indicate that clinical trials were conducted in a few regions around autumn 2021 to evaluate this locally developed medication. However, these trials were discontinued after several participants who took the medication suffered severe adverse effects.<sup>344</sup>

Since comprehensive vaccination was unfeasible and the authorities failed to implement a solid solution, public fear regarding the COVID-19 virus escalated. This led to the widespread adoption of a folk remedy among the population. Testimonies suggest that people believed extracting water from willow and platycladus leaves was effective against the virus, prompting many to gather these leaves from mountains and fields. However, as individuals using this remedy began to fall ill, the authorities reportedly prohibited such private treatments.<sup>345</sup>

## B. Control of Residents

The North Korean authorities enforced strict controls on their residents under the Law on Emergency Anti-Epidemic Work and its ensuing

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<sup>342</sup> 5VRQH72406

<sup>343</sup> XHQ3062407, UYSKRB2399, 5VRQH72406

<sup>344</sup> ONW4SH2402

<sup>345</sup> ONW4SH2402

quarantine measures. Starting from August 2020, the border lockdown and closure of the coastline were further intensified. According to a defector, a decree mandating a complete shutdown of the borders, coastlines, and frontlines to prevent COVID-19 was issued to all military bases with emergency quarantine protocols in August 2020. This decree required the entire military to cease its operations to prevent COVID-19 and immediately re-deploy to the border region. Additional military personnel were also dispatched to support the existing border patrols in preparation for the 75<sup>th</sup> anniversary of the Workers' Party Foundation Day on October 10. Further policies were issued to facilitate the smooth execution of the Eighth Congress of the Workers' Party in 2021. With the emergence of COVID-19 variants, the border restrictions were further tightened.<sup>346</sup> As a result, access to public laundry facilities for residents was restricted, and electrified barbed wire was installed along the border. Guards were instructed to shoot to kill anyone entering the blockade zone. The border guards were positioned 70m apart, each equipped with 60 live rounds of ammunition, a significant increase from the usual two blanks and three live rounds.<sup>347</sup>

“After the border lockdown, we surveilled the area using a telescope from second-floor posts, stationed every 70m along the border, each equipped with 60 live rounds of ammunition. High electric voltage flowed through the barbed wire fences, making it impossible to cross the border. During my time as a guard, no one entered the blockade zone. In the autumn of 2020, a fellow guard shot and killed an individual wearing a mask who entered the blockade zone from the Chinese side and was commended by our superiors.”<sup>348</sup>

<sup>346</sup> OTP8Z62291, UBWCTO2335

<sup>347</sup> OTP8Z62291

<sup>348</sup> OTP8Z62291



Testimonies from defectors indicate that individuals caught violating border lockdown measures were immediately executed by being shot, and some were sentenced to death.

**Table II - 11** Cases of Gunfire and Firing Squad near the Border<sup>349</sup> (Based on the Center’s Investigations)

Year	Province	Victims	Reasons
2020	Ryanggang	A border guard	Executed without a trial for traveling to China at the request of a smuggler
2020	Ryanggang	A resident	Killed on the spot for entering the buffer zone trying to defect
2021	Jagang	Border guards	Executed for smuggling goods in cooperation with Chinese nationals

The authorities enforced crackdowns and punishments on residents who broke quarantine protocols. There were policies in place that ensured those who interfered with implementing quarantine measures faced consequences, regardless of their positions.<sup>350</sup> They checked whether residents wore face masks outdoors and if state-owned enterprises adhered to anti-epidemic protocols after mask mandates were implemented.<sup>351</sup> Initially, these crackdowns were carried out by inspection groups from the Women’s Union and among university students. As the COVID-19 situation deteriorated, a specialized surveillance group known as the “COVID-19 *Sangmu*” was established. According to testimonies, these groups consisted of five to six members from the People’s Committee and the city and county-level Party Committees.<sup>352</sup> These groups were responsible for educating residents on quarantining measures and for inspecting the status of disinfections, particularly on buses traveling between regions. Testimonies indicate that in early 2020, an official from a state-owned enterprise was caught for violating

<sup>349</sup> UBWCTO2335

<sup>350</sup> TGCAEV2403

<sup>351</sup> J960TT2200

<sup>352</sup> HNTCJ42201, J960TT2200

quarantining measures during one of the COVID-19 *Sangmu*'s inspections and was subsequently punished.<sup>353</sup> In 2021, a defector stated that residents who violated COVID-19 restrictions against consuming wild animals were subjected to *rodong-kyoyang* penalties.<sup>354</sup> In the same year, another incident involved a car that was stopped at a guard post by the Emergency Anti-Epidemic Committee in North Pyongan Province. The driver violated anti-epidemic protocols and tried to escape, causing a traffic accident that resulted in a fatality. The driver was sentenced to death for these actions.<sup>355</sup> In February, a significant case occurred when an anti-epidemic officer who allowed quarantined individuals to visit a public bathhouse was sentenced to death.

“On February 18, 2021, two male officials including a Party secretary and a chairman of the People’s Committee in a county were executed by firing squad with no trial for violating the Law on Emergency Anti-Epidemic Work. The executions took place in the military schoolyard of a province after they allowed residents, who were quarantined at an isolation facility for breaking anti-epidemic protocols, to visit a public bathhouse. I heard that a provincial state security officer traveled to a county to arrange for the families of the executed to be sent to political prison camps. Following the outbreak of COVID-19 variants in 2021, any breach of anti-epidemic measures was considered reactionary behavior.”<sup>356</sup>

It seems that the North Korean authorities actively informed residents of the punishments for violating quarantine measures. Testimonies indicate that in 2020, a resident living near the China-North Korea border was executed without a trial for selling a pseudo-medicine claimed to treat COVID-19. The execution was publicized as a measure to “educate

<sup>353</sup> HNTCJ42201

<sup>354</sup> TEIEJA2400

<sup>355</sup> UBWCTO2335

<sup>356</sup> UBWCTO2335

residents.”<sup>357</sup>

During the pandemic, numerous baseless rumors spread across North Korea. For instance, there was a rumor that boiling pieces of a tree could prevent and cure the virus, which led to a resident who peeled bark from a tree at a revolutionary site being detained at a political prison camp. There was also a rumor that edible snails were being exported to China at very high prices.<sup>358</sup> The emergency command centers for epidemic response issued directives urging people to not spread rumors and refrain from starting any rumors related to COVID-19.<sup>359</sup> There were also instances of forced disappearances for verbal treason, or *mal bandong*. A farmer who criticized directives following the Party Congress disappeared along with his entire family. Similarly, a worker who spoke about the inability of the North Korean authorities to produce industrial products also disappeared.<sup>360</sup>

“During the COVID-19 pandemic, the head of workers at a collective farm in a county voiced a complaint in response to an order to review content discussed during the Party Congress. He said, ‘I hope they do not bother us with the Party Congress since there are too many of them. I can’t even keep track of which Party Congress it is. What improvements can be made by doing this every time? Memorizing all the content just gives us headaches.’ A couple of days later, his entire family disappeared.”<sup>361</sup>

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<sup>357</sup> UBWCTO2335

<sup>358</sup> TEIEJA2400, ONW4SH2402

<sup>359</sup> ONW4SH2402

<sup>360</sup> ONW4SH2402

<sup>361</sup> ONW4SH2402

## C. Influence of COVID-19 Measures on Residents

The North Korean authorities' anti-epidemic measures against COVID-19 had a significant impact on the lives of the people. Bans on group gatherings and travel, along with restricted access to border and coastal areas, severely limited private economic activities. According to a North Korean defector, these measures prohibited gatherings of even three to four people and restricted travel outside of one's residence, stifling private businesses in village markets known as *jangmadang*. These restrictions persisted until mid-2021. In some regions, travel beyond one's municipal or county area was completely forbidden, and markets remained closed until the end of 2021, when the ban was lifted and private commerce at *jangmadang* resumed.<sup>362</sup> Following the outbreak of COVID-19, construction work and fishing operations were halted, including the catching of freshwater fish, rendering the sale of fishery products impossible.<sup>363</sup> A former diver who made a living in a coastal area mentioned that the shutdown significantly worsened their living conditions.<sup>364</sup> Meanwhile, a defector from Ryanggang Province testified that the restrictions were not uniform across North Korea. Some areas were not subjected to complete travel bans or mandatory mask-wearing, indicating that the intensity of restrictions varied by region.<sup>365</sup>

The operation of state-owned enterprises, particularly those run jointly with Chinese companies, faced challenges due to the border lockdown. Chinese partners were forced to leave North Korea, and delays in receiving raw materials disrupted production schedules, preventing the shipment of finished products to China.<sup>366</sup> Consequently, workers' wages were delayed.

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<sup>362</sup> UYSKRB2399

<sup>363</sup> HNTCJ42201, ONW4SH2402

<sup>364</sup> SYYKDH2214

<sup>365</sup> 5Q8LRL2333

<sup>366</sup> HNTCJ42201

A defector working in a joint venture operation mentioned that in 2020, the factory was unable to import raw materials or export finished goods to China due to COVID-19 disruptions, ultimately leading to the factory's closure.

“All trade with China was blocked due to measures to combat COVID-19, significantly worsening the economic situation. Recently, many people had been earning a living by importing raw materials from China, manufacturing products, and exporting the finished goods back to China. However, the pandemic made it difficult to continue these activities. In addition, operations in the fishing and construction sectors were banned, further challenging residents' economic livelihoods. A common saying emerged, ‘You need to be thankful for having three meals a day.’”<sup>367</sup>

Border control significantly affected the cost of living for North Korean residents, leading to a sharp increase in the prices of essential medications and imported necessities, including industrial products. For instance, a resident from North Hamgyong Province noted that the price of antipyretic analgesics, which reduce fever and pain, surged from KPW 300-500 per tablet to KPW 5,000 during the pandemic.<sup>368</sup> Additionally, the cost of everyday items such as condiments rose dramatically from KPW 10,000 to KPW 200,000 per kg. The price of soybean oil increased from KPW 10,000 to KPW 55,000 per kg, and sugar rose from KPW 5,500 to KPW 40,000 per kg.<sup>369</sup> Meanwhile, the prices of grains like rice initially increased at the start of the pandemic but later stabilized, with the cost of rice stabilizing at KPW 5,300-5,500 per kg, corn and noodles at KPW 3,000-3,500, and flour at KPW 10,000. The price of eggs and poultry remained unaffected.<sup>370</sup>

The U.S. dollar also experienced fluctuations. At the onset of COVID-19, its

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<sup>367</sup> HNTCJ42201

<sup>368</sup> HNTCJ42201

<sup>369</sup> UYSKRB2399

<sup>370</sup> 7IAFLD2191, TGCAEV2403

value dropped from around KPW 8,500 to KPW 5,500-6,500, but after 2022, it increased to KPW 10,000, according to testimonies.<sup>371</sup> Similarly, the Chinese yuan fluctuated. In Ryanggang and North Hamgyong Provinces, it was necessary to exchange KPW 120,000 for CNY 100 in 2019, but this amount dropped to KPW 110,000 after the pandemic began.<sup>372</sup>

The prolonged emergency measures, including border closures, exacerbated the economic situation, leading to deteriorating public morale. This resulted in a surge of burglary, robbery, and fraud. A defector mentioned that several residents were tricked into buying escargot, a product banned for export, under the false promise of a high return, resulting in substantial financial losses.<sup>373</sup> Some exploited the chaotic situation by impersonating officers in charge of overseas worker dispatches, deceiving people into paying money with the false promise of employment abroad.<sup>374</sup> Despite the hardships that residents faced, it was revealed that the North Korean authorities ordered construction projects to strengthen organizational activities and increase the authority of the regime.

“Residents had a hard time building heating facilities in the research institutes for revolutionary ideology across North Korea during the pandemic. In February 2021, while Kim Jong Un was providing field guidance to judicial agencies, he visited a research institute for revolutionary ideology. He observed that the room displaying portraits of Kim Il Sung and Kim Jong Il had no heating and criticized the personnel in charge, saying, ‘Our forefathers, the Supreme Leaders, are served in a cold room.’ Following this, residents were mobilized for the construction of heating facilities in the revolutionary ideology research institutes of every region.”<sup>375</sup>

<sup>371</sup> 7IAFLD2191, TGCAEV2403

<sup>372</sup> HNTCJ42201

<sup>373</sup> UYSKRB2399, ONW4SH2402

<sup>374</sup> ONW4SH2402

<sup>375</sup> ONW4SH2402





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## Special Issues

“In the revolutionized zone of Camp No. 15 in Yoduk County, all the workers there were male, and a significant number were Party cadres. We were assigned daily quotas that had to be completed. I heard that the workload was extremely demanding.”



# 1. Political Prison Camps

Article 2 of the Universal Declaration of Human Rights declares that everyone is entitled to the rights and freedoms outlined in the Declaration, regardless of their political status.<sup>1</sup> Article 2, paragraph 1 of the ICCPR stipulates, “Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind.”

**Table III- 1** 「ICCPR」 and Political Prison Camps

「ICCPR」			Political Prison Camps (Related Contents)
Article 2	1	Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.	<b>Political Prison Camps</b>

North Korea operates political prison camps, known as *kwanliso*, to punish individuals who engage in acts deemed threatening to its regime, including acts of treason. In 2014, the COI report on human rights in North Korea highlighted that individuals accused of significant political offenses are forcibly taken to these political prison camps.<sup>2</sup> These camps operate outside the purview of official legislation, maintaining strict secrecy. These camps are not recognized officially and are identified only by designated code numbers.

<sup>1</sup> The Universal Declaration of Human Rights, Article 2 states that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

<sup>2</sup> UN Doc. A/HRC/25/CRP.1 (2014), para. 729.

Inmates are classified as *ijumin* and *haejemin*, depending on whether they have been granted amnesty. *Ijumin* are those who have not received amnesty and live in highly controlled zones within the camps, whereas *haejemin* are individuals who have been released through amnesty.<sup>3</sup>

Many North Korean defectors were aware of these camps before their escape from North Korea, understanding that individuals accused of espionage or treason, along with their families, have been incarcerated in these camps. However, they were unaware of the specifics of the detention process and reasons for the detentions. Camps are strategically located in remote, mountainous regions to restrict access from the outside world, housing individuals and their families who are considered adversaries of the regime. The conditions inside the camps are found to be dire, and the prisoners are subjected to hard labor in mines or farms. They endure harsh treatment and live under the constant threat of arbitrary deprivation of their lives, as the camps are sites of both public and secret executions.

## A. Status of Political Prison Camps

### (1) Operation of the Camps

The Center has identified 10 political prison camps<sup>4</sup> based on gathered testimonies: four in North Hamgyong Province, three in South Hamgyong Province, two in South Pyongan Province, and one in Jagang Province. Of these, four appear to be operational: two in North Hamgyong Province and two in South Pyongan Province.<sup>5</sup>

<sup>3</sup> Upon being sent to a *kwanliso*, those who are granted amnesty are called “*haejemin*,” while those who are not are referred to as “*ijumin*.”

<sup>4</sup> The 2023 Report on North Korean Human Rights initially identified the “Nongchool *Ri* Camp” as a political prison camp. However, it has since been confirmed that this camp is not a political prison camp, and thus it is not included in the list of 10 political prison camps.

<sup>5</sup> Camp No. 15 in Yoduk County, previously identified as partially shut down, has now been completely closed, including both the revolutionized and fully controlled zones.

**Table III - 2 Status of Political Prison Camps (Based on the Center’s Investigations)**

	Political Prison Camps (Location, Year of Closure)
In Operation	<p><b>No. 14</b> (Kaecheon City in South Pyongan Province)</p> <p><b>No. 16</b> (Myonggan County in North Hamgyong Province)</p> <p><b>No. 18</b> (Kaecheon City in South Pyongan Province)</p> <p><b>No. 25</b> (Chonjin City in North Hamgyong Province)</p>
Closed	<p><b>No. 12</b> (Onsong County in North Hamgyong Province, around 1985)</p> <p><b>No. 15</b> (Yodok County in South Hamgyong Province, around 2019)</p> <p><b>No. 17</b> (Toksong County in South Hamgyong Province, around 1983)</p> <p><b>No. 21</b> (Tanchon City in South Hamgyong Province, around 2001)</p> <p><b>No. 22</b> (Hoeryong City in North Hamgyong Province, around 2012)</p> <p><b>No. 24</b> (Tongsin County in Jagang Province, Unknown)</p>

\* Camp No. 18 was originally located in Bukchang County, South Pyongan Province, and it was relocated to Kaecheon City, South Pyongan Province, around 2006. (It is referred to as former No. 18 in Bukchang County).

Some political prison camps have undergone changes in location and size. Camp No. 18 was originally located in Bukchang County, South Pyongan Province, adjacent to Camp No. 14 in Kaecheon City near a tributary of the Taedong River. However, Camp No. 18 was relocated to near Kaecheon City in 2006, leading to the transfer of a portion of its prisoners to a new site, while the *haejemin* who had been released continued to live at the original site. Testimonies indicate that Camp No. 14 expanded into the area formerly occupied by No. 18 to accommodate individuals associated with Jang Song-thaek in 2014, Kim Jong Un’s uncle by marriage, who was executed.<sup>6</sup> This suggests that Camp No. 14 has expanded both its facilities and number of prisoners, although the specifics of its expansion are unclear. Camp No. 15 in Yodok County, South Hamgyong Province, appears to have gradually reduced its capacity since the early 2000s.<sup>7</sup> However, it has been found that the camp was recently closed down.

<sup>6</sup> E4MJ0I2167, UN Doc. A/HRC/25/CRP.1 (2014), para. 739 states, "It appears that Political Prison Camp No. 18 was gradually downsized until the site in Bukchang, South Pyongan Province was closed down in 2006. Today, a short-term labour detention facility has been placed on the premises formerly occupied by Political Prison Camp No. 18."

<sup>7</sup> XHZHYK0096

**Figure III-1** Incorporation of Former Camp No. 18 Site to Camp No. 14 (Based on the Center's Investigations)



\* (Source) Google Earth (<https://earth.google.com/web/>)

A significant number of political prison camps seem to have been closed after the early 2010s. Camp No. 12 in Onsong County is reported to have closed around 1985, followed by Camp No. 17 in Toksong County around 1983, Camp No. 21 in Tanchon City around 2001, and Camp No. 22 in Hoeryong City around 2012. The reasons for these closures are not clear, though there is speculation that they may be due to orders from Kim Jong Il or testimonies by former camp officers who defected and informed the international community about the camps.

Following a camp's closure, *haejemin* who had been released from the camp or residents from nearby neighborhoods often migrate to and live in the area. Testimonies suggest that after the closure of Camp No. 12 in Onsong County, residents from nearby areas and officers who had worked at the camp were relocated to where it once stood.<sup>8</sup> It is assumed that the

<sup>8</sup> 3BKBFW1632, RRH58L0444

inmates of Camp No. 12 were transferred to other prison camps. After the closure of Camp No. 22 in Hoeryong City in 2012, its inmates were moved to Camp No. 16 in Myonggan County, and farm workers from Myonggan County (formerly Hwasong County) were then relocated to the area previously used as Camp No. 22, according to testimonies.<sup>9</sup> Similarly, Camp No. 21 in Tanchon City is said to have been occupied by released prisoners, or *haejemin*, who continued to live there after its closure, along with regular residents moving in.<sup>10</sup> Camp No. 24 in Tongsin County, Jagang Province, also appears to have been closed, but no relevant testimonies have been collected.

**Table III - 3** Overview of Political Prison Camps (Based on the Center’s Investigations)

	Camp No. 12 (Dongpo <i>Kwanliso</i> )	Camp No. 14	Camp No. 15 (Yoduk <i>Kwanliso</i> )	Camp No. 16 (Myonggan <i>Kwanliso</i> )	Camp No. 17
Location	Changpyong <i>Ri</i> , Onsong County, North Hamgyong Province	Kaechon City, South Pyongan Province	Ipsok <i>Ri</i> , Yoduk County, South Hamgyong Province	Myonggan (formerly Hwasong) County, North Hamgyong Province	Toksong County, South Hamgyong Province
Managed by	Bureau No. 9, Ministry of State Security	Ministry of State Security	Ministry of State Security or Ministry of Social Security	Ministry of State Security	Ministry of Social Security
Characteristics	· Shut down around 1985. · After shutdown, Wonsan residents were relocated to the area.	· For political prisoners. · Expanded in 2014 to include areas formerly known as Camp No. 18.	· Shut down around 2019. · Collective punishment applied.	· Sells items to ordinary residents. · Collective punishment applied. · Formerly called Hwasong <i>Kwanliso</i> .	· Shut down around 1983. · Collective punishment applied.

<sup>9</sup> 9KQ9NA0790

<sup>10</sup> MYPEZ81177

	Camp No. 18	Camp No. 21	Camp No. 22	Camp No. 24	Camp No. 25 (Susong <i>Kwanliso</i> )
Location	Kaechon City, South Pyongan Province	Komdok District, Tanchon City, South Hamgyong Province	Saul <i>Ri</i> , Naksang <i>Ri</i> , and Gulsan <i>Ri</i> , Hoeryong City, North Hamgyong Province	Sujon <i>Ri</i> and Kumsok <i>Ri</i> , Tongsin County, Jagang Province	Susong <i>Dong</i> , Songpyong District, Chongjin City, North Hamgyong Province
Managed by	Ministry of Social Security	Bureau of Corrections, Ministry of Social Security	Ministry of State Security	Ministry of State Security	Ministry of State Security
Characteristics	<ul style="list-style-type: none"> <li>Operated fully controlled zones and revolutionized zones.</li> <li>Collective punishment applied.</li> </ul>	<ul style="list-style-type: none"> <li>Shut down around 2010.</li> <li>Collective punishment applied.</li> </ul>	<ul style="list-style-type: none"> <li>Shut down around 2012.</li> <li>Closed due to an officer's defection.</li> <li>Relocated residents of Myonggan County after its shutdown.</li> <li>Collective punishment applied.</li> </ul>	<ul style="list-style-type: none"> <li>Shut down at an unspecified time.</li> </ul>	<ul style="list-style-type: none"> <li>Functions as a <i>Kyohwaso</i>-type facility.</li> <li>Only for political prisoners.</li> <li>Inmates release upon completion of sentence.</li> <li>Visitation not permitted.</li> <li>Prisoners produced bicycles.</li> </ul>

\*   Currently in operation

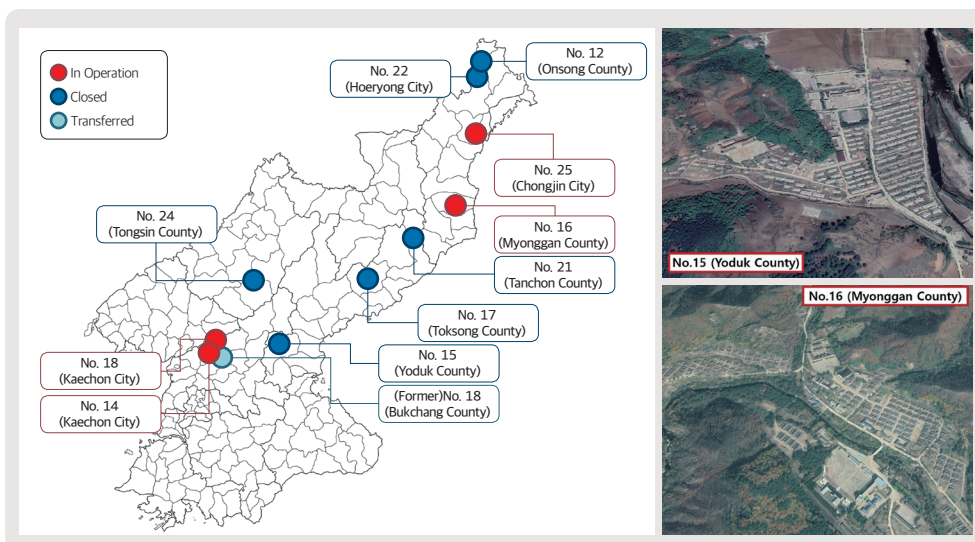
\* Former Camp No. 18 was found to be located in Bongchang *Ri*, Bukchang County, South Pyongan Province, administered by the Ministry of Social Security. It was relocated to Kaechon City, South Pyongan Province after its closure in 2006.

Individuals interned in political prison camps are categorized, and their rights vary based on whether they have been pardoned. Those not pardoned, known as *ijumin*, remain within the camps as inmates or prisoners. In contrast, pardoned individuals, referred to as *haejemin*, are released from the camps and live as normal residents, receiving citizen identification cards. However, their identification cards often list the *kwanliso* as their address, thus distinguishing them from the general population.<sup>11</sup> Camp officers are sometimes called “management staff,” representing the general camp population. Some officers and their families identify themselves as *daena*, or insiders, to differentiate themselves from the *haejemin*.<sup>12</sup>

<sup>11</sup> SOQJ2G1499

<sup>12</sup> E4MJ0I2167, SOQJ2G1499, 50MCF02132

**Figure III-2** Expected Location of Political Prison Camps in North Korea (Based on the Center’s Investigations)



\* (Source) Google Earth (<https://earth.google.com/web/>)

The political prison camps have distinct zones: “fully controlled” and “revolutionized.” The fully controlled zones are areas where *ijumin* reside, accessible only by officers. Revolutionized zones are designated for “revolutionization punishments.”<sup>13</sup> While parts of some camps are set aside for fully controlled zones, others, like Camps No. 14 in Kaechon City, No. 16 in Myonggan County, and No. 25 in Chongjin City, are entirely controlled. Camp No. 18 in Kaechon City seems to operate revolutionized zones additionally, and Camp No. 15 in Yodok County had a revolutionized zone until 2005 before it was shut down.<sup>14</sup>

The inmate populations of these camps vary. Some camps are exclusively

<sup>13</sup> “Revolutionization” refers to a punishment intended to provoke reflection on one’s wrongdoing through labor and encourage a sense of revolutionary ideas. A “revolutionization punishment” is decided by the Ministry of State Security, and lasts between one and three years. (XHZHYK0096)

<sup>14</sup> According to the Committee for Human Rights in North Korea (HRNK), by 2014, the remainder of the detainee housing facilities and buildings were razed and no recent significant activity at the site had been observed. (HRNK “North Korea Imagery Analysis of Camp 15 “Yodok” Closure of the “Revolutionizing Zone”, September 2015.)

for political prisoners themselves, while others also detain their families. According to testimonies, Camp No. 14 in Kaechon City only detained political prisoners, whereas Camp No. 15 in Yoduk County also housed family members.<sup>15</sup> Testimonies suggest that when Camp No. 22 in Hoeryong City, which housed both prisoners and their families, was closed, its inmates were transferred to Camp No. 16 in Myonggan County, indicating that the latter camp also accommodated families.<sup>16</sup> The fully controlled zone of Camp No. 18 in Kaechon City has housed both prisoners and their families, whereas its revolutionized zone only holds prisoners.<sup>17</sup> Meanwhile, Camp No. 25 in Chongjin City is known for detaining only political prisoners, as evidenced by testimonies.<sup>18</sup>

There are two main types of prisoner camps: village-type and *kyohwaso* (prison)-type. Of the four currently operational political prison camps, only Camp No. 25 in Chongjin City is a *kyohwaso*-type. Village-type camps include facilities found in ordinary residential areas, such as houses, workplaces (including farms and factories), hospitals, schools, and *rodong-kyoyangdae*. In contrast, *kyohwaso*-type camps, like Camp No. 25 in Chongjin City, resemble correctional centers with living quarters and workshops, where prisoners are managed in a similar way to those in traditional *kyohwaso* facilities.

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<sup>15</sup> E4MJ0112167

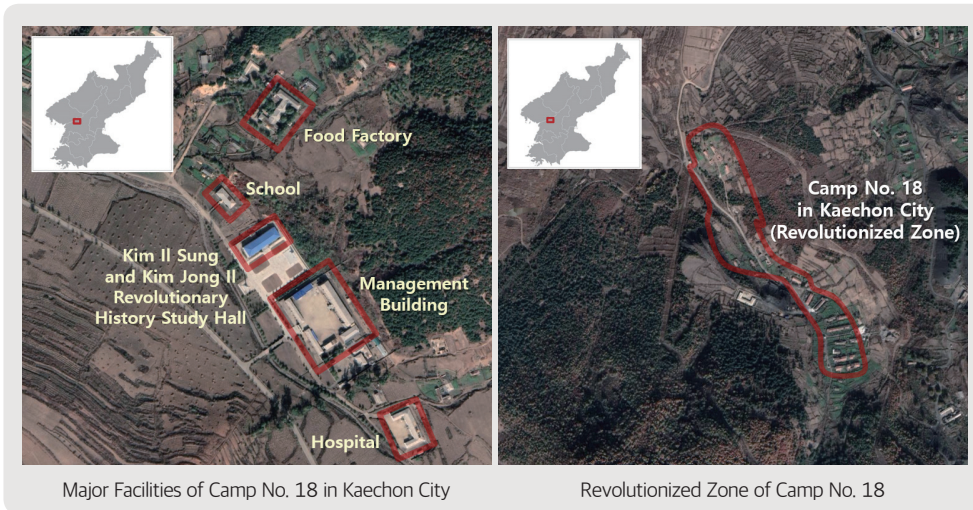
<sup>16</sup> 3BKBFW1632

<sup>17</sup> 7CRICZ2168

<sup>18</sup> FVJRJJ0567



**Figure III-3** Camp No. 18 in Kaechon City (Based on the Center’s Investigations)



\* (Source) Google Earth (<https://earth.google.com/web/>)

The number and scale of political prison camps expanded in the 1970s, adopting a village-like structure as they began to detain family members. The former Camp No. 18 in Bukchang County, established after the mid-1960s, was designed to hold the families of political prisoners. Similarly, Camp No. 12 in Onsong County, Camp No. 22 in Hoeryong City, and Camp No. 17 in Toksong County were also built for this purpose. Testimonies indicate that large numbers of people were housed in Camp No. 15 in Yoduk County and Camp No. 17 in Toksong County in the mid-1970s. In addition, hundreds of families from places like Hamhung City were detained en masse in Camp No. 15.<sup>19</sup> A significant number of prisoners were detained in Camp No. 17 in Toksong County after the mid-1970s. These prisoners were eventually relocated to what was then Camp No. 18 in Bukchang County prior to the closure of Camp No. 17 in the 1980s.<sup>20</sup>

It is known that the Ministry of State Security operates political prison camps, though there are testimonies that some camps are managed by the

<sup>19</sup> EHA0D70898

<sup>20</sup> SOQJ2G1499, E4MJ0I2167

Ministry of Social Security. Multiple testimonies claim that the former Camp No. 18 located in Bongchang *Ri*, Bukchang County, in South Pyongan Province was overseen by the Ministry of Social Security, with security guards and executions administered by social security officers.<sup>21</sup> A defector testified that the now-closed Camp No. 21 in Tanchon City was administered by the Bureau of Corrections under the Ministry of Social Security. Furthermore, it was claimed that Camp No. 15 in Yoduk County and Camp No. 17 in Toksong County also fell under the jurisdiction of the Ministry of Social Security.<sup>22</sup>

## (2) Size of Camps

Political prison camps, with the exception of *kyohwaso*-type camps, reportedly cover areas as large as several “*Ri*” (basic administrative units) or “*Gu*” (labor districts)<sup>23</sup> combined. Except for Camp No. 25 in Chongjin City, the currently operational political prison camps are situated in mountainous regions, away from public access. Camp No. 16 extends across Myonggan (formerly Hwasong) County, North Hamgyong Province, and neighboring counties.<sup>24</sup> The former Camp No. 18 in Bukchang County was established by merging Tukjang Labor District and Bongchang *Ri*, Bukchang County, South Pyongan Province. Around 1995, Tukjang Labor District was opened to the general public, while Bongchang *Ri* remained operational as a political prison camp. Even after the camp was downsized to only include areas of Bongchang *Ri*, it contained 13 work groups on a collective farm, with each group managing land larger than that of an ordinary farm.<sup>25</sup> The size of Camp

<sup>21</sup> E4MJ0I2167, 7CRI | CZ2168, 50MCF02132

Testimony indicates that the address of Camp No. 18 is “Military Unit Base 2918 of Social Security Department, Bongchang *Ri*, Bukchang County, South Pyongan Province.” (SOQJ2G1499)

<sup>22</sup> KOXTLT0825

<sup>23</sup> A labor district refers to the lowest administrative unit comprised mostly of residents who are labor workers. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 1, 2017, p. 1756)

<sup>24</sup> 9KQ9NA0790

<sup>25</sup> E4MJ0I2167, 7CRICZ2168, 50MCF02132

No. 18 was reduced when it was relocated to Kaecheon City, South Pyongan Province, in 2006. The camp area was approximately 40 minutes across by bicycle.<sup>26</sup> Camp No. 25 in Chongjin City, which functions in a way that is similar to a *kyohwaso*, is relatively smaller. Surrounded by high walls, it houses several buildings and a playground. A defector from North Hamgyong Province referred to Camp No. 25 as *Susong Kyohwaso*, where families of state officers lived near the camp's wall.<sup>27</sup>

The political prison camps that have been shut down also covered extensive regions. A defector shared that Camp No. 15 spanned the entire Ipsok *Ri* in Yodok County, South Hamgyong Province.<sup>28</sup> Another defector mentioned that it took about 30 minutes to walk from the entrance of the revolutionized zone to the main living facilities.<sup>29</sup> Camp No. 17 in Toksong County, South Hamgyong Province, is known to have encompassed more than seven *Ri* in total, with its administrative building and the *ijumin* living quarters located about 4km apart.<sup>30</sup> Camp No. 21 in Tanchon City has been described as spanning an area that takes more than two hours to walk from the village to the mining area within the camp, with one needing to pass seven guard posts to reach the interior.<sup>31</sup> Another testimony reveals that this camp bordered three counties: Kilju County in North Hamgyong Province, Unhung County in Ryanggang Province, and Huchon County in South Hamgyong Province. There were seven guard posts from the entrance to the officers' residence, a distance that was not feasible to cover on foot.<sup>32</sup> Camp No. 22 in Hoeryong City is said to be as large as at least four *Ri* combined. It had two different types of schools: one for the children of officers and

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<sup>26</sup> 7CRICZ2168

<sup>27</sup> 3GOW940723

<sup>28</sup> YOAJIH1515

<sup>29</sup> XHZHYK0096

<sup>30</sup> SOQJ2G1499

<sup>31</sup> KOXLT0825

<sup>32</sup> KOXLT0825

another for the children of *ijumin*, approximately 20 minutes apart by car.

“Individuals detained in *kwanliso*, or political prison camps, are referred to as *ijumin*. Whenever they saw me, they would greet me with ‘sir.’ Although I was not an officer, I belonged to the family of a social security officer, my father. Hence, I wasn’t permitted to move freely within the camp. The school I attended was located about 20 minutes away by bus from the school designated for *ijumin*. When leaving the camp, my route took me past Gulsan *Ri*, Naksang *Ri*, and Saul *Ri*.”<sup>33</sup>

**Table III- 4 Testimonies on the Scale of Political Prison Camps (Based on the Center’s Investigations)**

Political Prison Camps		Testimonies
In operation	<b>No. 14</b> (Kaecheon)	· No relevant testimony has been collected.
	<b>No. 16</b> (Myonggan)	· Spans from Myonggan County (formerly Hwasong County) in North Hamgyong Province to other counties.
	<b>No. 18</b> (Kaecheon)	· (Former) Features 13 working groups of collective farms, each managing land larger than an ordinary farm. · (Current) Zones are 40 minutes apart by bicycle.
	<b>No. 25</b> (Chonjin)	· Operates as a <i>kyohwaso</i> -type facility. · Contains several buildings and a playground.
Closed	<b>No. 12</b> (Onsong)	· No relevant testimony has been collected.
	<b>No. 15</b> (Yoduk)	· Fully controlled zone is as large as one <i>Ri</i> (an administrative unit). · The revolutionized zone is a 30-minute walk from the entrance to the living facility.
	<b>No. 17</b> (Toksong)	· Covers more than seven <i>Ri</i> in Toksong County, South Hamgyong Province. · Administrative buildings and living facilities for <i>ijumin</i> are 4km apart.
	<b>No. 21</b> (Tanchon)	· Borders three counties: Kilju County in North Hamgyong Province, Unhung County in Ryanggang Province, and Huchon County in South Hamgyong Province. · The living area and working area are two hours apart by foot.
	<b>No. 22</b> (Hoeryong)	· Encompasses more than four <i>Ri</i> . · Schools within the camp are 20 minutes apart by car.
	<b>No. 24</b> (Tongshin)	· No relevant testimony has been collected.

There were few testimonies from which the size of the political prison camps could be accurately determined. Detailed estimates could only be made for Camp No. 18 in Kaecheon City. The sizes of Camp No. 15 in Yoduk

<sup>33</sup> 3BKBFW1632

County and Camp No. 22 in Hoeryong City are largely speculative. The former Camp No. 18 in Bukchang County housed approximately 6,000 households and around 30,000 residents before its relocation in 2006. The relocation of Camp No. 18 from Bukchang County to Kaechon City led to a significant amnesty, reducing the population at the newly located camp in Kaechon City to just 200 households of *ijumin* and 600 households of officers, ordinary residents, and *haejemin*.<sup>34</sup> According to a defector, the amnesty process for *ijumin* in the fully controlled zone continued, leaving fewer than 100 households in the zone by 2015.<sup>35</sup> The total population of Camp No. 22 in Hoeryong City before its closure is unclear, but it is believed to have had 240 officer households and eight secondary schools, one of which was for the children of the officers.<sup>36</sup> In the case of Camp No. 15 in Yoduk County, the population numbers were more clearly identified for detainees within the revolutionized zone. In the early 2000s, about 300 people were detained, which decreased to approximately 150 by the mid-2000s as the number of detainees dropped, according to testimonies.<sup>37</sup>

**Table III - 5** Testimonies on the Population of Political Prison Camps (Based on the Center’s Investigations)

Political Prison Camps		Testimonies
Closed	<b>No. 15</b> (Yoduk) Revolutionized zone	<ul style="list-style-type: none"> <li>· Early 2000s: Approximately 300 prisoners</li> <li>· Mid-2000s: Decrease to about 150 prisoners</li> </ul>
	<b>Former No. 18*</b> (Bukchang)	<ul style="list-style-type: none"> <li>· In 2006: At the time of its relocation, 200 <i>ijumin</i> households and 600 officer and <i>haejemin</i> households</li> <li>· After its closure in 2015: Fewer than 100 <i>ijumin</i> households</li> </ul>
	<b>No. 22</b> (Hoeryong)	<ul style="list-style-type: none"> <li>· Before its closure in 2012: 240 officer households, eight secondary schools (including one for the children of officers)</li> </ul>

\* Other testimonies indicate that in the 1980s, the former Camp No. 18 housed a total of approximately 30,000 people, consisting of about 5,000 officers, 20,000 *ijumin*, and 5,000 *haejemin*.<sup>38</sup>

<sup>34</sup> E4MJ0I2167

<sup>35</sup> 7CRICZ2168

<sup>36</sup> 3BKBFW1632

<sup>37</sup> XHZHYK0096, 9HMR2Y0469

<sup>38</sup> SOQJ2G1499

## B. Reasons for Detention

Testimonies reveal that the detention of political prisoners and their families in North Korea has been justified on several grounds. One key reason for detention involves North Korea's socio-political classification system, or *songbun*, officially categorizing individuals as political prisoners. Detainees classified under this category are not informed of the reasons for their imprisonment, resulting in their families being condemned to live out their entire lives within the camp confines. Additional grounds for detention involve actions perceived as undermining the Supreme Leader's authority, including verbal treason, also known as *mal bandong*, espionage, engaging in religious activities, involvement in internal power struggles, embezzlement by officers, attempts to flee to South Korea, and other matters related to South Korea, including involvement in human trafficking or communicating with individuals from South Korea.

Internment due to one's *songbun* often stems from the "*todae*," referring to one's family background. This system led to the imprisonment of individuals whose parents or grandparents were identified with the bourgeoisie during the Japanese occupation or had connections with the South Korean army during the Korean War. According to one testimony from an individual who lived in a political prison camp as a family member of an officer until the early 1980s, people were interned based on their *todae* background, which was tied to their parents or grandparents.<sup>39</sup> Those interned due to their grandparents' backgrounds frequently lacked clarity about the specific reasons for their detention, surmising it was related to the historical affiliations of their relatives during the Japanese occupation or the Korean War. A witness born and raised in the former Camp No. 18 in Bukchang County testified that his parents were interned even before

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<sup>39</sup> 3BKBFW1632, E4MJ0I2167

marrying and subsequently formed a family within the camp.

“My paternal grandfather was detained in the Geoje POW Camp, located in South Korea. In addition, around the time of liberation from Japanese occupation, he acquired a car from China, leading to his classification as part of the bourgeois class. In 1972, he was interned in a *kwanliso* due to having a negative *todae*, or family background. On my mother’s side, my grandfather was a medical doctor who ran a hospital in Jaeryong, Hwanghae Province, during the Japanese occupation and later became the head of the provincial hospital in Hwanghae Province after liberation. Despite these accomplishments, his bourgeois status during the Japanese occupation and his brothers’ involvement in the military and police agency in South Korea led to his dismissal from the Party and his workplace during the Class Struggle of 1972. Following this punishment, he attempted to cross the border, an act deemed illegal, and was eventually captured. He was sentenced to seven years in a *kyohwaso*, and his family members were sent to a *kwanliso*. In my personal documents, there is no recorded reason for the detention in the political prison camp.”<sup>40</sup>

In some instances, *mal bandong* and other actions that undermined the authority of Kim Il Sung or Kim Jong Il also resulted in detention. For instance, a person who removed a speaker while complaining that the broadcasts on North Korea’s unitary leadership system by the Central News Agency were too loud was interned in a political prison camp.<sup>41</sup> Other punishable offenses have included criticizing North Korea’s regime or its third-generation line of succession and failing to properly maintain portraits of the leaders. Some Korean-Japanese returnees from Japan were punished for making critical remarks about the regime.<sup>42</sup>

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<sup>40</sup> E4MJ0I2167

<sup>41</sup> RWZWCR1613

<sup>42</sup> 8BE3021828, YOAJIH1515, B305WN2002

“My father served as the chairman of the Trade Union at a machinery factory in a county of South Hamgyong Province. Underneath a portrait of Kim Il Sung in the factory’s research lab, a small rock was found. The presence of the rock under the portrait, which was supposed to be meticulously maintained, was considered a political offense. My father had a strained relationship with a party official at the factory. As a result of these charges, he was taken to the social security department, and my family was sent to Camp No. 15 in Yoduk County. A few months later, he was sent to the same camp, visibly worn and weakened by his punishment. Around 1975, there was a large-scale purge targeting those labeled as traitors.”<sup>43</sup>

Several individuals were detained as punishment for espionage. They were imprisoned for engaging in business with South Koreans in China. Ordinary residents and soldiers who passed North Korean newspapers and magazines to people in China were also interned in camps.<sup>44</sup> In a notable instance from around 2015, a defector’s mother, who was involved in helping locate separated families in North Korea, was accused of spying for South Korea’s National Intelligence Service. She was captured by the state security department and then transferred to a political prison camp.<sup>45</sup>

Engaging in religious activities has also been a reason for detention. Documented cases include individuals conducting Christian missionary work within their communities, owning a Bible in North Korea, or participating in missionary efforts in China after escaping from North Korea.<sup>46</sup> A defector from Ryanggang Province shared that a woman who encountered Christianity while involved in smuggling activities was caught and sent to a political prison camp.

<sup>43</sup> YOAJIH1515

<sup>44</sup> 8FN28F1333, JMT8SC1804, 1ZCVGZ2215, POI5E82146

<sup>45</sup> UE4ZKV1640

<sup>46</sup> JE8FX90947, 4PWM3A1067, BLO4W00639



“A woman in her mid-40s, residing in Hyesan City, Ryanggang Province, worked as a professional smuggler and owned a Chinese brand mobile phone. She was possibly influenced by Chinese traders. The specific timeline is unclear, but she was caught spreading her missionary work to a neighbor. During a house search in the summer of 2010, a Bible was discovered.”<sup>47</sup>

Since the late 1990s, the number of North Koreans defecting to South Korea has risen significantly. This increase has led to a greater number of people attempting to defect or being involved in related activities, resulting in their internment in political prison camps. Individuals have been arrested and detained for various reasons, including attempting to flee North Korea, receiving financial aid from relatives in South Korea, or assisting prisoners of the Korean War and their families in defecting.<sup>48</sup>

Imprisonment could also be used as punishment for personal embezzlement or participation in significant political events. One notable case involved a defector’s uncle, who oversaw the construction of Kim Il Sung’s private villa, being investigated and subsequently imprisoned for allegedly taking a piece of broken marble from the construction site.<sup>49</sup> Another individual reported that his maternal uncle, an official responsible for the oil department in the Ministry of Social Security, was taken to a political prison without trial, branded as an economic criminal.<sup>50</sup> Major political upheavals, such as the widespread purge known as the “*Simwhajo Incident*”<sup>51</sup> and an attempted coup

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<sup>47</sup> 4PWM3A1067

<sup>48</sup> 33ACL50988, JQYD690967, H6QLNW2100, XTDWPE1659

<sup>49</sup> NVWSXU0945

<sup>50</sup> ONA6HF0737

<sup>51</sup> Seo Kwan-hee, who served as the agricultural secretary of the Central Committee of the Party, was arrested and accused of sabotaging fertilizers. He faced additional charges of spying for the U.S. government, accusations made by Kim Jong Il. In response, Kim Jong Il established *Simwhajo*, a secret police unit within the Ministry of Social Security, which began to target and remove aides of Kim Il Sung from key positions within the Party, military, and Cabinet. As abuses of power by members of the *Simwhajo* escalated, Kim Jong Il initiated an investigation that eventually led to the dismantling of the organization, resulting in disciplinary action against 6,000 social security officers throughout North Korea.

by graduates of the Russian Frunze Military Academy known as the “Frunze Incident,”<sup>52</sup> led to further imprisonments.<sup>53</sup>

Held within a political prison camp are not only the prisoners themselves but also their families, who appear to be housed together. A defector mentioned that her entire family was interned because her father-in-law had served as a police officer during the Japanese occupation. Similarly, the detention of another defector’s father, who was held in the Geoje POW Camp during the Korean War, resulted in his entire family’s detention.<sup>54</sup> There have also been cases of families being interned for speaking out against the regime or having relatives in South Korea who have defected.<sup>55</sup> However, recent testimonies suggest that the practice of punishing entire families collectively may be diminishing.<sup>56</sup> Yet, it seems the nuclear and extended family members of prisoners might still face detention, depending on the seriousness of the allegations. A defector from the former Camp No. 18 in Bukchang County recounted that between 1996 and 1997, hundreds of families connected to the *Simwhajo Incident* were detained in the camp. This practice continued to include individuals and families associated with the execution of Jang Song-thaek in early 2014, even after the camp had been relocated in 2006.

“I lived in Camp No. 18 until August 2006, when it was moved to Kaecheon City. After the relocation, I continued to reside in the area until 2013, when it was no longer designated as a political prison camp. Between September and December

<sup>52</sup> Between 1986 and 1990, North Korea sent 250 students to the Frunze Military Academy in Moscow, Soviet Union. Following the collapse of the Soviet Union, these students, who had been studying abroad, were ordered to return to military universities in North Korea. Serving in various military units, they held public gatherings where they made a pact to overthrow the corrupt autocracy and establish a free and democratic nation on their own accord. The Ministry of Defence moved to suppress this initiative, and about 80% of the military students who had studied abroad were executed from February 1993 to 1998.

<sup>53</sup> E4MJOI2167, 8RWAVD1508

<sup>54</sup> AZLN4W1646, E4MJOI2167

<sup>55</sup> B305WN2002, Y1TCM60183

<sup>56</sup> 8MOJQD0047

2013, approximately 5,800 households from Bongchang *Ri*, Bukchang County, were relocated to various farms and mines across North Korea. This mass relocation aimed to repurpose the land for housing individuals involved in the Jang Song-thaek incident that occurred in January 2014. Similarly, my family was forced to relocate to a farm close to Yongsan *Ri*, Bukchang County, which is near Bongchang *Ri*.<sup>57</sup>

Legal processes such as holding trials before being interned at political prison camps varied widely. Testimonies indicate that in cases such as espionage, defection, and trafficking, detainees are sent to political prison camps after a trial.<sup>58</sup> However, when detentions are based on one's *todae* or *songbun*, the adherence to legal procedures is minimal. In these cases, there is usually no official trial or even a notification of detention. If people are taken away by state security or public institutions, their families are left to assume that they have been imprisoned for political offences, and often confirm their suspicions through indirect means such as information from a camp officer.<sup>59</sup> It was also rare for families of political prisoners to be detained in camps following a proper legal process. Such family members frequently vanish without warning or a trace, which suggests that they too have been taken to camps. According to testimonies, they were arrested at their workplace or school, then immediately taken to a camp. Some individuals suddenly disappeared late at night.<sup>60</sup> The sudden disappearance of entire families during the night veils the reasons for their arrest and the locations of their detention, making it nearly impossible for those left behind to find answers.

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<sup>57</sup> E4MJ0I2167

<sup>58</sup> J91XSP1155, BUOCLL0151, POI5E82146

<sup>59</sup> M4IWA31544, TIDG5J0872, HGZ2P01235

<sup>60</sup> KU40BB2115, FJ391D2148, CW14HP2075

“My sister-in-law’s father was a teacher at a military university in Pyongyang, known for leading an anti-Japanese movement and assisting Kim Il Sung in laying the groundwork for North Korea. However, around 1990, her parents and younger brother suddenly disappeared. It remains unclear why her family vanished, leading to speculation from their neighbors that they were sent to a political prison camp. The fact that the entire family disappeared without a trace overnight strongly suggests their internment in such a camp. Since that night, she has been unable to uncover any information about her family’s whereabouts.”<sup>61</sup>

## C. Treatment of Detainees

Testimonies regarding life inside political prison camps have been collected from only a few camps. It seems that the treatment of detainees varied depending on the zones in which they were held and whether they had received a pardon. According to these accounts, the treatment varied significantly based on several factors: the level of control within different zones (fully controlled or revolutionized), the camp’s structure (village-type or *kwohwaso*-type), and the prisoners’ classifications (identified as either *ijumin* or *haejemin*). Executions and forced labor were common practices within the camps, depriving prisoners and their families of their fundamental rights under discriminatory conditions.

### (1) Executions and Forced Labor

Public and secret executions were reportedly conducted in political prison camps to deter escape attempts. At the former Camp No. 18, public executions occurred annually, with one to two instances each year, primarily targeting individuals who were caught attempting to escape. Testimonies reveal that, after arrest, the prisoners designated for execution underwent

<sup>61</sup> M4IWA31544

a preliminary examination by the social security department before being publicly tried by an official from the Ministry of Social Security in Pyongyang.<sup>62</sup> Another testimony noted that in Camp No. 21 in Tanchon City, a man and a woman, both classified as *ijumin*, were executed by firing squad for engaging in a romantic relationship. The executioners were believed to have come from outside the camp, though it remains unclear if a formal trial took place.<sup>63</sup> Accounts indicate that detainees in Camp No. 15 in Yoduk County, who were subjected to revolutionary education that included forced labor and ideological indoctrination, were taken without cause and ultimately killed. Regarding secret executions within the camps, there are only speculative accounts suggesting that these occurred at night in secluded areas of the camps. Inmates would infer that a secret execution had taken place if they heard gunshots. The bodies of those executed were reportedly disposed of within the camp premises.

“At Political Prison Camp No. 18 in Bukchang County, I witnessed public executions of one or two men for attempting to escape. About 2,000 to 3,000 people were mobilized for the executions, which were carried out by hanging or firing squad after a public trial. In the case of a firing squad, three security guards from the social security office fired three shots each. For hangings, trucks were used to facilitate the execution. The bodies were placed in rice bags and buried in a mountain valley.”<sup>64</sup>

“I have no clue why, but even within a political prison camp, detainees in the revolutionized zone would be suddenly taken away while in a jeep in shackles. While I was working at a hospital in a revolutionized zone of a political prison camp, I witnessed a patient abruptly dragged by state security officers. This patient was detained in a *kuryujang* for a week before being transferred to a hospital. This was done to ensure that detainees in the *kuryujang* die in the hospital. Five detainees were transferred this way and died within

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<sup>62</sup> E4MJ0I2167

<sup>63</sup> N36KGZ0461

<sup>64</sup> E4MJ0I2167

one or two days. The cause of death was often undetermined due to a lack of visible injuries.”<sup>65</sup>

Individuals in political prison camps were often assigned to demanding labor tasks in mines or farms. Testimonies have revealed that all *ijumin* in the fully controlled zone of Camp No. 18 in Kaechon City were employed in coal mining. A family member of an officer from the former Camp No. 18 in Bukchang County stated that people in the camp were assigned to work in mines rather than on farms.<sup>66</sup> Within these mining assignments, *ijumin* served as “diggers,” working directly in the mine shafts, while *haejemin* were tasked with blasting and other surface activities, instead of shaft work. The mines operated around the clock in three shifts, with workers spending up to 10 hours inside the shafts once they entered.<sup>67</sup> *Ijumin* assigned to agricultural tasks were limited to roles as ordinary farmers, whereas *haejemin* could take on positions such as team leaders or guards on the threshing floors.<sup>68</sup> In the revolutionized zone of Camp No. 15 in Yoduk County, outside work was predominantly assigned to male detainees, who were mobilized for construction and farm work. They faced daily work quotas, indicating that the workload was extremely heavy.

“I was assigned to a hospital in the revolutionized zone of Camp No. 15 in Yoduk County. All the workers there were male and a significant number were Party cadres. We were assigned daily quotas that had to be completed. I heard that the workload was extremely demanding”<sup>69</sup>

<sup>65</sup> XHZHYK0096

<sup>66</sup> AOXJP61777

<sup>67</sup> SOQJ2G1499

<sup>68</sup> E4MJ0I2167

<sup>69</sup> XHZHYK0096

## (2) Housing and Living Conditions

The living conditions within these camps were generally poor, with prisoners' family lives, including marriage, strictly controlled by the authorities. The housing, known as "Harmonica Houses," consists of single-story buildings that accommodate two to four households each. Constructed from wooden frames covered with a layer of soil, these houses are prone to collapsing in the rain.<sup>70</sup> A family member of an officer at Camp No. 21 in Tanchon City described that the dwellings for *ijumin* were basic huts made from wood, hay, and soil. These huts, built into slight depressions in the ground, have entrances and exits so narrow that one must stoop to enter or exit them.<sup>71</sup>

Regarding the family lives of prisoners, there are various testimonies indicating that their lives were heavily restricted, yet an ordinary family life was still possible. While some camps allow families to live together, working hours are staggered to prevent family members from spending time together. Dating is prohibited, with only "commendation marriages," a reward for good behavior, being permitted. In Camp No. 22 in Hoeryong City, even though an *ijumin* couple was allowed to marry through this system, the man and woman worked in separate zones and were forbidden from having children.<sup>72</sup> Meanwhile, other testimonies suggest that marriage within the camps was possible, with *haejemin* who married *ijumin* reverting to *ijumin* status.<sup>73</sup> Childbirth in the camps also appears to be possible, as evidenced by testimonies that many residents of the former Camp No. 18 were born there. There is a case of a couple, interned because of the husband's father-in-law's *songbun*, giving birth to a child in the camp.<sup>74</sup>

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<sup>70</sup> E4MJ0I2167

<sup>71</sup> N36KGZ0461

<sup>72</sup> 3BKBFW1632

<sup>73</sup> UYYAWM0821

<sup>74</sup> 50MCF02132, YFLRV72225

“In Camp No. 22 in Hoeryong City, *ijumin* were allowed to enter into ‘commendation marriages.’ However, even though marriage was permitted, having children was not. The work zones for men and women were kept separate. To minimize their feminine appearance, women had to have a bobbed hairstyle, while men were required to keep their hair short.”<sup>75</sup>

“I was born in Camp No. 18, located in Bongchang *Ri*, Bukchang County, South Pyongan Province. My father worked as a farm worker on the Bongchang farm within the camp, and my mother was a caregiver at a daycare center inside the camp. The specific reasons and timing of my family’s detention in the camp are unclear to me, but I was told that my parents were also brought to the camp at a young age, along with their parents.”<sup>76</sup>

The situation regarding food rations in political prison camps worsened significantly after the mid-1990s, during a period known as the Arduous March. Testimonies from Camp No. 17 in Toksong County during the early 1980s indicate that inmates received rations of potatoes, marinated pollock, corn, and noodles for every meal for a month, with no reported deaths from starvation.<sup>77</sup> In the early 2000s, detainees in Camp No. 15 in Yoduk County were said to receive starch syrup once or twice a year and soybean oil with every meal. On holidays, they were given some pork and eggs, yet six to seven people died annually from malnutrition. Hospital patients were served meals consisting of rice and corn at a 7:3 ratio, seasoned herbs with soybean oil, and dried radish leaf stew.<sup>78</sup> The situation was even more dire in the former Camp No. 18 in Bukchang County, where food rations were significantly reduced in the 1990s and stopped entirely after Kim Il Sung’s

<sup>75</sup> 3BKBFW1632

<sup>76</sup> 5OMCF02132

<sup>77</sup> SOQJ2G1499

<sup>78</sup> XHZHYK0096



death in 1994.<sup>79</sup> In contrast, another account suggested that consistent food rations were provided. Until Camp No. 18 was relocated to Bukchang County in 2006, miners received the same food rations as ordinary residents. Even in difficult economic times, they managed to receive about five days' worth of food per month, making complete deprivation of food a rare occurrence.

“When the former Camp No. 18 was situated in Bongchang *Ri*, Bukchang County, there was no separation between the revolutionized zone, where detainees undergoing revolutionization punishment lived, and the *ijumin* zone, where expelled *ijumin* resided. Each household lived in a private home within a village setting, making their sustenance less challenging. Although food rations did not stop during the Arduous March, they were insufficient. To supplement our needs, I raised pigs and rabbits and cultivated small plots of land.”<sup>80</sup>

### (3) Healthcare and Education

The healthcare and education environments in political prison camps have been found to be highly inadequate, with *ijumin* facing various forms of discrimination, including restrictions on using certain facilities. While most camps were equipped with hospitals, access to well-equipped medical facilities and supplies seemed uncommon. Testimonies have consistently shown that only officers and their families had access to hospital and medical services. Around 2005, a hospital within the revolutionized zone of Camp No. 15 in Yoduk County was staffed by one military doctor, one detainee doctor, and one nurse and equipped with a few beds for simple medical treatments.<sup>81</sup> Testimonies indicate that medicines were supplied once a month, including some donations from the United Nations. Due to a constant

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<sup>79</sup> SOQJ2G1499

<sup>80</sup> 7CRICZ2168

<sup>81</sup> XHZHYK0096

shortage of medicines, disinfectants were made by diluting salt water, and the IV solutions (glucose and distilled water) produced in the fully controlled zone were known to cause many side effects. Patients with tuberculosis were quarantined in an isolation facility, but medication was not properly administered. Meanwhile, it was testified that Camp No. 18 in Kaechon City managed its medicine supply relatively well, and both officers and detainees used the hospital services in 2019.<sup>82</sup>

“In the early 2000s, I worked at a hospital in the revolutionized zone of a camp. Every day, after lunch, the guards would bring sick detainees undergoing revolutionization punishment from each group and the outpatient clinic to the hospital. Most of them suffered from malnutrition, particularly those with diarrhea. A medicine that was known to be effective was only available in limited quantities. We also administered oriental medicine made from herbs to the patients, but its effectiveness was minimal. Antibiotics such as streptomycin and penicillin were supplied at a rate of only enough doses for 20 people per month. Band-aids and anesthetics were in short supply, leading doctors to perform incisions without anesthesia to drain pus and disinfect wounds using gauze soaked in salt water. Due to the scarcity of disinfectants, we resorted to using solutions of salt water.”<sup>83</sup>

Most of the village-type camps had schools, which provided differentiated education to *ijumin*, *haejemin*, and the children of officers. Testimonies indicate that there were two schools in Camp No. 15 in Yoduk County, four or five in the former Camp No. 18 in Bukchang County, one in the new Camp No. 18 in Bukchang County, four in Camp No. 21 in Tanchon City and eight in Camp No.22 Hoeryong City. In some camps, children of *ijumin* and officers attended different schools, and the education content also appeared to have been different. The children of *ijumin* often did not attend school due to how far away they were from the schools, and there was frequent labor

<sup>82</sup> 7CRICZ2168, E4MJ0I2167

<sup>83</sup> XHZHYK0096

mobilization for *ijumin* students in their secondary school years.<sup>84</sup>

The children of officers and *haejemin* were allowed to attend the same school, although there were some limitations. A defector recounted that the curriculum in schools within the camp was broadly similar for all students, allowing children from both groups to learn together.<sup>85</sup> However, *ijumin* children were excluded from going camping and taking field trips outside of the camps and were not permitted to participate in the Red Youth Guards, which involved training with live ammunition.<sup>86</sup> A former *haejemin* testified that the educational content for the two groups was largely the same, but there was a clear sense of division among the students, highlighting the differences perceived between the children of officers and those of *haejemin*.

“I was born in the revolutionized zone of Camp No. 18 and raised as a *haejemin*. Within the camp, there were four schools dedicated to providing primary and secondary education. Here, children of both officers and *haejemin* attended classes together, and officially, there was no discrimination in terms of education. However, conflicts among students sometimes revealed underlying tensions. Children of officers would taunt their *haejemin* peers with phrases like, ‘How dare you, *haejemin* kids.’ At that young age, I didn’t fully understand what being a *haejemin* entailed.”<sup>87</sup>

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<sup>84</sup> 3BKBFW1632

<sup>85</sup> 50MCF02132

<sup>86</sup> E4MJ0I2167

<sup>87</sup> 50MCF02132

## 2. Abductees, Detainees, ROK POWs, and Separated Families

Article 17 of the ICCPR stipulates that all persons have the right to be free from arbitrary or unlawful interference with their family, and Article 23 of the ICCPR specifies that the family is entitled to protection by society and the State.<sup>88</sup> Regarding the right to family reunification, the Human Rights Committee in General Comment No. 19 explains that if family members are separated for political, economic, or other reasons, the State is required to take appropriate measures at the internal level and in cooperation with other States to ensure family unity or reunification.<sup>89</sup> Article 2 and Article 26 of the ICCPR also state that all persons are equal before the law and are entitled to equal protection of the law without discrimination on any grounds, including social origin or birth. Article 118 of the Geneva Convention Relating to the Treatment of the Prisoners of War of August 12, 1949, states that prisoners of war shall be released and repatriated without delay after the cessation of active hostilities.

**Table III- 6** 「ICCPR」 and Abductees, Detainees, ROK POWs, and Separated Families

「ICCPR」		Abductees, Detainees, ROK POWs, and Separated Families (Related Content)
Article 2	1	Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
		<b>Abductees, Detainees, ROK POWs, and Separated Families</b>

<sup>88</sup> 「ICCPR」, Article 17, paragraph 1; Article 23, paragraph 1.

<sup>89</sup> UNHRC, CCPR General Comment, No. 19, Article 23: The family, para. 5.

「ICCPR」			Abductees, Detainees, ROK POWs, and Separated Families (Related Content)
Article 17	1	No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.	<b>Abductees, Detainees, ROK POWs, and Separated Families</b>
	2	Everyone has the right to the protection of the law against such interference or attacks.	
Article 23	1	The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.	
Article 26		All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.	

Those who were abducted and detained by North Korea, the Republic of Korea Armed Forces prisoners of war (referred to as ROK POWs)<sup>90</sup> who were detained in North Korea during the Korean War and were never repatriated, and separated families divided by the division of the Peninsula have not been guaranteed their right to family reunification as specified in the ICCPR. Particularly, six South Korean nationals who were abducted or arrested and are currently detained after receiving punishment in North Korea are also being denied the rights outlined in the Vienna Convention. However, the North Korean authorities have not taken appropriate measures to resolve these issues. Instead, they have singled out individuals who are from South Korea or have connections to South Korea for surveillance and discrimination. In North Korea, the status of being an abductee, an ROK POW, or a separated family member is incorporated into one's family background

<sup>90</sup> Article 2 of the 「Act on the Repatriation, Treatment of the Republic of Korea Armed Forces Prisoners of War」 stipulates that the term ROK prisoner of war means a soldier of the Republic of Korea who was captured, while taking part in a war or carrying out a mission, and is either currently detained by a hostile country (including an anti-state organization), an armed mob, or a group of rebels, or has escaped from their place of detention but has not yet returned to the Republic of Korea.

(*songbun*), adversely affecting the lives of these individuals and their families, including their children, and serving as grounds for social discrimination.

## A. Abductees

“Abductee” refers to a person who was forcibly kidnapped and detained by North Korea and then made to live there. This includes those abducted during the Korean War (wartime abductees) and those abducted after the signing of the Armistice Agreement (postwar abductees).<sup>91</sup> Estimates of wartime abductees vary depending on the timing of the survey and the survey entity, but it is believed there have been around 100,000 such abductees. The “Committee on Fact-Finding of Korean War Abductions and the Restoration of the Reputation of the Victims,” established under the Prime Minister of South Korea in 2010, reviewed 5,505 abduction cases reported over a five-year period from 2011 to 2015 and determined that 4,777 people were wartime abductees. There are a total of 3,835 postwar abductees, 3,319 of whom have returned. Among the returnees, 3,310 were repatriated by North Korea, and nine returned after defecting from North Korea. As of the end of March 2024, it is estimated that 516 postwar abductees are still detained in North Korea.<sup>92</sup>

The Committee classifies the cases of “volunteer soldiers” who were abducted and then forcibly mobilized by North Korea during the Korean

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<sup>91</sup> According to Article 2 of the 「Act on Finding the Truth of the Damage from North Korea’s Abduction During the Korean War and Restoring Honor of the Victims」, the term “person abducted to North Korea in wartime” refers to a citizen (excluding military personnel) of the Republic of Korea who had been residing in South Korea but was forcibly kidnapped by North Korea during the Korean War (referring to the period from June 25, 1950, to July 27, 1953, when the Military Armistice Agreement was concluded) and has been detained or has resided in North Korea thereafter. According to Article 2 of the Act on Compensation and Assistance for Post-War Abductees After the Conclusion of the Military Armistice Agreement, “postwar abductees” refers to South Korean nationals who were forcibly kidnapped by North Korea and taken to the region north of the Military Demarcation Line after the signing of the Military Armistice Agreement on July 27, 1953.

<sup>92</sup> National Institute for Unification Education, Ministry of Unification, 「White Paper on Human Rights in North Korea」, 2023, p. 56.

War as a type of abduction that took place between the start of the war and the retreat of North Korean forces. Wartime mobilized abductees refer to South Koreans who were forcibly mobilized under North Korea’s wartime mobilization plan during the Korean War.<sup>93</sup> These abductees included volunteer soldiers (supplemental forces of the People’s Army), laborers (mobilized for labor activities at the frontline or on the home front), medical personnel (doctors, nurses, nursing students), skilled workers (technicians and engineers), and other workers (people relocated to North Korea as part of its “Seoul Citizen Relocation Project”).<sup>94</sup>

**Figure III- 4** Wartime Abductees and Postwar Abductees



\* (Sources) Korean War Abductees’ Family Union (KWAFU), Postwar Abductees’ Family Union (RAFU)

Wartime abductees and their families have suffered human rights abuses, including surveillance and discrimination in various aspects of life, such as their residence, job selection, and higher education. Those who participated as volunteer soldiers, i.e., as part of the supplementary forces to the People’s Army units during the Korean War, were often indistinguishable from ROK POWs due to common factors like being from South Korea and having fought in the Korean War. One North Korean defector stated that it was only after

<sup>93</sup> The Committee on Fact-Finding of Korean War Abductions and the Restoration of the Reputation of the Victims, “Fact-Finding Report on Abductions During the Korean War,” 2017, p. 43.

<sup>94</sup> The Committee on Fact-Finding of Korean War Abductions and the Restoration of the Reputation of the Victims, “Fact-Finding Report on Abductions During the Korean War,” 2017, pp. 116-117.

defecting from North Korea and entering South Korea that she learned her grandfather, whom she thought was a volunteer soldier in North Korea, was actually an ROK POW.<sup>95</sup> According to testimonies from the children of volunteer soldiers and other witnesses, wartime abductees were found to have lived in various regions such as North Hamgyong Province, South Hamgyong Province, Ryanggang Province, and Pyongyang City. Most of them, like ROK POWs, were assigned in groups to coal mines and other mines where they worked. Meanwhile, some worked as propaganda secretaries at the mines or as workers in factories for honorably discharged soldiers. Additionally, some received dispatch orders specifying positions in anticipation of the future reunification of Korea or special gifts like fabric to make suits.<sup>96</sup>

“Before defecting, I lived in Pochon County, Ryanggang Province. I heard that Mr. Kim, who lived in the house across from mine, was originally from Gyeonggi Province in South Korea and had moved to the North during the war. He worked for a long time as the manager of the Pochon Food Factory in his youth and was praised by those around him for his capabilities. However, those from South Korea could not become political workers like party-affiliated workers. They could only be economic workers. Despite his capabilities, he was never promoted to an official position, which led me to believe he faced discrimination.”<sup>97</sup>

Postwar abductions mostly occurred from the mid-1950s to the 1970s, and the majority of them were fishermen captured while fishing off the east and west coasts. As of the end of March, 2024, the total number of postwar abductees who have not been repatriated is estimated to be 516. Of these, 97% are fishermen, and the rest include passengers aboard South Korean civilian aircraft that were hijacked, soldiers, coast guardsmen, youths and

<sup>95</sup> 2ITQJ51282

<sup>96</sup> YAGZQ01220, MF6QLT0846

<sup>97</sup> YAGZQ01220



citizens on vacation, and South Korean nationals abducted overseas. These abductees are known to have suffered from human rights abuses during their abductions and forced detention, including the deprivation of their liberty, violation of their rights to be reunited with their family, discrimination, and surveillance. However, the North Korean authorities deny the very existence of these abductions. Testimonies about postwar abductees are scarce. Moreover, the testimonies are not from their family members or acquaintances, and their identities are not known, making it difficult to determine the details of related human rights violations based solely on the testimonies of defectors.

**Table III - 7** Status of Postwar Abductees

(Unit: # of people)

Type		Total	Fishermen	Korean Airline Hijacking	Soldier/ Police	Others	
						South Korea	Overseas
Abductees		<b>3,835</b>	3,729	50	30	6	20
Returnees	Repatriated to the ROK by North Korea	<b>3,310</b>	3,263	39	-	-	8
	Defected	<b>9</b>	9	-	-	-	-
Remainees		<b>516</b>	457	11	30	6	12

\* (Source) Ministry of Unification

## B. Detainees

“Detainees” refers to South Korean nationals who have been abducted or arrested by the North Korean authorities in areas such as the China-North Korea border region and sentenced to criminal penalties, such as indefinite *rodong-kyohwa* punishment, for crimes like illegal border crossing or espionage, and are currently being held in detention facilities in North Korea. It is currently understood that North Korea is detaining a total of six individuals, including the missionaries Kim Jung-wook, Kim Kook-kie, and Choi Chun-gil, as well as three North Korean defectors who had acquired South Korean citizenship.

**Table III- 8** Current Status of South Korean Detainees in North Korea

Name	Date of Arrest	Date of Trial	Applied Crimes	Punishment
Kim Jung-wook	October 2013	May 30, 2014	Crime of conspiracy to subvert the state, Espionage, Anti-state propaganda and agitation, Illegal border crossing	<i>Rodong-kyohwa</i> punishment for an indefinite period
Kim Kook-kie	October 2014	June 23, 2015	Crime of conspiracy to subvert the state, Destruction and Sabotage, Espionage, Illegal border crossing	
Choi Chun-gil	December 2014	June 23, 2015		
A defector	May 2016	Unclear	Unclear	Unclear
A defector	March 2016			
A defector	March 2016			

\* (Source) Ministry of Unification

The North Korean authorities claim that these South Korean nationals, including the missionaries who had been helping struggling North Korean residents, are serious criminals. They have been given heavy sentences and are being detained, but the authorities have not provided even the most basic information about them, such as whether they are alive or dead, thereby exacerbating the suffering of both the detainees and their families.

### C. ROK POWs

During the Korean War, members of the Republic of Korea Armed Forces who were captured and forcibly detained as POWs have lived under strict surveillance and faced discrimination by the North Korean authorities, residing in designated areas. These POWs were forced to perform hard labor in coal mines and on farms, and along with their families, were subjected to various human rights abuses. However, there are not many testimonies from North Korean defectors regarding ROK POWs. Direct witnesses or those who have detailed information about them are limited to their immediate family members, neighbors, or colleagues.

**Figure III - 5** Return of ROK POWs Through Defection



\* (Source) Yonhap News Agency

While there are no official statistics on the total number of ROK POWs detained in North Korea, it is believed that the majority have not been returned. Around the time of the Armistice Agreement in July 1953, the UN forces and the Communist forces exchanged war prisoners three times from April 1953 to January 1954. At that time, the UN forces estimated the number of missing South Korean soldiers at about 82,000, but only 8,343 were ultimately repatriated to the ROK by the Communist side. It is assumed that a significant number of the missing were not returned and remain forcibly detained in North Korea. Since the return of Lieutenant Cho Chang-ho in 1994, a total of 80 ROK POWs have defected and returned. Based on the testimonies of these repatriated POWs and North Korean defectors, the ROK government estimates that as of the end of 2010, approximately 500 ROK POWs are still alive. However, since 2011, there have been no returned ROK POWs, making it difficult to ascertain the current status of the survivors.

**Table III - 9** Status of Returned ROK POWs by Year

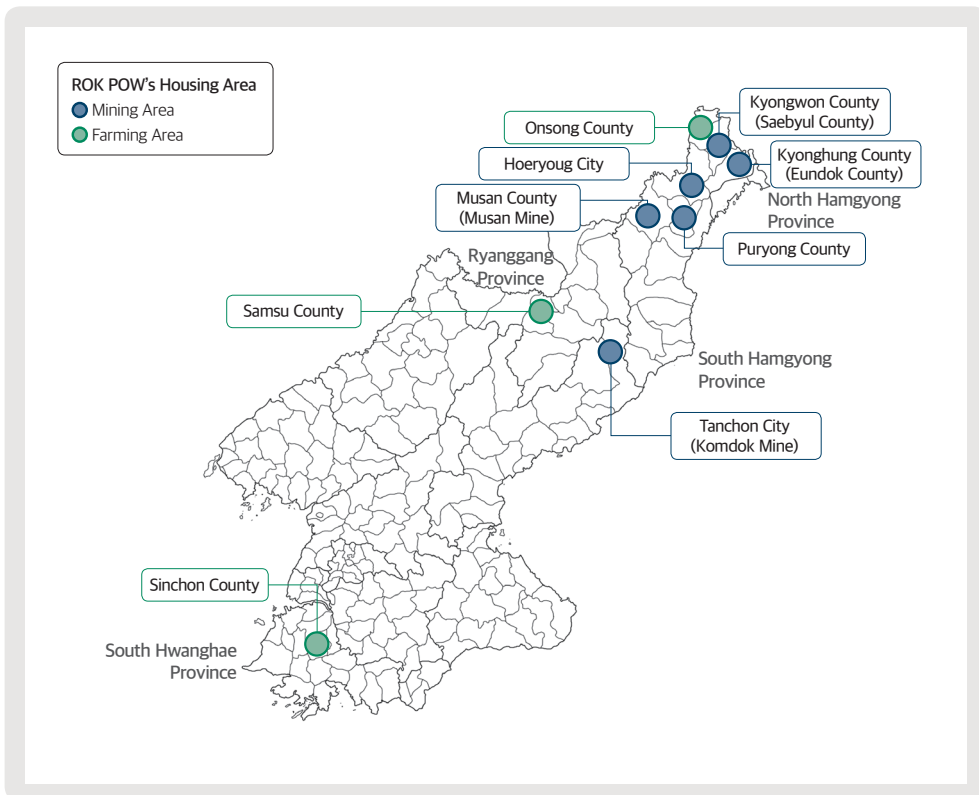
(Unit: # of people)

Year	Total	1994	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Returnee	<b>80</b>	1	1	4	2	9	6	6	5	14	11	7	4	6	3	1

\* (Source) Ministry of National Defense

ROK POWs and their families in North Korea have been primarily observed to reside in specific regions. According to investigations conducted by the Center, the areas where the POWs resided included North Hamgyong Province, South Hamgyong Province, Ryanggang Province, and South Hwanghae Province. In North Hamgyong Province, they were mostly found in mining and farming areas such as Hoeryong City, Musan County, Onsong County, Kyongwon County (formerly Saebyul County), Kyonghung County (formerly Eundok County), and Puryong County. In South Hamgyong Province, they were found to be in the Komdok Workers' District in Tanchon City, which is home to the Komdok Mine. In Ryanggang Province, they were found to be in Samsu County, and in South Hwanghae Province, they were found to be in Sinchon County, both of which are rural areas.

**Figure III - 6** Areas Confirmed to Hold ROK POWs in North Korea (Based on the Center's Investigations)



The North Korean authorities maintain distinct management systems for ROK POWs, imposing various restrictions on them for surveillance and control. Although all residents from South Korea and their families have been subject to surveillance and control, testimonies indicate that ROK POWs have been specifically classified as “No. 43 subjects.”<sup>98</sup> One defector, whose maternal grandfather was an ROK POW, stated that surveillance by the state security agency on No. 43 subjects was particularly intense during the 1990s and 2000s. This was a time when there were many cases of South Korean families helping their POW relatives in North Korea defect.<sup>99</sup> Another defector mentioned that ROK POWs and their families had to report separately to the local state security officer responsible for their area even if they had received travel or movement permits.

“Overt surveillance and discrimination may not be immediately obvious. However, while ROK POWs could hold economic worker positions, they were not allowed to join the Party or become Party-affiliated workers. Also, if they requested a travel permit to go to the city, it was restricted, so they could not travel freely within the city.”<sup>100</sup>

Most ROK POWs have been forced to work in coal mines or farms, often assigned to jobs avoided by other residents. Testimonies indicate that dozens of ROK POWs were collectively assigned to and forced to work in Musan County and Kyongwon County (also known as Saebyul County) in North Hamgyong Province, and Tanchon City in South Hamgyong Province, which are believed to have significant concentrations of POWs.<sup>101</sup> These POWs had to endure grueling labor in areas such as the Musan mine in Musan County,

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<sup>98</sup> According to testimonies, “No. 43” was found to be the term used in North Korea for South Korean POWs who have not been repatriated. This indicates that the North Korean authorities are using a specific designation to classify and manage the POWs efficiently.

<sup>99</sup> AAH9GT0036

<sup>100</sup> 7WEDA71436

<sup>101</sup> AAH9GT0036, P66T5S0498, 8NO7YU0029, PUC6YT0954, T3T9AH1250

known for its iron ore; the Kokunwon mine in Kyongwon County, which produces bituminous coal; and the Komdok mine in Tanchon City, known for the largest lead and zinc deposits on the Korean Peninsula. Additionally, the workplaces commonly assigned to the POWs, such as the coal mines in Hoeryong City and Puryong County, collective farms in Onsong County and Samsu County, and fruit farms in the Komdok mine area, were places where residents were reluctant to work. It appears that the POWs often took on roles that required them to go deep into the mines to tunnel and extract coal and minerals.

“My sister’s father-in-law was a South Korean POW caught during the Korean War. He was assigned to the Komdok mine in Tanchon City along with other POWs. In the 1970s, there was a riot by some POWs demanding to be sent to South Korea, which led to the punishment of those involved. Despite enduring harsh conditions in the mine, my sister’s husband faced significant challenges because his father’s status as a POW barred him from joining the Party or advancing in his career.”<sup>102</sup>

ROK POWs and their families have faced discrimination in all aspects of their life, including matters pertaining to their residency, higher education, career choices, party membership, promotions, and military enlistment. They have also been subjected to intensive surveillance by the authorities due to their perceived high likelihood of defection. According to testimonies, despite excellent academic records, children of POWs often did not receive the necessary recommendations for university admission due to their father’s POW background, leading to missed educational opportunities.<sup>103</sup> Typically, POW children inherited their father’s professions, primarily working in coal mines or farms.<sup>104</sup> It seems that military enlistment was impossible for them

<sup>102</sup> T3T9AH1250

<sup>103</sup> 8NO7YU0029, 7WEDA71436

<sup>104</sup> BP9NQ11831, 5C62M41830

due to their status, consequently making it practically impossible for them to join the Workers' Party. One defector mentioned that despite volunteering at a farm to join the Workers' Party, he was denied membership because his father was a POW.<sup>105</sup> However, there was also testimony stating that after the Arduous March period, the decline in military enlistment made it possible for the children of POWs to join the military.<sup>106</sup>

"I saw a family of South Korean POWs living in the same village in Sangchang *Ri*, Musan County, North Hamgyong Province. The daughter of that family was my classmate in secondary school. The POW said he was from South Korea and had a prosthetic leg. His children, despite their academic achievements, were unable to receive recommendations for higher education because their father was a POW."<sup>107</sup>

## D. Separated Families

South and North Korean "separated families" refer to relatives within eight degrees of kinship, in-laws, spouses, or former spouses scattered across the regions south and north of the Military Demarcation Line (MDL), regardless of the reasons for or the circumstances of their separation.<sup>108</sup> The causes of separation are varied, including the cessation of cross-border movement following the establishment of the 38<sup>th</sup> parallel after liberation, defection to South Korea during North Korea's communization process, defections and abductions during and after the Korean War, conscription into the People's volunteer army, non-repatriation after the Armistice Agreement, and repatriations and abductions from Japan to North Korea. From North Korea's perspective, separated families can be classified into

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<sup>105</sup> OQBG8K1835, R78AG60462

<sup>106</sup> 8NO7YU0029

<sup>107</sup> 7WEDA71436

<sup>108</sup> 「Act on Confirmation of the Life or Death of Inter-Korean Separated Family Members and Promotion of Exchanges」, Article 2, paragraph 1.

families of defectors to the South and families of defectors to the North. Although there are no accurate statistics on the number of separated families in North Korea,<sup>109</sup> it is known that, like ROK POWs and abductees, separated families also face discrimination and limitations in party membership and promotions due to their ties to South Korea.

**Table III - 10** Surviving Separated Families by Place of Origin

Province	Total	Hwanghae	South Pyongan	North Pyongan	South Hamgyong	North Hamgyong	Gyeonggi	Gangwon	Others
Number of People	<b>38,993</b>	7,926	4,086	2,314	3,543	1,161	1,220	585	18,158
Percentage (%)	<b>100.0</b>	20.3	10.5	5.9	9.1	3.0	3.1	1.5	46.6

\* (Source) Ministry of Unification

**Figure III - 7** Residents of South Korea and North Korea at the Inter-Korean Family Reunion Event



\* (Source) Joint Press Corps (19<sup>th</sup> Session from February 20-25, 2014, 20<sup>th</sup> Session from October 20-26, 2015, and 21<sup>st</sup> Session from August 20-26, 2018).

## (1) Families of Defectors to the South

The North Korean authorities have classified families of defectors to the South as “complex masses”<sup>110</sup> and discriminated against them. Defectors

<sup>109</sup> As of the end of April 2024, a total of 134,005 people have registered in our government’s “Integrated Information System for Separated Families” to find their separated family members. Of these, 95,514 have passed away, leaving 38,491 survivors, 85.1% of whom are aged 70 or older. (Source: Ministry of Unification, Integrated Information System for Separated Families [https://reunion.unikorea.go.kr], Status of Inter-Korean Separated Family Exchanges.)

<sup>110</sup> North Korean residents are divided into what are called the “three main classes” based on their social status: “basic masses,” “complex masses,” and “hostile class remnants.” These are further subdivided into



to the South literally refers to those who crossed the 38<sup>th</sup> parallel or the Demilitarized Zone (DMZ) from North Korea to the South.<sup>111</sup> There have been cases where soldiers of the People’s Army were listed as missing or killed in action during the Korean War but were later confirmed by the North Korean authorities to be living in South Korea or another country. There have also been cases where individuals did not return to the North for other reasons. Families of defectors to the South have faced discrimination in improving their social status, such as through university admission, military enlistment, and party membership. However, this discrimination has not been uniformly applied to all families of defectors to the South.

Families of defectors to the South who had served in the People’s Army have been able to join the Party, but have faced restrictions in securing major positions. One defector, whose grandfather had served in the People’s Army, stated that although discrimination was severe in the past, there was some improvement in the treatment of defectors’ families after around 1990. However, while they could work in administrative roles, they were not allowed to hold positions as party-affiliated workers<sup>112</sup> or in legal sectors, such as social security officers, state security officers, and inspectors.<sup>113</sup> Another defector recounted that his uncle, who had served in the People’s Army and was captured as a POW, had never returned, which hindered the social advancement of his siblings, including being put on hold for admissions to a state security university.<sup>114</sup> Furthermore, there was a case where the siblings of a defector could not rise to cadre positions and were

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about 40 categories, each defined by separate social status elements. (Refer to IV-12. Right to Equality, A. Social Class Based on *Songbun*.)

<sup>111</sup> National Institute of the Korean Language, 『Standard Korean Language Dictionary』.

<sup>112</sup> “Party-Affiliated Worker” refers to political workers who take party work as their fundamental revolutionary task. (Refer to North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 1, 2017, p. 1319.)

<sup>113</sup> P3RFM51542

<sup>114</sup> YOBKN51365

forcibly retired from the military when it was discovered that their uncle, previously declared a war casualty of the People’s Army, was alive abroad.

“My uncle, my father’s brother, was believed to have died while serving in the People’s Army during the Korean War. We even had a certificate confirming his death in action. However, around 1991, it was revealed that my uncle was actually alive when he participated in a homeland visit event for overseas Koreans and visited North Korea. It turned out that my uncle had moved to the South during the war and later emigrated to Canada, obtaining Canadian citizenship before visiting North Korea. After it was discovered that we were a separated family, one of my brothers was forced to leave the military academy, and none of my other siblings were promoted to cadre positions.”<sup>115</sup>

On the other hand, the family members of those who defected to the South during the war as civilians, not as members of the People’s Army, have been unable to join the Party, and have faced disadvantages in university admissions and other areas. One defector mentioned that her father could not join the Party because her grandfather had defected to the South during the war. Another defector recounted that her children were unable to enlist in the military or join the Party due to their uncle’s defection to the South.<sup>116</sup> One testimony revealed that, despite receiving recommendations for prestigious universities in North Korea such as Kim Chaek University of Technology, he failed the entrance exam because of his grandfather’s defector status.

“While serving in the military, I was recommended for Kim Chaek University of Technology in August 2003, and for Pyongyang University of Cinematic and Dramatic Arts in 2004. However, I failed the entrance exams both times without any clear reason. I remembered that around 2000, when I was the unit’s personnel officer, I saw my personal record in the unit’s files. The document stated that three of my grandfather’s seven brothers, as well as my grandfather, had defected to the South.”<sup>117</sup>

<sup>115</sup> M4IWA31544

<sup>116</sup> 3BIZT71455, P3RFM51542

<sup>117</sup> 102MHI2012

## (2) Families of Defectors to the North

Families of those who defected from South Korea to North Korea, as well as the defectors themselves, have faced discrimination in North Korean society due to their family backgrounds, similar to the families of those who defected to the South. The North Korean authorities classified defectors to the North and their families as “voluntary defectors” and managed them as “complex masses.”<sup>118</sup> This status has made it challenging for them to enter certain universities or secure military-related jobs, and becoming a party-affiliated worker has been virtually impossible. One defector mentioned that her child, who had been recommended and had passed the entrance exam for Kim Il Sung University, North Korea’s top university, was denied admission because her parents had defected to the North during the Korean War.<sup>119</sup> Another defector recounted that it was impossible for his father to become a party-affiliated worker because his maternal grandfather was a defector from South Korea.

“My maternal grandfather was from South Korea (Gangwon Province). If you have family in South Korea, you cannot become a party-affiliated worker, a legal worker, or a cadre for up to three generations. My paternal grandfather also had a poor background because he did not serve in the military during the war and was a merchant instead. As a result, my father majored in agriculture at university and was assigned to a farm, but despite his education, he could not advance to a cadre position.”<sup>120</sup>

Meanwhile, families of defectors to the North have faced surveillance and discrimination after participating in inter-Korean family reunion events. One

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<sup>118</sup> 5ASSH90002, 00RIT62460/ North Korea’s Ministry of Social Security Publications, 『Resident Registration Project Reference Book』, 1993, pp. 149-153.

<sup>119</sup> OT95801352

<sup>120</sup> QWVNRL2135

defector, whose father was a defector to the North, met with her aunt during such a reunion event after years of no contact. After the event, social security officers frequently monitored her, and her brother was dismissed from his position at the military's electric utility office.<sup>121</sup> Another testimony revealed that surveillance and discrimination, which had not been felt before, began after meeting with South Korean relatives at the family reunion center in Mount Kumgang, leading some to resent their South Korean relatives.<sup>122</sup> Additionally, there was a defector who testified that her father's South Korean origin prevented her from attaining important positions.

"I heard that my father's hometown was Ulsan *Myeon*, South Gyeongsang Province (South Korea). My father was raised by his aunts in his childhood and always missed them and his hometown after defecting to the North with his grandfather. My father served as the deputy chairman of the Union of Agricultural Workers of North Korea in Ryanggang Province and was supposed to become the labor secretary of the Party Committee in Ryanggang Province, but during his background check, it was revealed that he was originally from South Korea, so he never got the position."<sup>123</sup>

<sup>121</sup> YPMQUF0816

<sup>122</sup> LI6BJB0820

<sup>123</sup> JZNOY31599



## IV

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### **Civil and Political Rights**

“On the day of the execution, all male and female prisoners were gathered in the courtyard of the *kyohwaso*. Upon arrival, we saw one prisoner with a rope tied around his neck who had been hung from the top of the main gate. The *kyohwaso* warden then instructed the inmates to pick up stones from piles that had been prepared in advance and throw them at the body. The stones thrown by the inmates, one by one, formed a cairn.”

# 1. Right to Life

The right to life is the foundation of all other human rights, and the guarantee of the right to life takes precedence over other rights. The Universal Declaration of Human Rights unequivocally states in Article 3 that “Everyone has the right to life,” ahead of provisions for other substantive rights. Similarly, the International Covenant on Civil and Political Rights (ICCPR) guarantees the right to life in Article 6. Paragraph 1 of this article emphasizes the legal protection of the right to life, stating that “Every human being has the inherent right to life. The right shall be protected by law. No one shall be arbitrarily deprived of his life.” Furthermore, Paragraph 2 and subsequent paragraphs specify limitations on the imposition and execution of the death penalty. The right to life is a crucial right that cannot be derogated, even in times of public emergency officially proclaimed by the States Parties, such as the COVID-19 prevention measures, under Paragraph 2 of Article 4 of the ICCPR.

**Table IV - 1** 「ICCPR」 and Right to Life

「ICCPR」		Right to Life (Related Contents)
Article 6	1	<p style="text-align: center;"><b>A</b></p> <p style="text-align: center;"><b>Arbitrary Deprivation of Life</b></p> <p style="text-align: center;"><b>E</b></p> <p style="text-align: center;"><b>Death in Custody</b></p>
	2	<p style="text-align: center;"><b>B</b></p> <p style="text-align: center;"><b>Widespread Application of the Death Penalty</b></p>

「ICCPR」		Right to Life (Related Contents)
Article 6	5	<p style="text-align: center;"><b>D</b></p> <p><b>Death Penalty Against Children and Pregnant Women</b></p>
	6	<p style="text-align: center;"><b>Right to Life</b></p>
Article 7		<p style="text-align: center;"><b>C</b></p> <p><b>Public Executions</b></p>

In North Korea, the arbitrary deprivation of life continues to be perpetrated by the authorities. Additionally, the death penalty is applied even for offenses that are not deemed “the most serious crimes,” children have been sentenced to death, and even pregnant women have been executed. Moreover, detainees continue to die because of the dismal conditions in detention facilities due to the neglect of the authorities. All these instances violate international human rights norms that uphold the right to life.

## A. Arbitrary Deprivation of Life

The prohibition on the arbitrary deprivation of life ensures that human life cannot be taken through unreasonable or illegitimate means. The UN Human Rights Committee interprets “arbitrary” in this context more broadly than simply illegal, encompassing aspects such as a lack of reasonableness, due process of law, and proportionality.<sup>1</sup> Therefore, in addition to extrajudicial executions, instances of lawful deprivation of life under the domestic law of a State Party, may also be considered as arbitrary deprivation of life under Article 6 of the ICCPR if the rights guaranteed by the ICCPR, such as the right to a fair trial, were not properly ensured.

<sup>1</sup> UNHRC, CCPR General Comment, No. 36, Article 6: right to life, paras. 11-12.



The testimonies of North Korean defectors shed light on the ongoing arbitrary deprivation of life by the North Korean authorities. According to their accounts, instances of summary executions for reasons like unauthorized border crossings and quarantine regulation violations, as well as secret executions conducted without proper judicial proceedings, continue to occur.

In the border regions between China and North Korea, there have been documented cases of individuals being deprived of their lives without judicial proceedings. There are eyewitness accounts of border guards killing residents attempting to flee from North Korea, as well as accounts from guards who have admitted to carrying out such actions. Additionally, there are testimonies stating that border guards mentioned the existence of a regulation that dictates, “If someone fails to stop after being warned three times, they will be shot.”<sup>2</sup> One eyewitness recounted an incident in 2019 where a porter, working at a smuggling site in the area near the China-North Korea border, was shot on the spot by a state security officer who observed the porter attempting to cross into China during a lapse in surveillance.<sup>3</sup>

Testimonies have revealed that, since 2020, there has been an increase in arbitrary executions in border areas, and that this has been attributed to COVID-19 prevention measures. There are accounts stating that the authorities issued a directive authorizing the shooting on sight of anyone entering the border blockade zone, and individuals entering the blockade zone were indeed shot by border guards in accordance with this directive. A defector from Ryanggang Province mentioned hearing from military personnel and residents about incidents where North Korean residents were shot, including individuals attempting to escape North Korea in 2020 and a soldier entering the blockade zone to smuggle goods in 2021.<sup>4</sup>

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<sup>2</sup> PB5P7P1302

<sup>3</sup> UPBU3Q2089

<sup>4</sup> UBWCTO2335

It has been revealed that the arbitrary deprivation of life, including executions without judicial proceedings, continues within detention facilities such as *kyohwaso*.<sup>5</sup> In 2016 and 2017, consecutive executions of prisoners caught trying to escape were carried out at Hamhung *Kyohwaso*.<sup>6</sup> Additionally, several cases of executions of prisoners caught while trying to flee from other *kyohwaso*, including Jeongeong *Ri Kyohwaso*, have been documented. These executions were conducted by firing squad under the direction of the *kyohwaso*'s warden, and although the existence of trials prior to execution was not confirmed, there was a reading of the reasons for their execution.<sup>7</sup> One defector recounted how the warden gathered all the inmates in the front yard of a *kyohwaso* and forced them to witness the execution scene while warning them, "Look closely at what will happen if you attempt to escape."<sup>8</sup>

"In 2016, on the day of the execution, all male and female prisoners were gathered in the courtyard of the *kyohwaso*. Upon arrival, we saw one prisoner with a rope tied around his neck who had been hung from the top of the main gate. The guards' beating of him was so severe that it was difficult to recognize his face. When all the inmates had assembled, three shots were fired at the prisoner who was hanging from the gate. Afterwards, the body was placed on the ground. The *kyohwaso* warden then instructed the inmates to pick up stones from piles that had been prepared in advance and throw them at the body. The stones thrown by the inmates, one by one, formed a cairn."<sup>9</sup>

Testimonies that have been collected reveal instances of "secret executions" of detainees and cases of infanticide in some detention facilities. One defector

<sup>5</sup> A *Kyohwaso* is a facility where individuals sentenced to "rodong-kyohwa punishment" are detained and undergo rehabilitation. (North Korean Encyclopedia Publisher, "Chosun Encyclopedia", Vol. 2, 1995, p. 620.)

<sup>6</sup> 1JU8U71993

<sup>7</sup> M0MR3Y0542

<sup>8</sup> SPN4BG1900

<sup>9</sup> TZURKG1073

learned from an officer at a *kukeumso*, a detention facility managed by the Ministry of State Security, that detainees were either transferred to political prison camps or were subjected to secret executions. The account further noted that a woman detained for her involvement in prostitution in 2013 and a man detained for homosexuality in 2014 were secretly executed at a *kukeumso*.<sup>10</sup> All testified cases of infanticide were committed against defectors who were forcibly repatriated from China while pregnant. According to a defector’s testimony, a detention center guard administered medication to induce labor in an eight-month-pregnant woman forcibly repatriated from China and subsequently killed the baby after its birth.<sup>11</sup>

## B. Widespread Application of the Death Penalty

Pursuant to Article 6, paragraph 2 of the ICCPR, State Parties which have not abolished the death penalty may impose a sentence of death only for “the most serious crimes” in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the ICCPR. The Human Rights Committee clarifies that the death penalty cannot be imposed where the criminalization of conduct, such as offending a head of State, would itself violate the ICCPR.<sup>12</sup> The Committee also emphasizes that the term “the most serious crimes” must be interpreted narrowly so that the death penalty is an exceptional measure and that crimes, such as corruption, economic and political crimes, and narcotics-related offenses, do not qualify as the most serious crimes.<sup>13</sup> However, in North Korea, the death penalty is carried out not only for the most serious crimes but also for crimes that are not subject to the death penalty under the ICCPR.

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<sup>10</sup> P3RFM51542

<sup>11</sup> KRDAUX0428

<sup>12</sup> UNHRC, CCPR General Comment, No. 36, Article 6: Right to life, para. 36.

<sup>13</sup> *Ibid.*, para. 35.

North Korean laws allow for the death penalty to be carried out even for crimes that are not considered the most serious. The recently amended Criminal Law has expanded the list of crimes punishable by death, and the Addendum to the Criminal Law (General Offences) permits the imposition of the death penalty for certain general crimes. Additionally, special laws have been enacted to allow for the death penalty in cases of specific illegal activities. The current version of the Criminal Law, revised in May 2022, addresses crimes of “illegal opium cultivation” and “narcotics production” separately, and introduces the “crime of insulting the dignity of the Republic” to the list of capital offenses, increasing the total number of crimes eligible for the death penalty to 11.<sup>14</sup>

**Table IV - 2 Crimes Punishable by the Death Penalty Under North Korean 「Criminal Law」**

「Criminal Law」 Articles		Crime
Anti-State Crime	61	Crime of National Subversion
	62	Terrorism
	63	Treason Against the State <sup>15</sup>
	64	Crime of Insulting the Dignity of the Republic
	65	Destruction and Sabotage
	69	Hostile Acts Against Foreigners
Anti-Nation Crime	70	Crime of National Rebellion
Crime Against Socialist Culture	234	Crime of Illegal Opium Cultivation
	235	Crime of Narcotics Production
	237	Narcotics Trafficking and Dealing
Crime of Violating Personal Rights	305	Felonious Homicide

North Korea has established the Addendum to the Criminal Law (General Offenses), which permits the imposition of the death penalty for certain general crimes by using vague terms such as “extremely serious” and

<sup>14</sup> 「Criminal Law」 (2022), Article 35 and Article 36.

<sup>15</sup> 「Criminal Law」 (2022), Article 63 (Treason against the state) A person who has committed an act of treason against the state shall be sentenced to a term of *rodong-kyohwa* punishment of five years or more. In severe cases, he or she shall be sentenced to a life-term of *rodong-kyohwa* punishment or to the death penalty and confiscation of one’s property.

“particularly serious” for aggravating circumstances.<sup>16</sup> Specifically, Article 11 of the Addendum to the Criminal Law (General Offenses) stipulates that the death penalty can be imposed in cases where the multiple crimes committed by an offender are particularly egregious, or where an offender is deemed incapable of reformation.<sup>17</sup>

Furthermore, recently enacted laws, specifically the Law on Emergency Anti-Epidemic Work, the Law on Rejecting Reactionary Thought and Culture, the Law on the Prevention of Drug-Related Crimes, and the Law on Protecting the Pyongyang Cultural Language, also include provisions for the death penalty, allowing for its widespread application. The Law on Emergency Anti-Epidemic Work, enacted in 2020, deems the emergency quarantine period equivalent to wartime (Article 8). It authorizes the imposition of the death penalty for violations of orders or instructions related to emergency quarantine operations (Article 65). In cases of dereliction of duty to enforce border closures, maritime blockades, and similar measures, the maximum penalty of death can be applied (Article 68). In 2021, North Korea amended this law, intensifying the criminal penalties for obstructing emergency quarantine operations, such as illegal entry into quarantine zones and disruption of quarantine inspections, by adding the death penalty to the list of possible punishments.<sup>18</sup> Additionally, the Law on Rejecting Reactionary

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<sup>16</sup> The crimes punishable by the death penalty under the 「Addendum to the Criminal Law (General Crimes)」 amended in 2010 include: extremely severe instances of intentional destruction of weapons, ammunition, combat technology and equipment, and military facilities, extremely severe instances of embezzlement of national property, extremely severe instances of robbery of national property, extremely severe instances of intentional destruction of national property, extremely severe instances of currency counterfeiting, extremely severe instances of smuggling and trafficking of precious metals and colored metals, extremely severe instances of escaping from *kyohwaso*, extremely severe instances of kidnapping, extremely severe instances of rape, extremely severe instances of personal property robbery, and crimes that may exceptionally be subject to life imprisonment (indefinite *rodong-kyohwa* punishment) or the death penalty.

<sup>17</sup> 「Addendum to the Criminal Law (General Crimes)」 (2010) Article 11 (Crime that may exceptionally be subject to *rodong-kyohwa* punishment for an indefinite period of time or the death penalty) An offender who has committed multiple crimes, particularly egregious ones, or who is deemed unreformable shall be sentenced to *rodong-kyohwa* punishment for an indefinite period of time or the death penalty.

<sup>18</sup> 「Law on Emergency Anti-Epidemic Work」 (2021) Article 73 (Offenses disrupting Emergency Quarantine Operations) Anyone who engages in any act that disrupts quarantine operations, including beating or

Thought and Culture also provides for the imposition of the death penalty for offenses such as the “crime of distributing the ideology and culture of hostile countries” (Article 28) and the “crime of distributing adult videos and sexually explicit materials and spreading superstition” (Article 29). The Law on the Prevention of Drug-Related Crimes, established in 2021, also includes provisions for the death penalty. It applies to illegal opium cultivation (Article 23), illegal narcotics production (Article 24), narcotics trafficking and dealing (Article 28), and the illegal disposal of assets seized or confiscated related to drug crimes (Article 39). The recently enacted Law on Protecting the Pyongyang Cultural Language in 2023 criminalizes the use of “puppet speech” (referring to South Korean dialect). In severe cases involving the crime of using puppet speech (Article 58) or the crime of disseminating puppet speech (Article 59), the death penalty may be imposed.

In North Korea, it has been disclosed that the death penalty is applied extensively, not only for the most serious crimes such as murder but also for activities that are not punishable by death under the ICCPR. These activities include engaging in religious and superstitious practices, narcotics smuggling and trafficking, watching and distributing South Korean videos, distributing pornography, and engaging in prostitution. Specifically, there have been cases where the death penalty was carried out on someone for possessing the Bible and engaging in religious practices, along with instances where individuals faced capital punishment for disseminating outside information.

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assaulting someone, disobeying legitimate requests related to emergency quarantine work, preventing supervision or inspection, leaving a quarantined area or facilitating such leaving, or bringing someone into a quarantined area, illegally hunting in a quarantined area, or unlawfully entering a national blockade zone, shall be sentenced to *rodong-danryun* punishment. Those who repeatedly commit such acts, illegally cross the border, smuggle goods without permission, distribute smuggled goods, or condone, encourage, or organize the disruption of emergency quarantine work shall be sentenced to *rodong-kyohwa* punishment of up to five years. Those who have caused significant confusion in emergency quarantine operations by committing acts under paragraphs 1 and 2 shall be sentenced to *rodong-kyohwa* punishment of at least five years but not exceeding ten years. Those who have committed extremely severe acts that disrupt emergency quarantine work shall be sentenced to *rodong-kyohwa* punishment of at least ten years. In cases where the offense of disrupting emergency quarantine work is extremely severe, the offender shall be subject to either the death penalty or *rodong-kyohwa* punishment for an indefinite period of time.

One account indicates that in 2019, a group suspected of operating an underground church in Pyongyang was disbanded, leading to the public execution of five leaders, with the remaining members subsequently imprisoned in political prison camps or *kyohwaso*.<sup>19</sup>

“A group of women recruited young women between the ages of 18 to 25 from rural areas, as well as economically disadvantaged women living in Sariwon City. Brokers in parking lots would approach men seeking the services of a prostitute and, upon indicating their preferred age, connect them with a corresponding woman for prostitution. The group was subjected to a public trial before being executed. They were convicted of promoting prostitution in a socialist society and sentenced to death according to several articles of the Criminal Law. At the execution, 16 guards fired three bullets each, causing all the convicted individuals to be killed instantly with their heads dropped.”<sup>20</sup>

Furthermore, cases have been documented where individuals were publicly executed by the North Korean authorities for engaging in activities related to South Korean or American media, classified as “the ideology and culture of hostile countries.” One defector reported witnessing a public execution in the winter of 2022 in Hwanghae Province, during which one of those sentenced to punishment was executed for violating the Law on Rejecting Reactionary Thought and Culture, specifically for offenses related to outside information.<sup>21</sup> In the case of public executions, another testimony documented that in 2023, in South Hwanghae Province, the number of individuals executed under the Law on Rejecting Reactionary Thought and Culture was substantial.<sup>22</sup>

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<sup>19</sup> P3RFM51542

<sup>20</sup> 1J9VEU1801

<sup>21</sup> ONW4SH2402

<sup>22</sup> TEIEJA2400

## C. Public Executions

International human rights norms forbid public executions of the death penalty. However, the North Korean authorities actively mobilize their residents to sites of public executions. The UN Human Rights Committee clarifies that when a State Party applies the death penalty, it must be carried out in a manner that causes the least possible physical and mental suffering, and any actions to the contrary constitute a violation of Article 7 of the ICCPR.<sup>23</sup> Therefore, even if a competent court has imposed a death sentence for the most serious crimes, carrying it out in public is considered a cruel, inhuman, and degrading punishment prohibited by Article 7 of the ICCPR. Additionally, the mobilization of residents to public execution sites may constitute a violation of Article 7 of the ICCPR, as those who witness a public execution may experience cruel and inhuman treatment.

Testimonies of public executions in North Korea were collected annually until 2023. These executions were predominantly conducted in open and easily accessible locations, including marketplaces known as *jangmadang*, riverbanks, and sports fields, where a large number of people could be mobilized. Execution sites in various regions commonly included specific locations like an airfield in Yeonbong *Dong*, Hyesan City, Ryanggang Province; Pyongsu *Jangmadang* in Hamhung City, South Hamgyong Province; and Suseong Riverbank in Chongjin City, North Hamgyong Province.<sup>24</sup> North Korean residents, including children, have been extensively mobilized through affiliated institutions such as schools, state-run companies, and *inminban*.<sup>25</sup> A defector who directly witnessed a public execution in 2018

<sup>23</sup> UNHRC, CCPR General Comment, No. 20, Article 7: Prohibition of torture or other cruel, inhuman, or degrading treatment or punishment, para. 6.

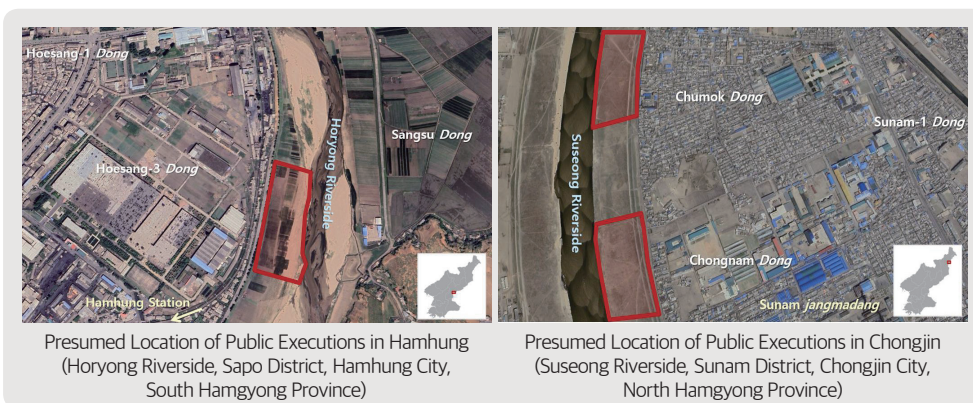
<sup>24</sup> MIFROV1026, E03FIT0790, LHB9941636

<sup>25</sup> *Inminban* (People's Watch Unit) is the lowest administrative unit in North Korea, primarily made up of housewives and retired workers. (National Institute for Unification Education, Ministry of Unification, "North Korea Knowledge Dictionary," 2022, p. 517.). *Inminban* refers to the lowest administrative unit that serves



testified that over 1,000 people were in attendance, primarily organized through factories and state-run companies. He mentioned being mobilized by his *inminban*.<sup>26</sup> Another defector reported that the *inminban* informed residents about the date and location of public executions, compelling their participation. There were instances where students were mobilized by their schools to attend public executions.<sup>27</sup>

**Figure IV - 1** Satellite View of Presumed Locations of Public Executions (Based on the Center’s Investigations)



\* (Source) Google Earth (<https://earth.google.com/web/>)

According to the testimonies, the public executions were overseen by social security institutions<sup>28</sup> and followed a process where the identity and crime of the individual to be executed were publicly disclosed before the actual execution took place. These executions were carried out in designated public spaces where residents were mobilized. The individual facing

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as a resident surveillance organization in North Korea. It is organized by People’s Committees based on the household number determined by the Cabinet of North Korea (Article 9 of the Resident Administration Law), and has an obligation to report suspicious individuals, including non-residents and job deserters (Article 10 of the Crowd Reporting Law).

<sup>26</sup> MNH2KG2026, G2EEXE1947

<sup>27</sup> N47MDZ1549

<sup>28</sup> The Ministry of Social Security (renamed from the Ministry of People’s Security) is a state organization whose main duty is to maintain security, comparable to the South Korean National Police Agency. It is recognized as one of North Korea’s three major security organizations, along with the Ministry of State Security and the Ministry of Defense, all of which are directly controlled by the State Affairs Commission. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 399.)

execution, with their face concealed by a mask, was attached to a pillar. The method of execution involved firing shots at the head, chest, and legs. The execution details, including the number of personnel involved, appeared to vary depending on the severity of the crime.

“In early 2023, I heard about a public execution taking place at a market, referred to as a *jangmadang*, so driven by curiosity, I went to witness it. Upon my arrival, a large crowd had already gathered, leading me to observe the execution from a distance. One individual was facing execution for charges of robbery and murder, which involved killing a woman and stealing cash. Before the public execution, it wasn’t so much a trial as a social security officer announcing the charges over a microphone for everyone to hear. As far as I know, the execution itself was carried out by five officers from a social security department. The individual facing execution had a mask on with his hands bound behind his back, and his neck, chest, and feet were tied to a stake. The social security officers appeared, each firing three shots, leading to the execution. The number of officers involved can vary based on the severity of the crime. In this case, as it was a serious offense, five officers carried out the execution, resulting in his upper body bursting out in an unrecognizable way. At that time, around 400–500 residents had gathered. The body was wrapped in a white cloth and transported in a vehicle.”<sup>29</sup>

The public executions were also deeply traumatizing for those mobilized by the North Korean authorities. The majority of those who had to attend these events testified that they experienced significant mental anguish from witnessing the scenes. A witness shared that the fear of watching a human being killed for the first time was so overwhelming that she could not eat or sleep properly for several days. The image of the executed person continued to haunt her, causing her distress when she was alone at night.<sup>30</sup> For this reason, there were also accounts of individuals purposely avoiding the mobilization to the execution site by feigning illness.<sup>31</sup>

<sup>29</sup> TEIEJA2400

<sup>30</sup> SOKAIT1086

<sup>31</sup> MNH2KG2026

## D. Death Penalty Against Children and Pregnant Women

The imposition of the death penalty on children and pregnant women is rare but has appeared to persist in North Korea. Article 6, paragraph 5 of the ICCPR explicitly forbids the death penalty for crimes committed by individuals below 18 years of age and the execution of the death penalty against pregnant women. North Korea also acknowledges these prohibitions in Article 37 of its Criminal Law.<sup>32</sup> However, several accounts affirm that executions of individuals under 18 and pregnant women persist in North Korea.

There have been multiple accounts of witnessing individuals under the age of 18 actually receiving a death sentence and being executed by a firing squad. A defector stated that in 2018, two residents were publicly executed for engaging in religious and superstitious activities on a riverbank in Chongjin, North Hamgyong Province, and one of those executed was below the age of 18.<sup>33</sup> Another defector testified that in 2015, six suspects aged 16 and 17 were executed by firing squad at a stadium in Wonsan, Gangwon Province, immediately after receiving death sentences for watching South Korean videos and using opium.<sup>34</sup> Additionally, another account mentioned hearing about the execution of students from a nearby high school around 2014 in Pyongyang.

“Around 2014, when I was in my sixth year of secondary school, I heard about an incident at a secondary school across the Taedong River on the side of Unification Street involving non-socialist behavior. The students were severely punished for their involvement. Among the five individuals involved, two to three of the

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<sup>32</sup> 「Criminal Law」(2022) Article 37 (Death penalty) The death penalty is the highest punishment that deprives the criminal of physical life. Those who have not reached 18 years of age at the time of committing the crime cannot be sentenced to death, and pregnant women cannot be executed.

<sup>33</sup> APV7AZ1435

<sup>34</sup> KYS94N0794

main participants were executed by firing squad, while the others were sent to a *kyohwaso*.<sup>35</sup>

There have also been recorded cases of pregnant women being executed. As recounted by a North Korean defector, a video of a woman dancing in her home was circulated in around 2017, and she was publicly executed for the gesture of pointing at the portrait of Kim Il Sung with her finger. The woman was said to be six months pregnant at the time of her execution.<sup>36</sup>

## E. Death in Custody

It has been revealed that deaths of detainees in detention facilities persist due to the North Korean authorities' failure to actively fulfill their obligation to protect their lives. The UN Human Rights Committee clarifies that the right to life is a right that should not be interpreted narrowly, and States Parties have not only a passive obligation to prohibit the arbitrary deprivation of life but also an active obligation to take legislative and other measures to ensure its effective realization.<sup>37</sup> This active obligation of States Parties is particularly heightened when a State has arrested and detained an individual. The failure of a State Party to take necessary measures to protect the lives of detainees, such as when a detainee dies due to a lack of adequate food or proper medical care, constitutes a violation of Article 6(1) of the ICCPR.<sup>38</sup>

Deficient conditions of detention centers have been found to be a major cause of the deaths of detainees. A defector mentioned that in the winter of 2020, one of his family members was detained in a *kuryujang* of the state

<sup>35</sup> 5VRQH72482

<sup>36</sup> 0WTG6L2284

<sup>37</sup> UNHRC, CCPR General Comment, No. 36, Article 6: right to life, paras. 3-4.

<sup>38</sup> *Ibid.*, para. 25.

security bureau in Ryanggang Province. Due to the absence of heating, the family member developed frostbite and died while still in custody without receiving any necessary medical treatment.<sup>39</sup> Another defector, who had been imprisoned in a *kyohwaso* around 2018, stated that he directly witnessed the death of a detainee who succumbed to malnutrition caused by inadequate food at the *kyohwaso*.<sup>40</sup> There was also an account of witnessing the 2019 death of an individual who was detained in a *rodong-kyoyangdae* and died there as a result of being assaulted by fellow inmates.<sup>41</sup>

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<sup>39</sup> 67MM9S2253

<sup>40</sup> M7EQE91399

<sup>41</sup> B3QZTR2047

## 2. Right to Not Be Subjected to Forced Labor

International human rights norms prohibit forced labor along with slavery. Article 4 of the Universal Declaration of Human Rights declares that “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.” Article 8 of the ICCPR also prohibits all forms of slavery and the slave trade, specifying that no one shall be required to perform forced or compulsory labor:

**Table IV - 3** 「ICCPR」 and Right to Not Be Subjected to Forced Labor

「ICCPR」		Right to Not Be Subjected to Forced Labor (Related Contents)
Article 8	1	No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.
	2	No one shall be held in servitude.
	3	(a) No one shall be required to perform forced or compulsory labor
		(b) Paragraph 3 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court
3	(c) For the purpose of this paragraph, the term “forced or compulsory labour” shall not include: (i) Any work or service, not referred to in subparagraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention; (Omitted (ii)) (iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community; (iv) Any work or service which forms part of normal civil obligations.	<b>A(2)</b> <b>Labor Punishment Under Administrative Decisions</b>
		<b>A(1)</b> <b>Imposition of Excessive Labor in Penal Institutions</b>
Article 10	2	(a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons
		<b>A(3)</b> <b>Forced Labor in Temporary Detention Facilities</b>

However, through various testimonies, it has been confirmed that North Korean residents are not properly guaranteed the right to not be subjected to forced labor. In penal institutions, inmates are subjected to excessive labor beyond the scope of re-education. North Korean residents are also detained and subjected to labor based on administrative decisions rather than lawful court judgments, and those detained in temporary detention facilities are also forced into labor before their verdicts are decided. Moreover, there is regular labor mobilization by social organizations, imposing physical and financial burdens on North Korean residents.

## A. Forced Labor in Custody

### (1) Imposition of Excessive Labor in Penal Institutions

The imposition of labor on inmates aims to promote reformation and social rehabilitation, and thus imposing excessive labor even on inmates in penal institutions is prohibited. The imposition of labor on inmates by criminal punishment based on court judgments is permitted as stated in the ICCPR. Article 8, Paragraph 3 of the ICCPR stipulates that “heavy labor normally required of a person detained under a lawful order of a court does not constitute forced labor.” Such imposition of labor should have the purpose of reformation and be based on respect for human dignity.<sup>42</sup> The United Nations Standard Minimum Rules for the Treatment of Prisoners (known as the Nelson Mandela Rules) provide that the maximum daily and weekly working hours of prisoners shall be fixed by law or by administrative regulations, taking into account the hours of work of free laborers.<sup>43</sup> North

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<sup>42</sup> ICCPR, Article 10, paragraph 3. The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.

<sup>43</sup> The United Nations Revised Standard Minimum Rules for the Treatment of Prisoners, (Rule 97) (2) Prisoners shall not be held in slavery or servitude; (Rule 102) (1) The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workers. (2) The hours so fixed shall leave one rest day a week and

Korea's Socialist Labor Law also establishes an eight-hour workday for workers.<sup>44</sup>

However, North Korean residents detained at penal facilities have experienced excessive labor demands. North Korea's Criminal Law of 2022 specifies criminal punishments that deprive individuals of their freedom and impose penal labor on them, namely the “*rodong-kyohwa* punishment”<sup>45</sup> and “*rodong-danryun* punishment,”<sup>46</sup> each of which is administered at a *rodong-kyohwaso* (referred to as a *kyohwaso*) and a *rodong-danryundae*. Inmates at these facilities have typically endured more than 12 hours of demanding work each day. While some had fixed work hours, many were required to meet specific work quotas. Inmates who failed to complete their daily tasks faced beatings or other forms of punishment from the officers.

“Until 2018, while I was imprisoned at Hamhung *Kyohwaso* (South Hamgyong Province), I had to perform labor by making metal rings. Work continued throughout the day, except for during mealtimes and daily work evaluations. In winter, the work hours were from 6:00 to 21:00, while during the summer, they were extended to 5:00 to 22:00. Daily work evaluations took place at 17:00. The *kyohwaso* officers often punished those who underperformed by hitting them in the face multiple times with the shoes of the prisoners.”<sup>47</sup>

sufficient time for education and other activities required as part of the treatment and rehabilitation of prisoners; (Rule 103) (1) There shall be a system of equitable remuneration of the work of prisoners.

<sup>44</sup> Under Article 16 of the ‘Socialist Labor Law’ (2015), the daily working hours for workers are set at eight hours.

<sup>45</sup> Under Article 38 of the ‘Criminal Law’ (2022), *rodong-kyohwa* punishment for a definite or an indefinite period entails placing criminals in *kyohwaso*, where they are subjected to penal servitude.

<sup>46</sup> Under Article 39 of the ‘Criminal Law’ (2022), *rodong-danryun* punishment involves sending criminals to *rodong-danryundae* for labor punishment for a period ranging from six months to one year.

<sup>47</sup> M7EQE91399



**Table IV - 4 North Korea's Facilities Enforcing Penal and Administrative Punishments**  
(Based on the Center's Investigations)

Enforcement Facility	Types of Punishment	Duration of Punishment	Legal Basis	Operating Agency	Notes
Rodong-Kyohwaso	Rodong-kyohwa punishment for an indefinite period	Indefinite	「Criminal Law」 (Article 38)	Ministry of Social Security (formerly Ministry of People Security)	· One type of criminal punishment, along with the death penalty and <i>rodong-danryun</i> punishment
	Rodong-kyohwa punishment for a definite period	1-15 years			
Rodong-Danryundae	Rodong-danryun punishment	6 months -1 year	「Criminal Law」 (Article 39)		· Also established as a subsidiary facility of <i>Rodong-Kyohwaso</i> .
Rodong-Kyoyangdae	Rodong-kyoyang penalty	5 days -6 months	「Administrative Penalty Law」 (Article 18)	People's Committee (City· County· District)	· Established not only in local People's Committees but also in large-scale farms or workplaces. · One type of administrative penalty*

\* Administrative penalties are imposed by the socialist law-observance guidance committees at all levels, the Cabinet, prosecution agencies, judiciary agencies, social security agencies, mediation agencies, investigation supervisory agencies, and qualification granting agencies. (「Administrative Penalty Law」 Article 344)

Pressured to meet work quotas, the inmates at *kyohwaso* were forced to perform various tasks under harsh and coercive conditions. Based on the type of work they perform, inmates can be divided into the farming group, firewood preparation group, clothing manufacturing group, goods group, and wig-making group, with some also working in mines or coal mines. Inmates' tasks vary and include farming in a *bueopji* (small field) operated by the *kyohwaso*, raising livestock, preparing firewood, making military uniforms or military shoes, creating eyelashes, wigs, or hats, mining, construction, or carpentry. Inmates typically began work early in the morning and continued until the evening. Daily work evaluations were based on assigned work quotas rather than their time spent on work. An inmate detained around 2018 recounted that the daily work quotas were excessive, leading inmates

to cut back on their sleep to avoid punishment for not meeting the quotas.<sup>48</sup> Another account mentioned that ill or injured inmates were generally not granted any leniency with respect to their work quotas, and those who did not meet their work quotas were punished with beatings, restrictions on family visits, or denial of food provided by visitors.

“Around 2017, prisoners at Jeongeong *Ri Kyohwaso* were required to complete daily work assignments, even when suffering from high fevers reaching 40°C. We often sacrificed sleep to finish these tasks. I personally managed to complete my assignments and avoided beatings, but I witnessed other inmates who failed to meet their daily quotas getting beaten by the *kyohwaso* officers (social security officers).”<sup>49</sup>

Inmates at *rodong-danryundae* also undergo daily individual work evaluations known as “performance evaluations.” According to a defector who was detained at a *rodong-danryundae*, prisoners were pressured to improve their performance daily, and those who failed to meet their daily quotas were subjected to verbal abuse, physical assault, and various forms of punishment.<sup>50</sup>

## (2) Labor Punishment Under Administrative Decisions

North Korean legislation specifies labor punishments not only under criminal court rulings but also under decisions made by administrative agencies. Its Administrative Penalty Law of 2021 stipulates the “unpaid labor penalty” (Article 17) and “*rodong-kyoyang* penalty” (Article 18) as types of labor punishments.<sup>51</sup> The People’s Security Enforcement Law also stipulates

<sup>48</sup> M7EQE91399

<sup>49</sup> SPN4BG1900

<sup>50</sup> U61S652293

<sup>51</sup> Article 344 of the 「Administrative Penalty Law」 (2021) specifies that administrative penalties are imposed

that violations of legal order can result in punishments such as the *rodong-kyoyang* penalty.<sup>52</sup> Based on this, in reality, many residents are subjected to various crackdowns, leading to administrative penalties that result in their detention and mobilization for hard labor. This violates Article 8, Paragraph 3(b) of the ICCPR, as imprisonment with hard labor can only be imposed in pursuance of a court sentence.

Detainees who received “*rodong-kyoyang* penalties”<sup>53</sup> as part of administrative penalties were held in “*rodong-kyoyangdae*”<sup>54</sup> facilities and given various tasks. These included working at nearby state-run companies or construction sites, farming at collective farms or *bueopji* (small fields) operated by *rodong-kyoyangdae*, making bricks, carrying and chopping firewood, and preparing meals at *rodong-kyoyangdae* kitchens. One defector testified that in 2019, he violated travel regulations by moving without a travel permit, which led him to be punished with a *rodong-kyoyang* penalty.<sup>55</sup> Consequently, he was detained at the *rodong-kyoyangdae* of his residence and assigned the task of constructing a nearby ranch. In another case, an individual who had been forcibly repatriated after defection received a *rodong-kyoyang* penalty in 2017 and was then tasked with constructing a local courthouse or raising livestock.<sup>56</sup> It was common for detainees to be

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by the socialist law-observance guidance committees at all levels, the Cabinet, prosecution agencies, judiciary agencies, social security agencies, mediation agencies, investigation supervisory agencies, and qualification granting agencies.

<sup>52</sup> 「People’s Security Enforcement Law」 (2007) Article 57 (Types of administrative penalties) The social security institution’s responsible workers’ committee shall deliberate on the materials about violating legal order and may give a penalty of *rodong-kyoyang* penalty, suspension of qualifications, demotion, deprivation of qualifications, suspension, confiscation of personal belongings, or education treatment.

<sup>53</sup> 「Administrative Penalty Law」 (2021) Article 18 (Rodong-kyoyang penalty) ‘Rodong-kyoyang penalty’ is an administrative penalty imposed on citizens who commit illegal acts and has a duration ranging from five days to six months.

<sup>54</sup> According to testimonies, residents commonly use the term ‘*rodong-danryundae*’ interchangeably with both *rodong-kyoyangdae* and *rodong-danryundae* without making a distinction. (8IUFR2452, 8IUFR2437, 1ND60Q2408)

<sup>55</sup> U61S652293

<sup>56</sup> 52MXNB1472

required to work without breaks, often exceeding 12-13 hours a day during their period of penalty. There have been documented cases of detainees being assaulted for failing to meet their work quotas.

“In 2019, after a broker was caught, he reported me for receiving money sent by my daughter in China. Consequently, I received a three-month *rodong-kyoyang* penalty. I began work around 6:30 in the morning and continued until it was dark. Among my tasks were loading and unloading coal, constructing houses, and paving roads. When digging drainage ditches, I had individual quotas to meet. Guards refrained from hitting female detainees, but male detainees were often subjected to beatings. Within the detainee group, one person was appointed as a monitor. If detainees were identified by the monitor as not working properly, they were beaten mercilessly.”<sup>57</sup>

Furthermore, *rodong-kyoyang* penalties were enforced at facilities other than the legally designated facility, or *rodong-kyoyangdae*. Accounts from individuals who received these penalties at temporary detention facilities, known as *jipkyulso*, suggest that the North Korean authorities do not limit the places of execution to *rodong-kyoyangdae* alone.

### (3) Forced Labor in Temporary Detention Facilities (*Jipkyulso*)

The North Korean authorities impose forced labor on unconvicted residents held in temporary detention facilities. Article 10, paragraph 2(a) of the ICCPR stipulates that accused persons shall be subject to separate treatment appropriate to their status as unconvicted persons. The United Nations Minimum Standards for the Treatment of Prisoners specifies that an untried prisoner shall not be required to work.<sup>58</sup> This is because doing so does not impose labor as a punishment for a crime by a legitimate court order. However, in North Korea, there have been constant labor

<sup>57</sup> IND60Q2408

<sup>58</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 116.

mobilizations of residents who were detained at “traveler *jipkyulso*” for violating travel orders or who were forcibly repatriated after defecting and detained at “illegal border crosser *jipkyulso*” before being sent to their residential authorities. Especially, at illegal border crosser *jipkyulso*, which are temporary holding centers for forcibly repatriated defectors, there have been many instances of forced labor mobilization of residents detained there.

Residents held at temporary detention facilities known as *jipkyulso* have frequently been mobilized for various tasks, both within and outside of the facilities. Testimonies from former detainees revealed that they were assigned to a range of work, including internal construction projects, like expanding the *jipkyulso* building, as well as tasks at nearby construction sites, including private housing construction, post-flood road repairs, and loading and unloading cement.<sup>59</sup> Additionally, detainees were forced to work in *bueopji* (small fields) operated by the *jipkyulso* or nearby collective farms, where they engaged in activities such as rice planting, picking edible greens, or harvesting crops. These accounts suggest that the type or location of work was not predetermined.

Despite not being convicted yet, detainees at *jipkyulso* were forced to engage in hard labor under harsh conditions, depending on the circumstances at the facility. Working hours varied slightly depending on the season, but typically exceeded 12 hours from early morning until evening, including holidays, during their detention.<sup>60</sup> Detainees testified that during the winter season, the waiting period at the *jipkyulso* was shorter, but it was prolonged during times of high labor demand, such as the farming season. This seems to be related to detainees’ accounts indicating that the *jipkyulso*

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<sup>59</sup> 67KL2N0678, FJ2DB10682

<sup>60</sup> 8E4Q2W1478

intentionally delayed transferring detainees to their residential authorities.<sup>61</sup> This is also corroborated by detainees' statements indicating that they were forced to work for the benefit of the *jipkyulso*'s profits.<sup>62</sup>

"I was forcibly repatriated to North Korea and held at the *jipkyulso* in Chongjin City, North Hamgyong Province (until early January 2019), and had to work every day. I was assigned different tasks each day, such as carrying manure, wood, and steel materials, as well as cleaning the surroundings. My work hours were from around 7:00 to 17:00. Although meals were provided three times a day, each meal only consisted of 100g of rice made from leftover corn. So, I was often very hungry."<sup>63</sup>

## B. Labor Mobilization Through Social Organizations

Forced labor through social organizations has been found to be routinely carried out in North Korea. According to Article 8, Paragraph 3 of the ICCPR, tasks or obligations assigned to members of society that do not constitute forced labor include those required during an emergency or calamity that threatens the community's life or well-being, as well as those that form a part of normal civil obligations. However, it is difficult to consider the mobilization of residents to construction sites and other locations by the North Korean authorities through social organizations as falling under "normal civil obligations." This is because such instances involve women and children, mandate on-site stay for several days each week or a certain period, and employ coercion such as fines for non-participation, all of which make such mobilizations strikingly different from normal practices.

<sup>61</sup> PXKT6W0772, NEHTDO0763

<sup>62</sup> 67KL2N0678

<sup>63</sup> 9G37IQ1611

In North Korea, mobilizing residents' labor through social organizations has already become commonplace. Social organizations like the Socialist Women's Union, which is composed of full-time housewives (referred to as the Women's Union); the Socialist Patriotic Youth League, which is a youth employment organization (referred to as the Youth League); and the General Federation of Trade Unions, which comprises workers from factories and enterprises (referred to as the Workers' Union), play key roles in mobilizing residents. Residents are also mobilized through residential administrative units known as *inminban*. This mobilization is compulsory, and non-participation incurs corresponding monetary penalties. The practice of imposing fines for non-participation is similar across all organizations.

Among social organizations, there has been a growing trend in labor mobilization through the Women's Union. According to one female defector, although there were regional differences, members of the Women's Union were mobilized five or more times a week, almost daily. Recently, they have been mobilized for several consecutive days, including overnight stays, on large construction sites, resulting in the creation of the Women's Union *Dolgyeokdae* (shock brigade).<sup>64</sup> Another female defector mentioned that Women's Union members who found it difficult to participate in labor mobilization were required to pay a fixed monthly amount, and they were referred to as the "Women's Union Profit Unit."<sup>65</sup> (Refer to IV-10. Right to Freedom of Assembly and Association.)

"Until 2019, I was mobilized for labor whenever the Women's Union ordered it. Internal mobilization refers to when people are mobilized to work for a short time from their own homes, while external mobilization involves packing food and going out to work for several days, which is called the 'Women's Union *Dolgyeokdae*.' In the

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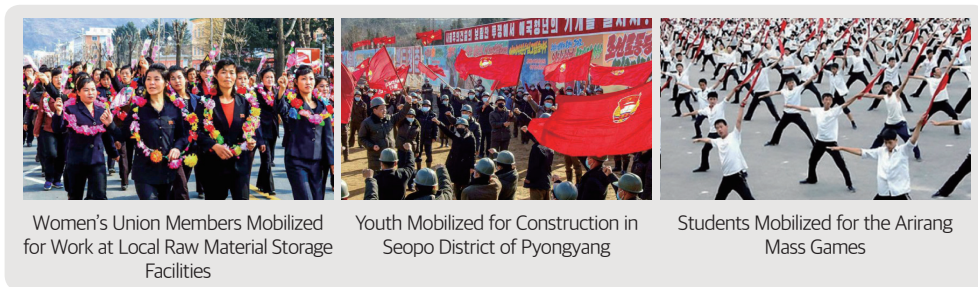
<sup>64</sup> A84W651253

<sup>65</sup> 4618281547

case of mobilizing all residents for construction projects such as railways and roads, residents were mobilized almost daily about five times a week. Such mobilizations posed challenges since individual circumstances were disregarded, and the mobilizations were enforced regardless of circumstances of poor health or unfavorable economic conditions.”<sup>66</sup>

In addition, there have been accounts of senior secondary school students, equivalent to high school students, being mobilized for forced labor through the Youth League. It was found that these students were frequently compelled to engage in forced labor; in addition to the “rural mobilization” that formed a part of their curriculum. Such mobilization was mandatory, and those who wished to be excused from it had to pay a certain amount of money to the school.<sup>67</sup>

**Figure IV - 2** North Korean Residents Mobilized for Forced Labor



\* (Sources) Rodong Sinmun (April 18, 2024/ February 27, 2023), KCNA (June 28, 2011)

North Korea’s mass games, which involves the mobilization of primarily first- and second-year students from senior secondary schools, can also be considered a type of labor mobilization through social organizations.<sup>68</sup> In particular, the Arirang Mass Games are well-known internationally. The students’ mass games practice starts in April and concludes with

<sup>66</sup> A84W651253

<sup>67</sup> SIYETU1914, X2IB8H0457

<sup>68</sup> 271E382274, JOQUB82117, ROD6PD2461



a performance on October 10, the anniversary of the founding of the Workers' Party, following a six-month preparation period.<sup>69</sup> Students have also been mobilized until late hours to practice for mass games held in commemoration of "Children's Union Founding Day" on June 6. One account stated that students frequently got injured during the practice due to the high level of gymnastics and were quite physically exhausted as a result of the strenuous training.<sup>70</sup> To be excused from the mass games, students had to pay a fee, which created a financial as well as a psychological burden. One North Korean defector mentioned that it cost around USD 100 to be excused from the Arirang Mass Games. In one class of 35 students, approximately 20% (seven students) could afford the fee, while the others found it difficult due to financial constraints and were still compelled to participate.<sup>71</sup>

Students from vocational schools, technical schools, and universities are also frequently mobilized to work on large and minor construction sites near their schools. This includes building statues of Kim Il Sung and Kim Jong Il, maintaining railways, constructing apartments for city maintenance, and building food factories.<sup>72</sup> Specifically, during the Samjiyon construction project that started in 2017, nearby college students were assigned and mobilized to provide the required labor force, and they were referred to as the "college student *dolgyeokdae*."<sup>73</sup> A defector mentioned that between 2016 and 2018, while in college, he was regularly mobilized by the Youth League for labor every weekend. Various tasks, such as building factories, farming, and painting, were assigned to the students. Not many students avoided participation due to peer pressure and potential consequences. To skip such mobilization, they had to pay a fine of KPW 10,000 each time.

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<sup>69</sup> JOQUB82117, OORIT62477

<sup>70</sup> 5KJESK2235

<sup>71</sup> JOQUB82117

<sup>72</sup> SVIVF51264

<sup>73</sup> 1CHLPG2211

“(Until 2019, while attending university,) I was mobilized to nearby construction sites in the area. This involved building statues, residential houses, factories, and so on. Moreover, students were frequently called upon for road or railway maintenance whenever necessary. Former military personnel were commonly assigned to projects like the construction of Samjiyon City. Since they had to stay overnight in the assigned area for a specific period, male students were mainly mobilized for these tasks.”<sup>74</sup>

In areas where large-scale urban redevelopment projects were underway, residents of demolished houses were required to work on the construction sites in exchange for new housing. These residents were known as the “family *dolgyeokdae*.” One member from each household was mandated to participate in the construction. One account stated that the labor force was evaluated daily, determining which floor of the apartment they would move into.<sup>75</sup> Another account mentioned that eligibility to move into the new housing was contingent on participation in the construction work, making it mandatory for residents to be involved in the process.<sup>76</sup> In cases where a family member was unable to participate in the construction work, the household was required to pay a monthly fee instead.<sup>77</sup>

<sup>74</sup> 1CHLPG2211

<sup>75</sup> XX2N7E0796

<sup>76</sup> 8H9OLK0142

<sup>77</sup> OIHR9O0138

### 3. Right to Liberty and Security of Person

Liberty of a person refers to the freedom from physical constraints or detention, while security of a person involves the freedom from injury to one’s mind and body. Article 3 of the Universal Declaration of Human Rights specifies that everyone has the right to liberty and security of a person. Article 9 of the ICCPR similarly recognizes the right to liberty and security of a person, with paragraph 1 prohibiting arbitrary or unlawful arrest or detention, and paragraphs 2 through 5 establishing procedural safeguards to ensure the protection of this right.

**Table IV - 5** 「ICCPR」 and Right to Liberty and Security of Person

「ICCPR」		Right to Liberty and Security of Person (Related Contents)
Article 9	1	<p>Everyone has the right to liberty and security of a person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.</p> <p><b>A</b> Arbitrary or Unlawful Arrest or Detention</p> <p><b>C</b> Enforced Disappearance</p>
	2	<p>Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.</p> <p><b>B(1)</b> Failure to Notify Arrest Reasons and Charges</p>
	3	<p>Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to a trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.</p> <p><b>B(2)</b> Excessive Pre-Trial Detention Duration</p>
	4	<p>Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.</p> <p><b>B(3)</b> Insufficient Review of Legality and Compensation System</p>
	5	<p>Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.</p>

「ICCPR」		Right to Liberty and Security of Person (Related Contents)
Article 7	No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.	<b>D</b> <b>Human Experimentation</b>

Unlike international human rights norms, the right to liberty and security of person is not fully guaranteed in North Korea. In 2021, the Law on Preventing Acts of Beating was enacted, which stipulates the prevention of acts of beating during the performance of duties.<sup>78</sup> Nonetheless, unlawful arrests and detentions are widely practiced, and numerous documented cases show that individuals have been arrested without being informed of the reasons for arrest or the charges. Legal protection and compensation procedures for individuals arrested and detained on criminal charges are not properly implemented. In some cases, individuals have been found to be detained longer than what is stipulated by law. Testimonies collected suggest that North Korean residents have been arrested and detained by the authorities before vanishing without a trace, and that medical experiments were performed on persons without their consent.

## A. Arbitrary or Unlawful Arrest or Detention

The ICCPR strictly forbids any arbitrary or unlawful arrest or detention. According to the second sentence of paragraph 1 of Article 9 of the ICCPR, no one shall be subjected to arbitrary arrest or detention. The UN Human Rights Committee interprets this provision to mean that arresting or detaining

<sup>78</sup> 「Law on Preventing Acts of Beating」 (2021) Article 22 (Warnings, severe warnings, unpaid labor, demotion, dismissal, and terminations for officials of supervisory institutions failing to prevent acts of beating) Officials from social security institutions, as well as judiciary and supervisory institutions, who fail to process acts of beating, do not investigate despite reports, or engage in acts of beating during the performance of their duties, shall face disciplinary actions depending on the circumstances. These actions may include warnings, severe warnings, or unpaid labor for a period of up to three months.

someone for exercising their rights guaranteed by the ICCPR is arbitrary, even if the laws of States Parties provide grounds for such actions.<sup>79</sup> The third sentence of paragraph 1 of Article 9 of the ICCPR prohibits illegal arrest or detention. In relation to this, the UN Human Rights Committee specifies that the deprivation of liberty not in compliance with the domestic procedural rules of States Parties for arrest and detention may constitute unlawful arrest or detention.<sup>80</sup>

In spite of this, residents of North Korea have been arrested and detained for exercising rights guaranteed by the ICCPR, such as freedom of religion and freedom of expression. A defector testified that in 2021, a worker who complained about the lack of industrial production in North Korea disappeared.<sup>81</sup> Another defector stated that in 2019, residents secretly involved in religious activities were arrested in Pyongyang.<sup>82</sup>

Many instances of illegal arrests or detentions without a warrant in North Korea have been documented, even though these were not exceptional circumstances that called for foregoing a warrant. Specifically, one defector testified that in 2019, social security officers arrived at her home and arrested her without presenting an arrest warrant or explaining the situation, simply telling her, “We have something to investigate, come with us.” She was subsequently detained and investigated at a *bunjuso*, one of the lowest-level social security offices.<sup>83</sup> Another defector recounted that in 2019, state security officers abducted him from his workplace and detained him at a state security department during an investigation.

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<sup>79</sup> UNHRC, CCPR General Comment, No. 35, Article 9: Liberty and security of person, para. 17.

<sup>80</sup> UNHRC, CCPR General Comment, No. 35, Article 9: Liberty and security of person, paras. 22-23.

<sup>81</sup> ONW4SH2402

<sup>82</sup> P3RFM51542

<sup>83</sup> JBTG6E2120

“While I was at work, I encountered the state security officer in charge of my workplace. After exchanging a smile, he asked me to wait for a moment before heading inside the office. However, he didn’t return, and shortly afterwards, I saw a sedan pull up. At that moment, I had no idea what was happening until two people got out of the car and apprehended me without any explanation. They quickly removed my belt and shoes before placing me in the car, forcing me to keep my head down. I was taken to a state security department facility where I was detained.”<sup>84</sup>

## B. Lack of Procedural Safeguards

### (1) Failure to Notify Reasons for Arrests and Charges

The testimonies collected from those who were arrested in North Korea reveal that most of them were not informed of the reasons for their arrest and the charges against them at the time of their arrest. Article 9, paragraph 2 of the ICCPR explicitly states, “Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.” However, the majority of witnesses confirmed that they were not informed of the reasons for their arrest, or the charges against them by the North Korean investigative authorities at the time of apprehension. A witness testified that she was arrested at her home in 2019 without being informed of the reasons for her arrest and the charges against her. Later, during the investigation, she found out that it was because she had lived with someone who was not her spouse.<sup>85</sup> Another individual who had an experience of being taken into custody by state security officers was also not informed of the reasons for the arrest, and charges, coerced by the officers, and later found out that it was due to receiving money from family members who had defected.<sup>86</sup>

<sup>84</sup> 21HWHR1891

<sup>85</sup> JBTG6E2120

<sup>86</sup> 21HWHR1891

“Around 2018, I was arrested by the state security officer in charge of my town. He approached me and asked to borrow my mobile phone because he needed to make a call. After I handed over my phone, he made a call, and within five minutes, three state security department motorcycles arrived. He then instructed me to get on one of the motorcycles, stating that he needed me to accompany him for some questioning. When I refused to comply, he cursed at me, saying, ‘Get on quickly while you are being treated nicely.’ I was ultimately forced onto the motorcycle and taken to a state security department facility.”<sup>87</sup>

Even after the arrests, the detainees’ families were not notified about the reason and location of their detention. One defector, who was detained by the state security department in 2019, testified that his family was left uninformed about his detention.<sup>88</sup> Another defector stated that her husband was arrested and detained in 2018 without her being notified of his detention.<sup>89</sup>

## (2) Excessively Lengthy Pre-Trial Detention

Although the ICCPR stipulates prompt presentation of individuals before a judge, it is a common practice in North Korea for individuals to be detained for investigations and preliminary examinations.<sup>90</sup> Article 9, paragraph 3 of the ICCPR mandates that anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officers authorized by law to exercise judicial power and shall be entitled to have a trial within a

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<sup>87</sup> 5QHT3I1644

<sup>88</sup> SPN4BG1900

<sup>89</sup> FKKX6E1650

<sup>90</sup> “Preliminary examination” is a legal term referring to a procedural act of instituting a criminal case and revealing an offense and the facts of the offense by collecting, reviewing, and evaluating scientific evidence until presenting them before trial. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1547)

In addition, Article 144 of the 『Criminal Procedure Law』 (2021) mandates that preliminary duties include finalizing the defendant’s charges and providing a complete and accurate account of the criminal case.

reasonable timeframe or be released. It further clarifies that the detention of persons awaiting trial shall not be the general rule. According to North Korea's Criminal Procedure Law, the preliminary examination stage can last up to two months, and an extension up to a maximum of five months is allowed for particularly complicated offenses.<sup>91</sup>

In some cases, individuals have been detained beyond the legal limit stipulated during the investigation and preliminary examination stages. One defector recounted being detained for six months without justification in a *kuryujang*, or pre-trial detention cell, under a social security department during the preliminary examination on charges of using a Chinese mobile phone in 2019.<sup>92</sup> According to a male defector, he was held for nine months in a *kuryujang* affiliated with the state security department after being accused of being a defector broker.<sup>93</sup>

### (3) Insufficient Review of Legality and Compensation

The ICCPR stipulates the right to review the legality of arrests or detentions and the right to compensation for illegal arrests or detentions. Article 9, paragraph 4 of the ICCPR states, "Anyone who is deprived of his liberty by arrests or detention shall be entitled to take proceedings before a court, in order that the court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful." In addition, Article 9, paragraph 5 of the ICCPR states, "Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation."

Nevertheless, North Korea's legal system does not guarantee these rights,

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<sup>91</sup> 「Criminal Procedure Law」 (2021), Article 147; Article 148.

<sup>92</sup> A9ZFAH1637

<sup>93</sup> SPN4BG1900



and many residents were not informed of the relevant system. In publicly available North Korean laws, there is no system for requesting a review of the legality of arrests or detentions, such as a writ of habeas corpus, in North Korea. The Law on Compensation for Damages of North Korea outlines liability for damages, but it does not cover criminal compensation for victims of unlawful arrest or detention by investigative or judicial authorities.<sup>94</sup>

“In 2014, I was detained in an investigation room of a social security office and forced to confess. The officer slapped my face and kicked my foot for talking back. The parts that were hit swelled up and bruised. I was not able to raise this issue because I was afraid there might be some form of retaliation if I did. Also, violence during investigations at a security office is a common practice in North Korea, which further discouraged me from questioning it.”<sup>95</sup>

## C. Enforced Disappearance

International human rights norms strictly prohibit enforced disappearances. Pursuant to Article 2 of the UN International Convention for the Protection of All Persons from Enforced Disappearance, enforced disappearance refers to the arrest, detention, abduction, or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support, or acquiescence of the State. In addition, it also involves a refusal to acknowledge the deprivation

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<sup>94</sup> 「Law on Compensation for Damages」 (2020) Article 8 (Scope of regulation) This Act regulates the principles of compensation for damage and its sequence occurring from unlawfully infringing upon the assets and personal rights of North Korea's state institutions, state-owned enterprises, organizations, and people. Compensation for damage resulting from civil transactions based on a contract shall be governed by this Act.

Article 40 (Basic requirements for liability for infringement of personal rights) Liability for the infringement of personal rights is incurred from damage caused by infringing upon the health or life of individuals. Liability is also incurred when the freedom of individuals is restricted or when their personality or honor is infringed upon, resulting in mental suffering.

<sup>95</sup> UQIHSE1520

of liberty or concealment of the fate or whereabouts of the disappeared person, placing such a person outside the protection of the law.<sup>96</sup> The UN Human Rights Committee specifies that enforced disappearances violate numerous substantive and procedural provisions of the ICCPR and constitute a particularly aggravated form of arbitrary detention.<sup>97</sup>

Multiple testimonies, both eyewitness accounts and hearsay, have been collected regarding disappearances following arrests by the North Korean authorities. According to these accounts, North Korean residents were apprehended by the authorities and then vanished without a trace. Several reasons were cited including *mal bandong* (verbal treason), such as criticizing the regime, engaging in religious activities, espionage, and human trafficking, and attempting to defect to South Korea.<sup>98</sup> One defector testified that a resident of his village was arrested by the provincial state security bureau in 2017 for allegedly receiving funds from a South Korean Christian organization and engaging in missionary work in the village and subsequently went missing. In the same year, an individual was arrested by the state security bureau after being caught communicating with siblings in South Korea on a Chinese mobile phone. This activity was apparently detected through wiretapping. Unaware of his whereabouts, his family considered the day of his arrest as the day of his death and have commemorated it ever since. Witnesses were not aware of the whereabouts of the majority of missing victims of enforced disappearances, who could only be assumed to have been detained in political prison camps.

“Around 2017, a fellow resident from my village was arrested by the provincial state security bureau. His wife revealed that he had received ‘black money’ from a South

<sup>96</sup> ‘International Convention for the Protection of All Persons from Enforced Disappearance,’ Article 2.

<sup>97</sup> UNHRC, CCPR General Comment, No. 35, Article 9: Liberty and security of person, para. 17.

<sup>98</sup> IFSB441254, YOBKN51365, 030NIJ1912

Korean Christian organization and had built a basement in Changtae *Ri*, Hoeryong City, to spread Christianity and conduct missionary work. He was caught after teaching 12 people in the city about Christianity and encouraging them to engage in missionary activities. All involved were arrested. The 10 individuals with less severe charges received *rodong-danryun* and *rodong-kyohwa* punishments, while the two others were detained in a *kwanliso*.<sup>99</sup>

## D. Human Experimentation

Medical or scientific experimentation on a living person must be performed with free consent in a limited setting. The ICCPR clearly outlines in the final sentence of Article 7 that “No one shall be subjected without his free consent to medical or scientific experimentation.” Additionally, the UN Human Rights Committee has emphasized that individuals who lack the capacity to give valid consent or are detained in any form should not be subjected to any medical or scientific experimentation that could have detrimental effects on their health.<sup>100</sup>

Based on the testimonies collected, it appears that medical experiments on living individuals without their consent are ongoing in North Korea. These experiments are primarily carried out at a facility known as “Hospital No. 83” or “*Kwanliso* No. 83” (referred to as No. 83). Experiment subjects at No. 83 are patients with mental illnesses such as schizophrenia or those with intellectual disabilities, both of whom are unable to provide valid consent. Furthermore, consent from the subjects is not required, even upon admission to No. 83. According to a witness whose family member was admitted to No. 83, the decision to admit individuals to No. 83 is made by the inspection division of the social security department near the subject’s place

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<sup>99</sup> 5AEYZR1525

<sup>100</sup> UNHRC, CCPR General Comment No. 20, Article 7: Prohibition of torture, or other cruel, inhuman, or degrading treatment or punishment, para. 7.

of residence, with approval required from the Ministry of Social Security. During the process, the consent of the experiment subjects' family members is obtained.<sup>101</sup> Another testimony revealed that families have been forced to consent to admission to No. 83 through threats from a social security officer, stating that he would send them to a *kwanliso* if they refused.<sup>102</sup>

“My sister’s husband fell ill after being bitten by a rabid dog while serving in the military. Initially, he was admitted twice to Hospital No. 49, a mental health facility, but he escaped each time. After several escape attempts, my sister and his parents decided to transfer him to Hospital No. 83. It is widely believed that patients sent to Hospital No. 83 are subjected to experiments. Admitting someone to Hospital No. 83 is often seen as highly likely to result in their death within the hospital.”<sup>103</sup>

<sup>101</sup> EJRHLJ2244

<sup>102</sup> 80LP7J0745

<sup>103</sup> EJRHLJ2244

## 4. Rights of Detainees

The rights of detainees refer to the rights of individuals who have been deprived of their liberty by law and authority. Article 10, paragraph 1 of the ICCPR specifies that “All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.” The UN Human Rights Committee stated in General Comment No. 9 that this provision applies not only to prisons but also to all institutions where persons are lawfully held against their will, such as hospitals and detention camps.<sup>104</sup>

**Table IV - 6** 「ICCPR」 and Rights of Detainees

「ICCPR」		Rights of Detainees (Related Contents)
Article 7	No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.	<b>A(3)</b> <b>Harsh Treatment of Detainees</b> <b>B</b> <b>Treatment of Women Detainees</b>
Article 10	1 All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.	<b>Rights of Detainees</b>
	2 (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons.	<b>A</b> <b>Treatment of Detainees</b> <b>B</b> <b>Treatment of Women Detainees</b>
	(b) Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.	<b>A(5)</b> <b>Non-Compliance with the Principle of Separate Detention</b>
3 The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.		

<sup>104</sup> UNHRC, CCPR General Comment, No. 9, Article 10: Humane treatment of persons deprived of their liberty, para. 1.

However, in North Korean detention facilities, living conditions such as space, meals, healthcare, and hygiene have been extremely inadequate, with frequent occurrences of violence and abuse against detainees. Additionally, there have been numerous accounts of body cavity searches and sexual violence perpetrated against forcibly repatriated female detainees, indicating that the rights of the detainees were being severely infringed upon. Although recently the North Korean authorities appear to have taken a few steps to address the international community's demands for improving the human rights of detainees, the dire conditions of detention and various cases of human rights violations show that residents detained in various detention facilities are still being oppressed.

## A. Treatment of Detainees

Even individuals deprived of their liberty still have the right to receive basic care to maintain their health in detention facilities, and they should not be subjected to inhuman or cruel treatment. The United Nations Standard Minimum Rules for the Treatment of Prisoners (also known as the Nelson Mandela Rules) outline the standards for prisoner treatment and prison operations. These include guidelines for separating prisoners based on their gender, age, criminal record and other factors, providing adequate living quarters and sanitary facilities, maintaining personal hygiene, and ensuring access to healthcare services. The Nelson Mandela Rules also specify guidelines for restrictions, discipline and punishments within penal facilities.<sup>105</sup>

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<sup>105</sup> UNHRC, CCPR General Comment, No. 21, Article 10: Humane treatment of persons deprived of their liberty, para. 5. The related UN standards that apply to the treatment of prisoners include: (1) the Standard Minimum Rules for the Treatment of Prisoners (also known as the Nelson Mandela Rules) which were first adopted in 1957, and in 2015 were revised and adopted by General Assembly resolution 70/175; (2) the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 1998; (3) the Code of Conduct for Law Enforcement Officials, 1978; and (4) the Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, 1982.

Nevertheless, detainees in North Korea have not received proper assurances of basic treatment and the right to not be subjected to inhuman treatment as ensured by international human rights norms. Within North Korean detention facilities, numerous detainees have been confined in small spaces, and they have not been provided with enough food or adequate nutrition to maintain their health. Additionally, they have not been adequately provided with toiletries and hygiene products, and they have seldom received medical treatment.

### (1) Detention Facilities in North Korea

North Korea operates detention facilities under either the Ministry of Social Security<sup>106</sup> or the Ministry of State Security.<sup>107</sup> In North Korea, detention facilities are classified into two types: temporary detention facilities used during criminal proceedings and facilities for enforcing criminal or administrative punishments. Temporary detention facilities include *daekisil*, *kuryujang*, *jipkyulso*, and *kukeumso*. Facilities for enforcing criminal or administrative punishment include *kyohwaso*, *rodong-danryundae*, and *rodong-kyoyangdae*. *Rodong-kyoyangdae* in each region appears to

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<sup>106</sup> The Ministry of Social Security, which is North Korea's current law enforcement institution, has undergone several name changes and reorganizations over time. The changes are as follows: Ministry of Social Security (1951) → Social Security Department (1972) → Ministry of Social Security (1998) → Ministry of People's Security (2000) → People's Security Department (2010) → Ministry of People's Security (2016) → Ministry of Social Security (2020). (Source: National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, pp. 399-400.) For this reason, when referring to the current agencies and personnel under the Ministry of Social Security, North Korean defectors often use terms like social security bureau (or people's security bureau), social security department (or people's security department), and social security officer (or people's security officer) interchangeably.

<sup>107</sup> The Ministry of State Security is North Korea's institution for protecting the regime and disciplining the population. The changes in its affiliation and name are as follows: Security Bureau of the North Korean People's Committee (February 1947) → Under the Cabinet (until 1951) → Incorporated into the Ministry of Social Security (1951) → Transferred to the Ministry of Internal Affairs (1952) → Under the Ministry of Social Security (1962) → Became independent as the State Political Security Department (under the Administration Council, 1973) → State Security Department (independent organization, 1983) → National Security Department (1993) → Ministry of National Security (1996) → National Security Department (2010) → Ministry of State Security (June 2016). (Source: National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, pp. 74-75.)

be operated by each local People’s Committee, as well as the Ministry of Social Security and the Ministry of State Security. The detention facilities operated by the unified command (*sangmu*), which are made up of various institutions, remains unclear. (Refer to Table IV-4 North Korea’s Facilities Enforcing Penal or Administrative Punishments.)

**Table IV - 7** Types of Detention Facilities (Based on the Center’s Investigations)

Operating Agency	Detention Facility	Key Features
Ministry of Social Security	<i>Daekisil</i>	Detains law offenders or crime suspects while deciding whether to implement custodial detention measures.
	<i>Kuryujang</i>	Pre-trial detention cell where suspects, preliminary examinees or defendants are detained during investigations and preliminary examinations and thereafter. Established within the Ministry of Social Security at the provincial, city, and county levels.
	Traveler <i>jipkyulso</i>	Detains violators of travel regulations.
	Illegal border crosser <i>jipkyulso</i>	Exists in border areas and holds those who have been forcibly repatriated or who have attempted to defect.
	<i>Rodong-danryundae</i>	<i>Rodong-danryun</i> punishment enforcement facility as designated by North Korean Criminal Law.
	( <i>Rodong</i> ) <i>Kyohwaso</i>	<i>Rodong-kyohwa</i> punishment enforcement facility as designated by North Korean Criminal Law.
Ministry of State Security	<i>Jipkyulso</i> <sup>108</sup>	<i>Kuryujang</i> established within the Ministry of State Security at the provincial, city, and county levels. Residents who attempt to defect and those who have been forcibly repatriated are detained here.
	<i>Kukeumso</i>	Detains suspects involved in political crimes. Administered by each provincial Ministry of State Security agency.
People’s Committee	<i>Rodong-kyoyangdae</i> <sup>109</sup>	<i>Rodong-kyoyang</i> penalty enforcement facility as designated by North Korean Administrative Penalty Law.

\*   Criminal Punishment and Administrative Penalty Enforcement Facilities

<sup>108</sup> North Korean defectors refer to the detention facilities known as *kuryujang*, which are established under the Ministry of State Security at each province’s state security bureau and city or county state security department, as *jipkyulso*. These are distinct from the facilities “traveler *jipkyulso*” or “illegal border crosser *jipkyulso*.”

<sup>109</sup> *Rodong-kyoyangdae* appear to be established not only in local people’s committees but also in relatively large workplaces and farms. North Korean defectors have used the terms *rodong-kyoyangdae* and *rodong-danryundae* interchangeably.



## (2) Poor Detention Conditions

### Overcrowded Accommodation

The accommodations for detainees in North Korean detention facilities have varied based on the number of detainees, but in most cases, the conditions have not met the standards outlined in the UN Standard Minimum Rules for the Treatment of Prisoners. These rules recommend that each prisoner should occupy a cell or room individually during nighttime, and where dormitories are used, they should be occupied by prisoners carefully selected as suitable to associate with one another under those conditions.<sup>110</sup> However, in North Korean detention facilities, most detainees have often been cramped together. In one case, around 30 detainees were crammed into a single 6m x 4m cell.<sup>111</sup> One North Korean defector testified that when forcibly transported and detained, up to 50 people were housed in a single compartment of a *daekisil*, making it impossible to lie down properly to sleep.<sup>112</sup> Another defector described the cell floor as bare concrete, lacking mats or flooring and without adequate heating. This led to damp conditions in the summer and even colder temperatures than outside in the winter.<sup>113</sup>

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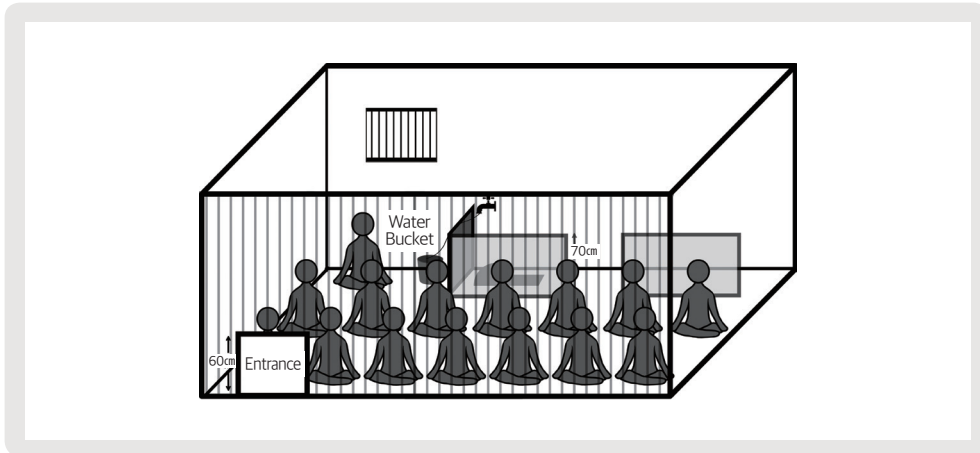
**110** United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 12 ① Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room. ② Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the prison.

**111** ZO7032 1252

**112** O4P71O0490

**113** NJOZKK1881

**Figure IV - 3** *Kuryujang* of Musan County's State Security Department, North Hamgyong Province<sup>114</sup> (Reconstructed Based on a Witness's Handwritten Statement)



### Insufficient Food

Detainees in North Korean detention facilities have been found to receive insufficient food and water, regardless of the location or type of detention facility, which indicates a failure by the authorities to maintain the health of the detainees as specified in the UN Standard Minimum Rules for the Treatment of Prisoners.<sup>115</sup> Most detention facilities provided meals three times a day, primarily consisting of corn, either whole or ground and boiled. This meal was commonly referred to by detainees as *kangnaengi-bap* or *jaksal-bap*.<sup>116</sup> Although a small amount of pickled radish was sometimes provided as a side dish, detainees were often given only soup made with dried radish leaves and salt, without any additional side dishes.<sup>117</sup>

<sup>114</sup> AJ7W6H1609

<sup>115</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 22 ① Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served. ② Drinking water shall be available to every prisoner whenever he or she needs it.

<sup>116</sup> POSYMZ1223

<sup>117</sup> 5QHT3I1644

While there were some accounts of meal improvements, corn remained the main staple, with only small amounts of grains like soybeans or rice occasionally mixed in. One defector mentioned that in 2019, in a detention facility under a state security department at the county level, white rice and side dishes such as bean sprouts and vegetarian meat were provided. She also witnessed that at a *kyohwaso*, detainees suffering from malnutrition were provided with beans and nutrient porridge in response to the increase in deaths caused by malnutrition among the detainees.<sup>118</sup>

“In 2019, I was held in a *jipkyulso* under the state security bureau in Ryanggang Province. We were served meals at 7:00, 12:00, and 19:00. For one meal, I was given boiled corn, and I estimated receiving around 250–300 kernels, as I counted each one due to the very small portion. There were no side dishes, only dried radish leaf soup. Later, at a *kukeumso* under the same bureau where I was transferred, the meals were slightly better. They mixed soybeans with the corn, and the portion size was larger compared to the *jipkyulso*. Additionally, we were provided with pickled cabbage and dried radish leaf soup.”<sup>119</sup>

However, for many detainees, the quality and quantity of meals provided in most detention facilities were insufficient for keeping them healthy. It has been revealed that, without access to food brought in by visitors, staying healthy was challenging for the detainees.<sup>120</sup>

### Poor Hygiene

In numerous North Korean detention facilities, the provision of water, toiletries and hygiene products was insufficient, exhibiting significant disparities depending on the specific facility. The UN Standard Minimum

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<sup>118</sup> SPN4BG1900

<sup>119</sup> 3G4XI42090

<sup>120</sup> MQ4FLD1610

Rules for the Treatment of Prisoners state that prisoners shall be provided with water and toiletries necessary for maintaining their health and cleanliness.<sup>121</sup> Furthermore, the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, also known as the Bangkok Rules, specify that essential items shall be provided to women who are menstruating.<sup>122</sup> However, the hygiene conditions within North Korean detention facilities have been shockingly inadequate. According to an account from a female detainee in 2019, while she was held at a *rodong-kyoyangdae*, even water for washing was not supplied, rendering her unable to shower throughout her entire detention period.<sup>123</sup> Additionally, toiletries were scarce, with some institutions providing only soap, which had to be shared among detainees in the same space.<sup>124</sup> In *daekisil* or *kuryujang* that are affiliated with a social security department, detainees often had to rely on their families to supply personal hygiene items. Those who could not receive such provisions were left without proper means of maintaining cleanliness.

“In 2019, I was detained in the *kuryujang* of the social security department in Pochon County for about 50 days. Due to poor hygiene conditions within the *kuryujang*, there were many bugs such as lice and bedbugs. Taking a shower was only possible about once every 15 days in a toilet area inside the cell where the water didn’t flow properly, making it difficult to wash oneself adequately. Soap, toothpaste, and toothbrushes had to be brought by the detainees themselves.”<sup>125</sup>

<sup>121</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 18 ① Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

<sup>122</sup> United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), Rule 5 The accommodation of women prisoners shall have facilities and materials required to meet women’s specific hygiene needs, including sanitary towels provided free of charge and a regular supply of water to be made available for the personal care of children and women, in particular women involved in cooking and those who are pregnant, breast-feeding or menstruating.

<sup>123</sup> JBTG6E2120

<sup>124</sup> SPN4BG1900

<sup>125</sup> NC68X61563

In long-term detention facilities like *kyohwaso*, although conditions were somewhat better than in short-term detention facilities like *kuryujang*, the hygiene standards remained poor. According to accounts, inmates could take group showers once a week, and efforts were made to provide enough soap for inmates to shower relatively frequently, as well as to allow bedding and clothes to be aired in the sunlight.<sup>126</sup> One defector who had been detained in a *kyohwaso* stated that taking a shower was allowed only once a week, and soap and toothpaste were provided solely to detainees without visitors.<sup>127</sup> However, even though showers were possible, hot water was not provided, compelling them to taking cold showers during the winters.<sup>128</sup> Furthermore, while female detainees could request menstrual pads from guards when needed, the quantity of the pads provided was often insufficient, leading to the use of alternative options such as toilet paper or cloth.<sup>129</sup> There were many accounts stating that despite flush toilets being installed in sleeping areas of short-term detention facilities like *kuryujang* and *daekisil*, unpleasant odors lingered due to the inadequate water supply. Conversely, some *kyohwaso* reportedly upgraded traditional-style toilets to water-flush systems, resulting in a reduction of the odor.<sup>130</sup>

“In November 2018, I was in the *daekisil* under the state security department in Hyesan City, Ryanggang Province. During my menstrual period, whenever I raised my hand to request menstrual pads from the guards, they would provide them one by one. However, there were occasions when they refused to give them to me, perhaps finding it bothersome when many detainees requested them at once. (In the *daekisil* under the social security department), about 30 detainees lived together in a cell that was approximately 6m long and 4m wide, so it was extremely cramped. There was a toilet in the cell, and I recall it being very uncomfortable to sleep.”<sup>131</sup>

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<sup>126</sup> NEHTDO0763

<sup>127</sup> SPN4BG1900

<sup>128</sup> JUZ0TT2362

<sup>129</sup> ZO70321252

<sup>130</sup> 1JU8U71993, SPN4BG1900

<sup>131</sup> ZO70321252

## Substandard Healthcare Services

In North Korean detention facilities, it has been discovered that detainees were seldom provided with sufficient healthcare services, and the quality of the services offered was substandard. The UN Standard Minimum Rules for the Treatment of Prisoners state that providing healthcare services to prisoners is a State responsibility. Prisoners should enjoy the same standards of healthcare that are available to the rest of the community and should have access to necessary healthcare services free of charge without discrimination due to their legal status.<sup>132</sup> However, even when detainees were injured from working or due to abuse by the officers, proactive treatment was not provided.

At temporary detention facilities, such as *kuryujang*, the conditions were especially dire. Instances of medical services being offered or medical personnel being present at these detention facilities were scarce.<sup>133</sup> One North Korean defector recounted that in 2019, her mother was assaulted at a *kuryujang* of a social security department at the county level but did not receive any medical treatment while in detention.<sup>134</sup> On the other hand, correctional facilities like *kyohwaso* had medical staff on site, and there was some degree of care for patients with diseases such as tuberculosis.<sup>135</sup> In some cases, military medical staff attended to ill detainees at *kyohwaso*, while in the absence of medical personnel, experienced detainees were selected to fulfill nursing duties within the facility.<sup>136</sup>

<sup>132</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 25 ② The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner.

<sup>133</sup> 1T6JQA2112, RNK8NS0391

<sup>134</sup> ZYBOX42067

<sup>135</sup> RCGQ5R0496, SPN4BG1900

<sup>136</sup> J21S1A1908, 1JU8U71993

“I graduated from nursing school and worked at a clinic until 2000. In 2017, I was arrested for illegally making international calls and was sent to a *kyohwaso*. After spending two months in the facility, I was assigned the role of a hygiene officer (i.e., nurse). My duties included monitoring detainees’ vital signs such as their temperature and blood pressure and reporting to the medical staff. I focused on caring for malnourished patients and providing treatments like oral rehydration therapy for those suffering from diarrhea for more than a day. The head of the *kyohwaso* threatened to put me in solitary confinement if any detainees died under my care, and it appeared that there was pressure from the authorities to prevent deaths within the *kyohwaso* at that time.”<sup>137</sup>

### Inhuman Handling of Deceased Detainees

The procedures for handling deceased detainees differed between *kyohwaso* and other detention facilities. At *kyohwaso*, it was found that prisoners’ families were not actively notified of the death of the prisoners, and the bodies of deceased prisoners were either buried or cremated near the facility without being handed over to their families.<sup>138</sup> The rationale behind not informing families of the death of inmates at *kyohwaso* was stated to be that the prisoners had not completed their sentences due to their death.<sup>139</sup> A former inmate, imprisoned in 2017 at Jeongeong *Ri Kyohwaso* located in Hoeryong City, North Hamgyong Province, testified that when an inmate died from an illness while detained, male inmates would cremate the body near the *kyohwaso* at a place called “*Bulmangsan*.” The family of the deceased would only find out about the death of their family member during visits because they were not formally notified.<sup>140</sup>

Conversely, in other detention facilities such as *rodong-kyoyangdae*, it

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<sup>137</sup> J21S1A1908

<sup>138</sup> M7EQE91399

<sup>139</sup> JUZ0TT2479

<sup>140</sup> SPN4BG1900

has been found that families were informed of a detainee's death, and the body was handed over to them. The body of a detainee who died from a beating at a *rodong-kyoyangdae* and the body of a detainee who died during an interrogation while being held in a *kuryujang* under a state security department were handed over to their families after their deaths.<sup>141</sup>

"My husband, who was arrested for attempting to defect in 2019, passed away while detained in the *kuryujang* of the state security department. My daughter-in-law was contacted by the state security office on the second day after his death and was asked to come and collect his body. I heard that since he passed away before the investigation was completed, they returned his body because he was not considered a suspect."<sup>142</sup>

### (3) Harsh Treatment of Detainees

Detainees should not be subjected to torture or to cruel, inhuman or degrading treatment or punishment under international human rights norms. Torture is generally understood to mean any act of intentionally inflicting severe physical or mental pain or suffering on a person by a public official or other person acting in an official capacity, for a specific purpose such as obtaining information or a confession, or intimidating or coercing the person.<sup>143</sup> In situations where violations of Article 7 of the ICCPR are likely to occur, such as during interrogations, States Parties must take measures to prevent such violations. The United Nations Standard Minimum Rules for the Treatment of Prisoners specify that all prisoners shall be protected from torture and other cruel, inhuman, or degrading treatment or punishment, and these acts are unjustifiable under any circumstances.<sup>144</sup> The

<sup>141</sup> JBTG6E2120, POSYMZ1223

<sup>142</sup> POSYMZ1223

<sup>143</sup> Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, Article 1.

<sup>144</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 1.



Rules also state that matters related to disciplinary offenses and the types of sanctions imposed shall always be authorized by law or regulations, and the sanctions shall be in accordance with the principle of due process.<sup>145</sup> The Rules emphasize that disciplinary sanctions should never amount to torture or other cruel, inhuman, or degrading treatment or punishment.<sup>146</sup>

According to the testimonies of North Korean defectors, it has been discovered that torture and inhuman treatment are frequently used during the interrogation process in North Korea. Most often, various forms of torture, such as beatings, were employed as interrogation methods to extract confessions. One defector recalled an incident in 2019 when he refused to confess during an interrogation by the 109 Unified Command.<sup>147</sup> As a result, the officers rejected the food provided by his family, denying him any sustenance until he eventually succumbed to hunger and admitted to the alleged crime.<sup>148</sup> Another defector recounted that in 2019, when he was apprehended by the 109 Unified Command for possessing a USB containing outside information, he was subjected to repeated beatings with a wooden bar by the officers until he disclosed the source of the information.<sup>149</sup>

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<sup>145</sup> *Ibid.*, Rule 37 The following shall always be subject to authorization by law or by the regulation of the competent administrative authority: (a) Conduct constituting a disciplinary offence; (b) The types and duration of sanctions that may be imposed; (c) The authority competent to impose such sanctions; (d) Any form of involuntary separation from the general prison population, such as solitary confinement, isolation, segregation, special care units or restricted housing, whether as a disciplinary sanction or for the maintenance of order and security, including promulgating policies and procedures governing the use and review of, admission to and release from any form of involuntary separation. Rule 39 ① No prisoner shall be sanctioned except in accordance with the terms of the law or regulation referred to in rule 37 and the principles of fairness and due process. A prisoner shall never be sanctioned twice for the same act or offence.

<sup>146</sup> *Ibid.*, Rule 43 ① In no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment.

<sup>147</sup> “109 Unified Command” is also known as “109 *Sangmu*,” “109 *Grouppa*,” and “109 *Sojo*,” It refers to a special task force team created by drawing personnel from five institutions: the Workers’ Party’s Central Agencies, Central Prosecutor’s Office, Central Court, Ministry of State Security, and Ministry of Social Security. The purpose of this team is to crack down on non-socialist elements in the lives of residents, focusing on preventing the contact and spread of outside information. It carries out tasks specifically aimed at controlling residents’ access to foreign movies, publications, radio, DVDs, and other sources of outside information.

<sup>148</sup> NC68X61563

<sup>149</sup> 13PN7Y2325

“During an interrogation, I was beaten with a square-shaped wooden stick. When I attempted to shield myself from the blows by raising my handcuffed hands to protect my head, the officer re-handcuffed me behind my back, tied my arms to the back of a chair, and struck me on the head with the stick. These beatings persisted for the first five days of the interrogation. Additionally, I was subjected to ‘airplane torture,’ where I had to stand facing a wall, bend my waist to press my head against the wall, and raise both arms with the backs of my hands against the wall. Any movement I made during this time of torture resulted in merciless beatings all over my body. At times, I was forced to maintain this position for up to two hours. Furthermore, I was tortured by being forced to kneel on the ground with a wooden bar inserted between my thighs and calves, while the officer pressed the stick between my legs using his foot.”<sup>150</sup>

In addition to coercion for confessions, beatings were also prevalent in detention facilities such as travel *jipkyulso* and *rodong-kyoyangdae*, especially when detainees attempted to escape or failed to fulfill their duties adequately. To deter attempts at escape, officers selected monitors from among the detainees and gave them the authority to oversee other detainees, including allowing them to use violence. One female defector, who was detained at a *rodong-kyoyangdae* in 2019, testified that officers appointed monitors among the detainees and instructed them to beat detainees who did not fulfill their duties properly.<sup>151</sup>

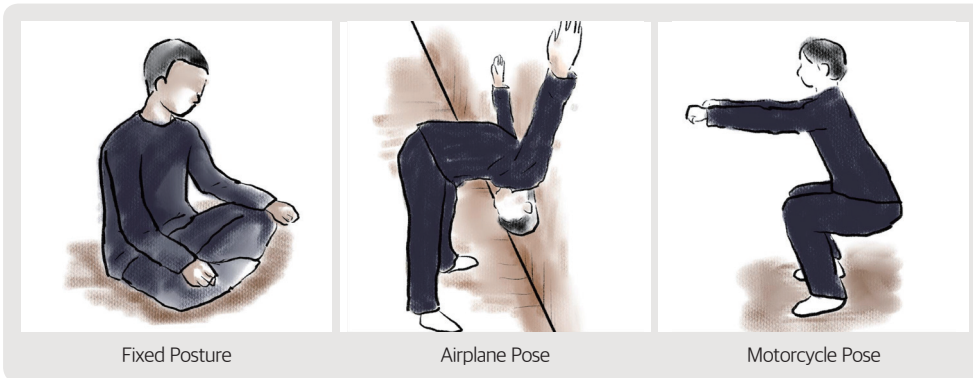
Based on the common thread of the collected testimonies, detainees were required to maintain a specific posture known as the “fixed posture” while confined in the cells of detention facilities. This posture involved keeping both hands on their knees with their legs crossed and remaining completely motionless, with conversations between detainees strictly prohibited. Any slight movement by detainees would result in punishment, either by individual beatings from guards or collective punishment for the entire

<sup>150</sup> LNR47Z0656

<sup>151</sup> 1ND60Q2408

group of detainees.<sup>152</sup> One account described how detainees at a *kuryujang* of a state security department in 2019 were punished as a group whenever any individual moved while they were supposed to maintain the fixed posture.<sup>153</sup>

**Figure IV - 4** Postures Forced upon Detainees (Reconstructed Based on a Witness's Handwritten Statement)



“In 2019, while detained at the *jipkyulso* under the state security bureau in Ryanggang Province, I endured severe beatings from both the officers and the guards. During interrogation sessions, the officers used their shoes to strike my forearms and kicked me with their leather boots. They also hit my body with their fists and palms, while ensuring that the blows did not leave visible marks. I suffered numerous punches. While confined in the *kuryujang* within the *jipkyulso*, I faced more beatings from the guards than from the interrogation officers. In the *kuryujang*, I was forced to maintain a fixed posture throughout the day, with both hands on my knees, unable to move or communicate with others. The guards would call me to the front of the iron bars and strike my head and torso with their fists. They also forcefully slammed my head against the iron bars. The guards would arbitrarily beat detainees whenever they felt like it without any clear reason for doing so.”<sup>154</sup>

<sup>152</sup> C6MTJ12185

<sup>153</sup> NJGAO40397

<sup>154</sup> 3G4XI42090

#### (4) Restrictions on Visits and Correspondence

In North Korea, restrictions on visits, correspondence exchanges, and the delivery of goods to detainees have varied depending on the facility. The United Nations Standard Minimum Rules for the Treatment of Prisoners state that prisoners shall be allowed to communicate with their family and friends at regular intervals by corresponding in writing and, where available, using telecommunication, electronic, digital, and other means, as well as by receiving visits.<sup>155</sup> However, in some North Korean detention facilities, visits and the delivery of goods to detainees were not permitted. Particularly in detention facilities operated by the Ministry of State Security, visits were prohibited according to testimonies. One defector testified that during his time in a *kuryujang* of a social security department, visits were not allowed all throughout the four-month period of pretrial detention. There were also instances where visits were prohibited for detainees held in a *daekisil* of a social security office for three days and for those held in a *kukeumso* of the state security bureau at the provincial level for more than three months.<sup>156</sup>

“In 2019, while attempting to defect, I was apprehended and interrogated at the *kukeumso* of a provincial state security bureau. Throughout my detention, I was compelled to maintain a fixed posture and couldn’t even move my neck. My meals consisted of roughly 100g of boiled corn and around 100 soybeans. After enduring this diet for about a month, my fingernails began to become deformed. By the time of my release, I was severely malnourished. During the detention period of more than three months, any thought of having a visit seemed like an impossible dream.”<sup>157</sup>

<sup>155</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 58 ① Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals: (a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and (b) By receiving visits.

<sup>156</sup> J21S1A1908, O4P71O0490, N47MDZ1549, LHB9941636

<sup>157</sup> LHB9941636

**Table IV - 8** Visits and Outside Item Allowances at Detention Facilities in North Korea  
(Based on the Center’s Investigations)

Operating Agency	Detention Facility	Allowance of Visits	Allowance of Outside Items
Ministry of Social Security	<i>Daekisil</i>	○	○
	<i>Kuryujang</i>	×	×
	<b>Illegal border crosser <i>jipkyulso</i></b>	○	○
	<i>Rodong-danryundae</i>	○	○
	<i>(Rodong) Kyohwaso</i>	○	○
Ministry of State Security	<i>Jipkyulso</i>	×	×
	<i>Kukeumso</i>	×	×
People’s Committee	<i>Rodong-kyoyangdae</i>	○	○

\*   Criminal Punishment or Administrative Penalty Enforcement Facilities

Visits could still be made to facilities that enforce penal or administrative punishments, such as *kyohwaso* and *rodong-kyoyangdae*, and frequent visits could be arranged through bribery. Around 2019, there was a documented case of family members visiting a detainee at a workplace within a *rodong-kyoyangdae*.<sup>158</sup> At *kyohwaso*, it appears that regular visitations were organized, and offering bribes such as cash or cigarettes to officers in charge could facilitate more frequent visits or allow visitors to bring in food more often.<sup>159</sup> The visitation procedures at *rodong-danryundae* were managed in a way that was similar to those at *kyohwaso*.

### (5) Non-Compliance with the Principle of Separate Detention

Regarding detainees’ rights, international human rights norms have established the principle of separate detention for pretrial and convicted detainees, as well as for males and females and for juveniles and adults. Article 10, paragraph 3 of the ICCPR mandates the separation of accused

<sup>158</sup> B3QZTR2047

<sup>159</sup> B3QZTR2047, P3RFM51542

individuals from convicted individuals, as well as the segregation of accused juveniles from adults, except in exceptional circumstances.<sup>160</sup> Article 37 of the Convention on the Rights of the Child emphasizes the importance of separating children deprived of liberty from adults, unless it is in the best interest of the child not to do so.<sup>161</sup> Moreover, the UN Standard Minimum Rules for the Treatment of Prisoners highlight the need for different categories of prisoners to be housed in separate institutions or parts of institutions, considering factors such as gender, age, criminal record, legal reason for detention, and treatment requirements.<sup>162</sup>

However, in North Korean detention facilities, the principle of separate detention has not been properly observed. Instances of separating pretrial and convicted prisoners as well as juveniles and adults have been rare, and there have been cases where gender segregation was not adhered to. One defector who had experienced detention at a *rodong-kyoyangdae* in 2019 testified that both males and females had to sleep in the same space without being separated from each other.<sup>163</sup> There have been instances where convicted detainees with short remaining sentences were held together with pretrial detainees in the same cell within a *kuryujang* and were later released, as well as instances where convicted detainees awaiting transfer to a *kyohwaso* were housed alongside pretrial detainees in the same cell within a *kuryujang*.<sup>164</sup> Proper separation between adults and juveniles has been found to be lacking in most cases (Refer to VI-2 Children). There were testimonies suggesting the existence of separate penal facilities specifically

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<sup>160</sup> ICCPR, Article 10, paragraph 2 (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons. Article 10, paragraph 3 The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.

<sup>161</sup> Convention on the Rights of the Child, Article 37 (c).

<sup>162</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 11.

<sup>163</sup> JBTG6E2120

<sup>164</sup> O4P71O0490

designed for minors, but detailed information could not be obtained as there were no testimonies collected from individuals who had witnessed or experienced detention in such facilities.<sup>165</sup>

“In 2019, after it was determined that I would receive an administrative punishment, I was detained at a *rodong-kyoyangdae* near my place of residence. At the *rodong-kyoyangdae*, I couldn’t use water freely, and because males and females lived together in the same area, I couldn’t take a shower. In the room, males occupied the left side and females occupied the right side, with no walls separating the spaces for males and females.”<sup>166</sup>

## B. Treatment of Women Detainees

Human rights should be guaranteed equally regardless of gender, and the treatment of women detainees should be managed separately to prevent violations of the principles of equality of rights and respect for human dignity. The UN Human Rights Committee, in General Comment No. 28, specifies that the rights of individuals deprived of their liberty should be protected equally for both men and women. It specifically mentions that States Parties should provide information on whether women deprived of their liberty are guarded only by female guards.<sup>167</sup> In addition, Rule 81 of the UN Standard Minimum Rules for the Treatment of Prisoners states that the part of the prison set aside for women shall be under the authority of a responsible female staff member. Furthermore, the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), adopted in 2010, provide detailed guidelines for the treatment of women who are deprived of their liberty.<sup>168</sup>

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<sup>165</sup> W15JXU0747, P4ILM91470

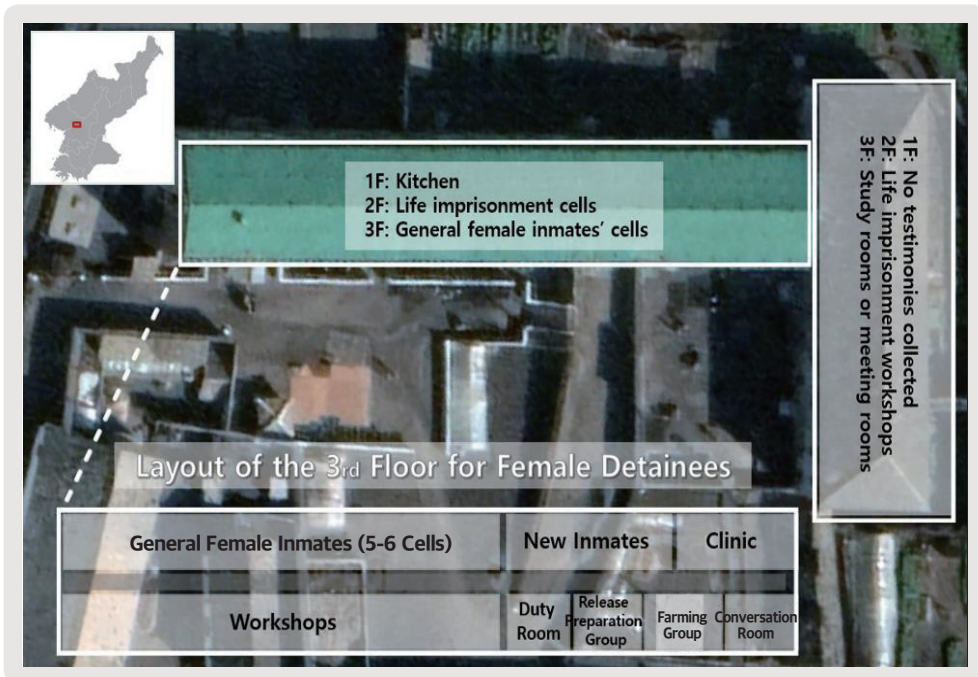
<sup>166</sup> JBTG6E2120

<sup>167</sup> UNHRC, CCPR General Comment, No. 28, Article 3: The equality of rights between men and women, para. 15.

<sup>168</sup> The UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders

Women detainees' rights have been found to be severely violated by the North Korean authorities. Female detainees commonly underwent strip and body cavity searches, exposing them to constant risks of sexual violence by male officers. Particularly concerning were cases where forcibly repatriated pregnant women were subjected to forced abortions.

**Figure IV - 5** Women's Detention Facility in Kaechon *Kyohwaso*, Located in Kaechon City, South Pyongan Province (Reconstructed Based on Spatial Information from Testimonies)



\* (Source) Google Earth (<https://earth.google.com/web/>)

## (1) Strip and Body Cavity Searches

Strip and body cavity searches, which pose a significant risk of violating the rights of women detainees, should only be conducted when necessary,<sup>169</sup>

(the Bangkok Rules) complement the UN Standard Minimum Rules for the Treatment of Prisoners by providing detailed guidelines for the treatment of women inmates. They address various areas concerning women prisoners, such as their healthcare management (hygiene, physical well-being, disease prevention), as well as matters pertaining to pregnant women, nursing mothers, and women with dependent children.

<sup>169</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 52 ① Intrusive searches,



and alternative methods should be developed, as outlined in the UN Standard Minimum Rules for the Treatment of Prisoners and the Bangkok Rules.<sup>170</sup> If such searches are deemed necessary, they should be conducted in private by staff of the same gender who have received appropriate training in hygiene, health, and safety standards.<sup>171</sup>

However, despite these standards, North Korean detention facilities have routinely conducted searches that violated the human rights of female detainees. Upon admission to these facilities, female detainees have been subjected to belongings searches and strip searches,<sup>172</sup> requiring them to undress completely for inspections of their bodies and belongings. Moreover, forcibly repatriated women underwent further invasive examinations, including body cavity searches, commonly referred to as “uterus examinations.”<sup>173</sup> These searches do not appear to have been conducted to check the health status of the detainees. Instead, the purpose of strip and belongings searches is to find and remove potential hazards that may be hidden in clothing or on the body, while the main purpose of cavity searches is to find any valuable items concealed by forcibly repatriated female detainees. While the methods employed varied, they generally involved officers inspecting detainees’ clothing and visually or manually examining

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including strip and body cavity searches, should be undertaken only if absolutely necessary. Prison administrations shall be encouraged to develop and use appropriate alternatives to intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same gender as the prisoner.

**170** United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), Rule 20 Alternative screening methods, such as scans, shall be developed to replace strip searches and invasive body searches, in order to avoid the harmful psychological and possible physical impact of invasive body searches.

**171** United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 52 ② Body cavity searches shall be conducted only by qualified health-care professionals other than those primarily responsible for the care of the prisoner or, at a minimum, by staff appropriately trained by a medical professional in standards of hygiene, health and safety.

**172** Belongings searches and strip searches are conducted to inspect personal items, clothing, and other possessions, as well as the bodies of detained individuals after they have removed their clothes.

**173** According to testimonies from North Korean defectors, a “uterus search” is commonly performed on individuals who are forcibly repatriated and detained after defecting from North Korea. This invasive procedure, often conducted alongside a strip search before detention, aims to locate hidden money or other valuables concealed inside the body cavities of repatriated women, such as their anuses or vaginas.

the internal genitalia of female detainees without proper hygiene measures. Additionally, as part of the examination process, women detainees were coerced into squatting numerous times while naked, known as *ppomppu*, in an attempt to dislodge any hidden items from their vaginas.<sup>174</sup>

In most cases, strip and body cavity searches were conducted in unhygienic environments and were not individualized, with multiple detainees being searched simultaneously. Officers conducting these searches often lacked proper training in hygiene, health, and safety standards, and in some instances, male officers conducted the examinations. One defector who had been forcibly repatriated in 2017 stated that strip and body cavity searches were conducted alongside other forcibly repatriated women at an illegal border crosser *jipkyulso* under a provincial social security bureau. Examinations were conducted by officers who did not wash their hands between examinations.<sup>175</sup> Another defector, who had been detained at an illegal border crosser *jipkyulso* under a provincial social security bureau, recounted undergoing a uterus examination by a male guard.<sup>176</sup> On the other hand, rare cases involved the use of gynecology equipment during body cavity searches, as well as instances where only belongings searches and blood tests for infectious diseases were conducted.<sup>177</sup>

“In 2018, on the first day of admission to the provincial state security bureau in Onsong County, Hamgyong Province, a female officer conducted strip searches and uterus examinations. She wore plastic gloves and inserted her hand into our uteruses for examination. Then, we were told to do squats 20 times with our legs spread apart. During the strip searches, she touched our breasts. It was an experience I had never faced before, and it brought me to tears.”<sup>178</sup>

<sup>174</sup> PXKT6W0772, 9G37IQ1611, 5QHT3I1644

<sup>175</sup> P3FD9U1286

<sup>176</sup> P3FD9U1286

<sup>177</sup> PXKT6W0772, 8E4Q2W1478

<sup>178</sup> 9G37IQ1611

## (2) Sexual Violence

Sexual violence against female detainees has been prevalent in North Korean detention facilities, occurring irrespective of the facility type, with the perpetrators and locations of the violence varying from facility to facility. Some female detainees experienced repeated sexual violence by guards or officers.<sup>179</sup>

“In 2017, when I was held in a *kuryujang*, I witnessed officers touching the body of a female detainee held in a nearby cell by reaching through the bars of her cell. In the evenings, they would take her out and rape her, then afterward, they would give her something like food brought in from outside.”<sup>180</sup>

“In 2015, a guard at the social security department of Hyesan City deliberately placed younger or more attractive detainees near the front of the cell, close to the bars. During the nighttime hours, when this guard was on duty, he would awaken these detainees and start conversations with them, forcibly touching them by reaching his hand through the bars, often aiming for their chests. Around 2016, another detainee who had been held at the same facility told me that she had also witnessed these acts of sexual harassment by the guard.”<sup>181</sup>

Most cases of sexual violence in detention facilities involve perpetrators exploiting their positions of authority to commit sexual violence against vulnerable female detainees. Victims of such violence often refrain from reporting these incidents out of fear of retaliation or further harm during their detention. One female detainee recounted an attempted sexual assault by a senior officer of an illegal border crosser *jipkyulso* in his office in 2015.<sup>182</sup> Another female detainee, who had been forcibly repatriated, heard directly

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<sup>179</sup> QGJZGD0048

<sup>180</sup> Z4F5JE2331

<sup>181</sup> 38WLD0542

<sup>182</sup> 6T5MFA1385

from a victimized detainee that she was summoned late at night and raped by the head of an illegal border crosser *jipkyulso*. The case involves the same perpetrator committing sexual violence against several detainees in the same facility.

“When I was detained at a *jipkyulso* of a state security department after being repatriated in 2015, my fellow inmate confided in me that she had been raped multiple times by the head of the *jipkyulso*. She cried and expressed a desire to die, as the head would call her every evening to rape her. After completing her assigned work and returning to the cell, she would be summoned (to the head’s office) every evening and would return crying. The only person who could bring detainees out of the cells in the evening was the head. I recall that in addition to her, several other female detainees were also taken out like this.”<sup>183</sup>

### (3) Forced Abortion

It has been found that pregnant women detained in North Korean detention facilities were subjected to forced abortions while in confinement. Most of these victims were women who had been forcibly repatriated after escaping to China and became pregnant through relationships with Chinese nationals. The North Korean authorities’ directives to carry out forced abortions on women who became pregnant under such circumstances and subsequently punish them have reportedly existed since the late 1990s, coinciding with an increase in defections and forced repatriations. Testimonies from medical personnel who worked at general clinics at the city or county level in North Hamgyong Province, as well as nurses from people’s hospitals, have provided evidence supporting this claim.<sup>184</sup> These testimonies suggest that forced abortions are often conducted by state security agencies or social security agencies in illegal border crosser *jipkyulso* located in border

<sup>183</sup> TZURKG1073

<sup>184</sup> 8Z87U61305, Q8799U0026, TB5CFI0524

regions. According to accounts from personnel at these agencies, pregnant detainees were mandated to undergo abortions immediately after their forced repatriations, irrespective of the stage of their pregnancy. Following the abortion, they were transferred to their registered place of residence.<sup>185</sup>

Most of these forced abortions took place at hospitals near detention facilities, with pregnant women detainees being transferred by military medical personnel from the detention facilities. Many testimonies support this. A female detainee who was repatriated from China in 2014 witnessed medical personnel from an illegal border crosser *jipkyulso* taking an eight-month-pregnant detainee to a nearby hospital for a forced abortion. Later, they brought her back to the *jipkyulso*.<sup>186</sup> Another testimony mentioned a woman detainee, three months pregnant, being compelled to undergo an abortion at an external hospital.

“In 2017, there was a woman who was three months pregnant when she was repatriated at the same time I was. She was from Ryanggang Province and had been repatriated within a year of escaping to China. At that time, she was three months pregnant. I heard that she underwent a forced abortion at an external hospital. I met her again after being released and heard about what had happened to her at that time.”<sup>187</sup>

#### (4) Arrest and Detention of Pregnant Women

It has been found that regulations regarding the suspension of sentences for detained pregnant women were relatively upheld. The Bangkok Rules explicitly state that non-custodial sentences should be prioritized for pregnant women and women with dependent children.<sup>188</sup> The North

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<sup>185</sup> VKSV8S0237

<sup>186</sup> WNGXGW0373

<sup>187</sup> 8E4Q2W1478

<sup>188</sup> ‘United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders,’ (the Bangkok Rules), Rule 64.

Korean Criminal Procedure Law also prohibits the arrest and detention of pregnant women from three months before childbirth to seven months after childbirth and stipulates the suspension of sentences.<sup>189</sup> A defector recounted that when she was held in a *kuryujang* of a social security department, she witnessed a pregnant woman who had been detained before reaching seven months of pregnancy being released when she reached the seventh month of pregnancy, as detention is prohibited during that period.<sup>190</sup>

However, for forcibly repatriated detainees or those held in political prison camps, regulations regarding the suspension of sentences for pregnant women have not been observed. An individual stated that his wife, who was four months pregnant, was arrested and detained by a social security bureau. When she neared seven months of pregnancy, he heard from the state security officer responsible for his place of residence that she had been transferred to a political prison camp.

“My wife had been involved in assisting people in defecting from North Korea to China even before our marriage. In 2015, five individuals who appeared to be state security officers from the *jipkyulso* under the state security bureau forcefully entered our home and took my wife away. The following day, the head of the *jipkyulso* and four officers came to our home with my wife and started searching my house without any search warrant or legal documents. After completing the search, the head of the *jipkyulso* asked me if my wife was pregnant. Since she was four months pregnant at that time, I replied, ‘Yes, she is pregnant.’ The head responded, ‘I see,’ and took my wife back to the *jipkyulso*. Later in 2015, an officer from the state security department in my county came to my house and informed me that my wife had been taken to a *kwanliso*.”<sup>191</sup>

<sup>189</sup> 「Criminal Procedure Law」 (2021) Article 175 (Reason for arrest and detention) For pregnant suspects, detention and confinement measures cannot be imposed in the period from three months before childbirth to seven months after childbirth.

「Criminal Procedure Law」 (2021) Article 427 (Reasons to suspend execution of penalty) For a pregnant woman, the enforcement of the penalty is suspended from three months before childbirth to seven months after birth.

<sup>190</sup> K0XLT0825

<sup>191</sup> 8M0JQD0047

## C. Improvements in Detainee Treatment

The poor conditions and serious human rights abuses within North Korean detention facilities were the common threads of the testimonies collected from North Korean defectors who had experienced detention in North Korea. While substantial improvements in detention conditions and the eradication of harsh treatment remain elusive, some measures have been taken to improve the treatment of detainees at certain detention facilities. This indicates that the North Korean authorities are somewhat aware of the human rights concerns within their detention facilities that have been consistently raised by the United Nations and the international community.

The North Korean authorities appear to have issued directives to improve the treatment of detainees, and efforts to implement them were observed in certain detention facilities. According to an account, around 2017, directives were frequently issued to eradicate human rights abuses within detention facilities. These directives included instructions to eliminate the deaths and malnutrition of inmates in *kyohwaso*, refrain from punishment even when tasks or plans were not fulfilled, and avoid engaging in beatings or bullying. Following the issuance of these directives, malnourished detainees reportedly received additional food such as soup, bean paste, and snacks in a *kyohwaso*.<sup>192</sup> Another account indicates that security guards employed at a local social security department received training on the prohibition of human rights abuses.

“In the *kuryujang* of a social security department in Hamgyong Province, usually once or twice a month, when directives were issued, a secretary or director from the preliminary examination division would educate the prison guards about the content of the directives. These directives included instructions such as ‘do not commit

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<sup>192</sup> SPN4BG1900

human rights abuses,’ ‘do not engage in undignified behavior,’ and ‘do not allow visits or food brought in by visitors in exchange for bribes.’”<sup>193</sup>

Some improvements in the detention environment and a slight reduction in harsh treatment towards detainees have been documented. A woman who was arrested and detained in various detention facilities after attempting to defect in 2016 witnessed these changes. She mentioned that the toilet facilities in a detention center under the state security department of Musan County had been upgraded to flush toilets, thereby eliminating the foul odors. Additionally, detainees were recommended to bathe daily in newly constructed bathhouses.<sup>194</sup> It appears that the treatment of detainees has also improved slightly. Previously, there was an implicit rule that detainees had to bend their waist and bow their heads while moving, but around 2017, this rule changed to require only a slight bow of the head while moving, and during investigations, their ankles were no longer shackled.<sup>195</sup>

“I’ve heard that the North Korean authorities have made improvements to hygiene facilities in detention centers, such as installing flush toilets, following recommendations from the UN. Notably, in addition to the state security department of Musan County, other facilities like the social security department of Musan County, the *jipkyulso* of Chongjin City, and the social security department and the *rodong-danryundae* of Sinuiju City have also had flush toilets installed, effectively eliminating any unpleasant odors. The officers ensured that the detainees used the facilities in a tidy manner. Furthermore, it was encouraged that detainees wash themselves daily, and they were given the freedom to do so, with soap provided.”<sup>196</sup>

<sup>193</sup> 1T6JQA2112

<sup>194</sup> MQ4FLD1610

<sup>195</sup> SPN4BG1900

<sup>196</sup> MQ4FLD1610



There have been accounts stating that officers asked detainees if they had experienced any physical abuse or other violations of human rights during the investigation process, and those who recounted these cases believed that these changes were possible due to increased international attention on the North Korean human rights situation. A defector mentioned being asked at the conclusion of an investigation at a city-level state security department in 2018, “Have you experienced any human rights abuses during the investigation period?”<sup>197</sup> Another individual heard during investigations conducted by either a state security department or a social security department that there were instructions not to beat detainees in 2019.<sup>198</sup>

There are documented rare instances where proactive measures were taken against officers who committed human rights abuses against detainees. In one incident at a *rodong-kyoyangdae* in 2019, a detainee leader, who was responsible for managing and overseeing other detainees, beat a detainee to death. As a result, the head of the *rodong-kyoyangdae* was dismissed from his position and detained in a *daekisil*.<sup>199</sup> Additionally, in an unusual case, a resident who was beaten during an investigation by a local state security department filed a “complaint.” This led to an investigation of the accused state security officer. Furthermore, the victim received consolation from a higher authority.<sup>200</sup> It appears that in response to the pressure from the international community including the United Nations, North Korea has begun to implement some measures, such as punishing the perpetrators of human rights abuses.

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<sup>197</sup> T9KKSL1913

<sup>198</sup> 1T6JQA2112

<sup>199</sup> JBTG6E2120

<sup>200</sup> LE40891836

“There was a state security officer at a *kukeumso* who was close to my family. He once came to my house and mentioned, ‘North Korea faced severe criticism from the UN this time due to the human rights situation.’ It seemed that at that time, a bit more attention was being paid to the human rights situation. Around 2017, the Ministry of State Security conducted inspections of the officers at the *kukeumso*. Representatives from the Ministry of State Security (two men) visited the *kukeumso* and inquired with those who had been detained about whether they had experienced beatings or other forms of abuse during their detention. According to what I heard, following the interviews, approximately three state security officers at the *kukeumso*, who were alleged to have committed assault, were reassigned to different departments and subjected to public criticism within the state security department.”<sup>201</sup>

Efforts to enhance the human rights of detainees seem to be directed not only at officers in detention facilities but also at the general public. According to one account, from around 2015, there was frequent mention of improvements in detention facilities and the treatment of detainees, with residents noting that the authorities were making efforts in this area. A woman who defected from North Korea in 2019 testified about being told, “Although the authorities are trying to improve the human rights of detainees, frontline judges are not adhering to these efforts. If there are such judges, actively file complaints against them.” She also stated that during lectures, including those by the Women’s Union, the importance of human rights was emphasized.<sup>202</sup> However, despite these efforts by the authorities, assaults and cruel treatment of detainees have not been completely eradicated, though there have been slight improvements in the situation compared to the past.<sup>203</sup>

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<sup>201</sup> 2E54YT2145

<sup>202</sup> 3H8QNO1342

<sup>203</sup> QYAK5N0310

## 5. Right to Freedom of Movement and Residence

The right to freely move and settle in any location of one’s choosing is a fundamental human right crucial for survival. Article 13 of the Universal Declaration of Human Rights affirms that “Everyone has the right to freedom of movement and residence within the borders of each State.” Similarly, Article 12 of the ICCPR provides provisions for the freedom of movement and residence, as well as the freedom to freely enter and leave any country, including one’s own. Article 75 of North Korea’s Socialist Constitution guarantees the right to freedom of movement and residence stating, “People have freedom of residence and travel.”<sup>204</sup>

**Table IV - 9** 「ICCPR」 and Right to Freedom of Movement and Residence

「ICCPR」		Right to Freedom of Movement and Residence (Related Contents)
Article 12	1	<p>Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.</p> <p><b>A Restrictions on Freedom of Movement</b> <b>B Restrictions on Freedom of Residence</b></p>
	2	<p>Everyone shall be free to leave any country, including his own.</p> <p><b>C Restrictions on Entering and Leaving the Country</b></p>
	3	<p>The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.</p> <p><b>Right to Freedom of Movement and Residence</b></p>
	4	<p>No one shall be arbitrarily deprived of the right to enter his own country.</p> <p><b>C Restrictions on Entering and Leaving the Country</b></p>

<sup>204</sup> Article 75, pertaining to the “Right to Freedom of Movement and Residence” was introduced during the 1998 revision of North Korea’s Socialist Constitution.

In practice, North Korea imposes stringent restrictions on the freedom of movement and residence using a range of methods such as a travel permit system, an accommodation registration system, residence limitations, enforced relocations, and strict border control. As long as the secretive regime of North Korea persists, its residents will face difficulties in exercising their freedom of movement and residence.

## A. Restrictions on Freedom of Movement

North Korean residents face significant restrictions on their ability to travel freely within North Korea. The authorities limit their movement through mandatory travel permits and an accommodation registration system. Moreover, laws regulating travel are strictly enforced, with penalties levied on for those who violate them. These practices contradict Article 12, paragraph 1 of the ICCPR, which states, “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.”

### (1) Travel Permit System

#### Issuance of Travel Permits

Testimonies from North Korean defectors reveal that residents are permitted to move only within the province of their registered residence, and even then, they must carry a citizen identification card known as *Gongminjeung*. To travel beyond their residential province, they are required to obtain a travel permit from the authorities. The People’s Security Enforcement Law and the Administrative Penalty Law empower the social security institution to monitor residents’ movements for any violations of these travel regulations. Violators of the travel order are subject to fines or

other penalties.<sup>205</sup> Those caught engaging in unauthorized movements face legal consequences.

In North Korea, residents must secure a travel permit from an administrative institution, the Ministry of State Security (intelligence agency), and the Ministry of Social Security (security agency) for lawful travel within North Korea. These permits are typically issued by local social security departments in their local residence areas. Testimonies indicate that travel permits are distributed by the Second Division of either the local People’s Committees or social security departments. For employees of state-owned enterprises, the Second Division issues travel permits through an approval process that includes the company’s administrative supervisor, the relevant state security officer, and the social security officer. Ordinary residents can obtain a travel permit from the Second Division with approvals from the head of the *inminban*, the local administrative office, the state security officer, and the social security officer.<sup>206</sup>

**Figure IV - 6** North Korea’s Verification Documents Related to Freedom of Movement and Residence



\* (Sources) MBC (August 2015), Radio Free Asia (May 2019), Daily NK (March 11, 2023)

**205** 「People’s Security Enforcement Law」 (2007) Article 30 (Violations of travel order and pedestrian order) The People’s Security Agency enforces regulations against acts that violate travel and pedestrian orders. 「Administrative Penalty Law」 (2021) Article 299 (Violation of travel order) Those who violate the travel orders will be subject to a fine or a *rodong-kyoyang* penalty for up to three months.

**206** GKON1C1394

Bribery has become so normalized in the North Korean travel permit application process that it is considered a legitimate expense. Despite the fact that the official procedure for obtaining a travel permit is supposed to be free, it is both time-consuming and cumbersome. As a result, it became very normal for North Korean residents to opt to pay bribes to acquire travel permits more easily.<sup>207</sup> Testimonies indicate that a significant amount of bribes often goes to the responsible social security officers of the Second Division.<sup>208</sup> The time it takes to issue travel permits can vary. Obtaining one through legal channels typically requires at least 10 days. However, offering bribes, such as money or cigarettes, can expedite the process.<sup>209</sup> One defector, who regarded bribery as a standard part of the process and applied for a travel permit to Pyongyang in 2015, recounted that an immediate issuance was possible with a payment of CNY 100, while a CNY 50 payment resulted in a waiting period of several days. For travel to areas outside Pyongyang, the required bribes ranged from CNY 10 to CNY 20.<sup>210</sup>

It has been revealed that the North Korean authorities enforce a stricter policy for issuing travel permits to certain areas, such as Pyongyang, Rason City, and border regions, as entering these areas has required an approval number.<sup>211</sup> A North Korean defector testified that for non-restricted areas, one could obtain a travel permit from the director of the Second Division. However, for travel to restricted areas like Pyongyang or Kumho District,<sup>212</sup>

<sup>207</sup> SJ5D370990, JUZ0TT2380, MNH2KG2026

<sup>208</sup> I9IMQL0545, BOBIYN2133

<sup>209</sup> MNH2KG2026, 8CWCD32231, L99N7A2142, BOBIYN2133

<sup>210</sup> XTDWPE1659

<sup>211</sup> According to testimony, obtaining a travel permit for Rason City (formerly known as Rajin-Sonbong) presents the greatest challenge, as permits are issued by the state security department, not the Second Division of the social security department. (XTDWPE1659)

<sup>212</sup> Kumho District (currently Kumho County), South Hamgyong Province, is a portion of the area in Sinpo City that was separated to form a directly governed administrative district in 1995 for the construction of a light-water reactor power plant by the Korean Peninsula Energy Development Organization (KEDO). The construction project was later discontinued, and the administrative district has remained. Recent reports from North Korean media suggest that it has been upgraded to Kumho County.

approval from the chief of the state security department is necessary, along with the submission of documents to the local authorities of the restricted area. Only after receiving an approval number can the travel permit be obtained. Traveling to restricted areas typically involves larger bribes compared to non-restricted areas.<sup>213</sup>

“Around 2016, obtaining a travel permit required me to give a pack of expensive cigarettes to local security officers or a security officer of the Second Division. With a travel permit, I was able to travel to places except for Pyongyang and regions near the border. To get a special permit for Pyongyang, at least 10 packs of cigarettes were needed.”<sup>214</sup>

For residents in border regions, additional documentation is required for travel to other areas. Following the COVID-19 pandemic, the freedom of movement became even more restricted. A citizen identification card is sufficient for local movement within North Korea. However, in border areas, an additional document called the “Outing Confirmation Certificate” is also necessary for local movement within the same county. This certificate must include the confirmation seals of the head of *inminban* and the head of the local administrative office, detailing the destination, date, and purpose of the visit.<sup>215</sup> In response to quarantine measures, North Korea mandated that individuals working outside their place of residence must return home and imposed a complete ban on travel to locations other than their place of residence as a means to curb the spread of COVID-19.<sup>216</sup>

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<sup>213</sup> I9IMQL0545

<sup>214</sup> 00RIT62460

<sup>215</sup> 2EQR9S2134

<sup>216</sup> UYSKRB2399, DGAE7C0806

## Travel Permit Inspections

Travel permit inspections are reportedly conducted at various points during travel, including on trains and at checkpoints. However, residents often manage to bypass these inspections through bribery. Collected testimonies indicate that individuals caught traveling without a travel permit can frequently resolve the situation on the spot, avoiding punishment by offering money.<sup>217</sup> If someone is found without a travel permit, their citizen ID card may be confiscated, but it can often be retrieved through bribery at a social security office.<sup>218</sup> A documented case from 2018 involved an individual who was stopped at a checkpoint at the entrance and exit of Pyongyang, known as “Guard Post No.10,” while traveling from Pyongyang to South Pyongan Province without a travel permit. The individual avoided inspections by paying USD 50.<sup>219</sup> Another defector, a merchant who traveled to various places to sell items from 2020 to 2023, recalled being caught approximately 50 times without a permit. Nonetheless, he managed to avoid punishment by giving 10% of the items he carried to security officers at checkpoints and to social security officers.<sup>220</sup>

The enforcement of travel permit regulations not only restricts the freedom of movement but also serves as a means of control over individuals. Those found without a travel permit may be subjected to body searches and inspections of their belongings to identify any other potential illegal activities. This has sometimes led to arbitrary arrests and detentions.<sup>221</sup> An individual who was reportedly arrested without a travel permit was found with a memo containing the address of her father, who had defected to South

<sup>217</sup> 13PN7Y2325, 2E54YT2145, 87YFN32212, DFFYXV2475

<sup>218</sup> E4MJ0I2167, 1NR82V2474

<sup>219</sup> JH4IEW2327

<sup>220</sup> TEIEJA2400

<sup>221</sup> MQ4FLD1610, 3GBYPH0381



Korea. After being detained and investigated, she received a *rodong-kyoyang* penalty on the charges of not possessing a travel permit and attempting to make illegal border crossings.<sup>222</sup>

## (2) Accommodation Registration System

The North Korean authorities' control over the movement of residents extends beyond their departure to also include their arrival at their destinations. Residents of North Korea are required to obtain approval from the head of *inminban* and the responsible social security officer to host someone in their home.<sup>223</sup> Even after obtaining a travel permit and entering a specific area, individuals must register their accommodations, and failure to do so may result in punishment.<sup>224</sup> Bypassing the requirement for a travel permit through bribery does not exempt individuals from the need to register their accommodations. Unregistered accommodations can be discovered during inspections by an *inminban*, potentially leading to arrest or punishment.<sup>225</sup>

The accommodation registration process involves several confirmation steps. Upon a visitor's arrival, the homeowner must report the visit to the head of the *inminban* and record the visitor's details in the accommodation registration book, including the visitor's name, birthdate, affiliation, and purpose of visit. The head of the *inminban* then has the information certified by the local social security office.<sup>226</sup> A defector who had hosted numerous visitors through 2023 stated that either the homeowner or a family member was required to escort the visitor throughout the entire accommodation

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<sup>222</sup> LSOSUR0981

<sup>223</sup> 「Resident Administration Law」 (2010) Article 32 (Accommodation order) Residents shall obtain approval from the relevant authority if they want to accommodate someone else in their own home.

<sup>224</sup> 93VI9U2481

<sup>225</sup> 1ND60Q2408, SF33KT2347, HTRWHQ1995

<sup>226</sup> UBWCTO2335, 34AC2O1555, RI65MV1293, DFFYXV2451, ROD6PD2469, JUZ0TT2455

registration process. This involved obtaining the signature of the head of the *inminban*, having the visitor’s citizen identification card confirmed by the responsible social security officer, and registering the information in the registration book.<sup>227</sup>

## B. Restrictions on Freedom of Residence

### (1) Restrictions on Changing Residence

Residents in North Korea face restrictions on their freedom of movement and their ability to relocate. The process of relocating to a chosen place of residence in North Korea is fraught with restrictions, being complex, time-consuming, and often requiring bribes for approval. Individuals wishing to move to a different area must complete an eviction registration application and a residence registration application, which are then submitted to the social security institution.<sup>228</sup> Testimonies reveal that the relocation process is highly complicated, causing inconvenience to individuals who must personally visit the responsible officers for approval.<sup>229</sup> The respective institution has occasionally refused to process residence or eviction registrations without receiving bribes.<sup>230</sup>

“The procedure for changing residences begins with purchasing a ‘residence relocation application’ from the social security office, which costs KPW 500 per sheet. After

<sup>227</sup> TGCAEV2403

<sup>228</sup> ‘Registration of Citizenship,’ (2015) Article 4 (Residence registration of citizens) Individuals must register their residence with social security institutions in the area where they live. In this case, a residence registration application must be submitted. The residence registration application must include information such as name, gender, date of birth, place of birth, and current residence.

Article 14 (Eviction registration) Those wishing to move their residence to another area must register for eviction. In this case, an eviction registration application must be submitted to the social security institutions in the area of residence. The eviction registration application must include details such as name, gender, date of birth, place of birth, current residence, and the destination of relocation.

<sup>229</sup> NEBFG20887

<sup>230</sup> NW1GN01911, WD1LN61349, WD1LN61349, N4NJLX1425

filling out the application, it's necessary to visit the head of the *inminban* to report the intention to move to a different neighborhood and get the application stamped. Then, one must go to the local administrative office for an official stamp from that office. Following this, the applicant returns to the social security office to report to the responsible officer and receive their assurance. The next step involves reporting the intended relocation to the responsible state security officer for approval. Subsequently, the applicant goes to the social security office of the intended new area of residence to submit the stamped application to the officer in charge, who records it in the resident registration ledger as a relocation. Finally, the state security officer of the new area must be informed of the arrival. The process may require additional visits to the *inminban* head, social security officer, or state security officer if they are not available during the initial visit.”<sup>231</sup>

Relocating to a different region in North Korea, especially to border regions, is significantly more challenging and time-consuming than moving to an area within the same city or county. Individuals who have moved away from border regions find it particularly difficult to return, even if they are originally from the area. One defector recounted that relocating to the border regions could require marrying someone from the region or offering USD 2,000-3,000 to the responsible social security officer.<sup>232</sup> Another defector mentioned that obtaining approval for relocating to a specific area was complex, with the residence registration process alone taking up to six months and more due to continuous disapproval by the relevant institution.<sup>233</sup>

“In 2019, I applied to change my residence to be closer to my work, but my application was rejected. The resident registration department of the social security office at my previous residence informed me that the area I intended to move to was a border region, which required authorization by Pyongyang. Despite offering money to officers

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<sup>231</sup> NEBFG20887

<sup>232</sup> 8GW6CX1527

<sup>233</sup> LE40891836

in related agencies, my application for residence change was ultimately rejected. Perhaps my bribe was insufficient to process my application.”<sup>234</sup>

Relocation to Pyongyang presents its own set of challenges, as the North Korean authorities classify Pyongyang into central area and peripheral area to determine people’s eligibility for residency, thus restricting the freedom to relocate.<sup>235</sup> One testimony indicated that up to 13 verification stamps are necessary to secure the right to reside in a housing unit in Pyongyang.<sup>236</sup> Eligibility for residency in the central area and the feasibility of living near the “First Line Road” (prestigious main roads), among other considerations, require additional evaluations and approvals.<sup>237</sup> It was noted that women can reside in Pyongyang by marrying male Pyongyang citizens. Members of arts clubs and major sports clubs based in Pyongyang are also eligible for residency in Pyongyang.

“Legal residency in Pyongyang is possible for individuals with significant financial means. When apartments are constructed in Pyongyang, the Eighth Department of the Central Committee of the Workers’ Party and the Ministry of Social Security sell construction rights for approximately 200m<sup>2</sup> of land at a cost of around USD 300,000. By purchasing these rights, one can secure residency in Pyongyang, and doing so requires financial contributions to the state. Moreover, women can gain residency in Pyongyang through marriage to male citizens of the city, and outstanding athletes can secure residency by joining prestigious sports clubs like the April 25 Sports Team or the Amnokgang Sports Team.”<sup>238</sup>

<sup>234</sup> 2ITQJ51282

<sup>235</sup> The North Korean authorities restrict the freedom of residents in Pyongyang through the ‘Pyongyang City Management Law’ (2014). Article 7 of this law stipulates that the city’s territory, where the administration of the capital is exercised, is divided into the central area and the surrounding area. Article 31 specifies that anyone seeking to move from the countryside to Pyongyang or from the surrounding area to the central area must receive residential approval from the relevant authorities.

<sup>236</sup> YKDSNY2213

<sup>237</sup> 55IV3I2260, EJRHLJ2244, 1BOIH12246, HOZO5X1222, DEJ6ST2342

<sup>238</sup> YKDSNY2213

**Figure IV - 7** North Korean Media Reports on Apartment Relocations



\* (Sources) Rodong Sinmun (July 23, 2023/ April 14, 2022)

## (2) Forced Relocation

Commonly referred to by North Korean residents as “expulsion,” forced internal displacement involves the authorities forcibly evicting individuals from their current residences as a form of punishment. This practice of forced relocation conflicts with the UN Human Rights Committee’s interpretation which states, “The right to reside in a place of one’s choice within the territory includes protection against all forms of forced internal displacement.”<sup>239</sup> Collected testimonies have revealed that forced relocation was still carried out in 2022. Reasons for this include exposure to South Korean information, drug trafficking, *mal bandong*, defection, and political motives.<sup>240</sup> The forced relocation process entails the authorities canceling or revoking the housing permit of one’s current residence and then assigning the individual to a designated relocation area. Consequently, it is common for the entire family of the expelled individual to be forcibly relocated together.

Forced relocation assigns collective responsibility on all family members

<sup>239</sup> UNHRC, “CCPR General Comment No. 27: Article 12 (Freedom of Movement),” para. 7.

<sup>240</sup> TEIEJA2400, N4XFMT1979, 1J9VEU1801, ETRLM22255, P3RFM51542, 0WTG6L2284, F1IZC41525, UL82VT1322, ZX8HAH0831, 7841ZM1314, KDRFCP0894, B94PPM0841

for the legal violations committed by one member of the family. This guilt-by-association approach severely restricts freedom of residence, affecting the freedom to choose one's sector of employment, and threatening one's right to food. Testimonies indicate that most areas designated for relocation are mining or rural areas, causing children to inherit their parents' workplaces.<sup>241</sup> One defector testified that in 2017, his friend was expelled from university and, along with his family, forcibly displaced due to his father's association with Jang Song-thaek.<sup>242</sup> Another defector recounted witnessing the expulsion of a resident's family in 2018. The resident had been caught watching a South Korean drama by the 109 Unified Command, resulting in a three-year *rodong-kyohwa* sentence and confinement in a *kyohwaso*, with the entire family being displaced to a rural area.<sup>243</sup> Typically, the destinations for those who are expelled are rural areas with poor conditions, making it challenging for them to sustain a living.<sup>244</sup>

## C. Restrictions on Entry and Departure

### (1) Restrictions on Issuance of Travel Documents

As a State Party to the ICCPR, North Korea is obligated to issue passports to residents and extend their validity. However, the process for issuing entry and departure certificates in North Korea has been observed to be complex and exhaustive. Preparing travel documents, including passports and applications for them, is rife with numerous limitations and is also very time-consuming.<sup>245</sup> Several testimonies indicate that factors such as age, marital

<sup>241</sup> ROD6PD2463, 3E7GSG2222, APIKFX1885

<sup>242</sup> DDL5221833

<sup>243</sup> NW1GN01911

<sup>244</sup> BOBYN2133, S7UIML2223

<sup>245</sup> 「Immigration Law」 (2013) Article 2 (Definition) 3. The term "immigration certificate" refers to a document that serves as a passport, or a certificate and visa document in lieu thereof.

status, and family relations influence decisions to issue passports.<sup>246</sup> Avoiding delays in the travel document issuance process often requires significant bribes at each step of the process.<sup>247</sup>

“The criteria for passport issuance are not gender-restricted, but applicants must be 50 years and older, have family members in North Korea, and be married with children. Despite not being married or within the required age range, I managed to obtain a passport by spending a significant amount of money. Although initially ineligible, I acquired it through bribery. For each guarantor’s assurance, including the head of *inminban*, I paid USD 50. In addition, I paid USD 300 to a foreign affairs official from the municipal state security department and USD 7,000 to an official from the provincial state security bureau.”<sup>248</sup>

Further obstacles have been introduced, complicating the issuance of passports to those intending to visit relatives abroad, especially in China. According to a North Korean defector who obtained a passport to visit relatives in China, securing multiple guarantors’ assurances was necessary for obtaining a passport.<sup>249</sup> Since 2016, the Chinese authorities have required the submission of an invitation letter from China and the requester’s identification card along with the travel document application. An increasing number of individuals who obtain a passport to visit relatives in China choose not to return to North Korea. Consequently, residents living near the border area of Ryanggang Province often face passport issuance rejections for attempts to visit relatives in China.<sup>250</sup> Even individuals married to Chinese

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<sup>246</sup> FHY7DN2059, 2YZE5I1994, 80X2651147, 4F6KHY1231, 80X2651147, SHS6WT0708

<sup>247</sup> 2YZE5I1994, FHY7DN2059, IGBNJK0845, 55IV3I2260, 80X2651147, LOVCO90959, XTYT151917, 4F6KHY1231, WDO6N01082

<sup>248</sup> TZURKG1073

<sup>249</sup> Multiple guarantors’ assurances are required for passport issuance, including the head of *inminban*, responsible social security officer and state security officer, officials of the state-owned enterprise, party secretaries, city or county-level authorities, responsible social security officer at the city or county-level, and the head of state security department at the city or county-level. (80X2651147, RI65MV1293)

<sup>250</sup> 80X2651147, 2YZE5I1994, LOVCO90959, FHY7DN2059, 4F6KHY1231

nationals undergo a complicated application process for a simple visit, which sometimes involves bribery. For these applicants, the number of trips abroad is limited, making return visits practically impossible before the expiration date of the passports, which is typically between three to five years after issuance.<sup>251</sup>

## (2) Border Control

Beyond systemic control, such as the issuance of travel documents, North Korea has significantly strengthened border control to completely prevent any border access by its residents. Individuals attempting to cross the border without an emigration certificate are subjected to criminal punishment under the Criminal Law for illegal border crossing.<sup>252</sup> Barbed wire and monitoring devices have been installed along the border, with incidents reported where border patrol fired gunshots at residents attempting to cross over.

Investigations conducted by the Center indicate that North Korea's border control measures have undergone progressive tightening. In the 1990s, as the number of residents attempting to defect increased due to severe economic hardship and poor living conditions, North Korea bolstered its border control by constructing electrified barbed wire fences, and after the mid-2010s, CCTVs were installed.<sup>253</sup> A witness working in border security in 2019 mentioned that a series of small bombs were placed along the border fences, capable of exploding with debris reaching up to 10m. In

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<sup>251</sup> NXR5TP1105

<sup>252</sup> 「Criminal Law」 (2022) Article 260 (Crime of illegal border crossing) Anyone who illegally crosses the border will be subjected to *rodong-danryun* punishment. In severe cases of illegal border crossing, a sentence of up to five years of *rodong-kyohwa* punishment may be imposed.

<sup>253</sup> DUZC621126, VT4QOR1433, N2XFFG1377, 2O4G6G1011, RF9VT21010, AV82RI0340, 0WQVLA0773, 710LYQ1388, 3Z6U6Q0410, 4NBSJ30408, Q71NPK0375, 1XB2XP0186, MOFW7W0379, 9GX68D1173



addition, surveillance cameras were installed, nail boards and broken glass were scattered at the base of chain-link fences, and booby traps were set.<sup>254</sup> A significant number of testimonies have revealed that many North Korean residents attempting to cross the border have been shot by border guard security officers.<sup>255</sup> Furthermore, some officers even pursued defectors fleeing into China to arrest them.<sup>256</sup>

**Figure IV - 8** China-North Korea Border and Barbed Wire Fences



\* (Source) Ministry of Unification

Corruption and internal challenges in North Korea have hindered effective border control. Due to electricity shortages, barbed wire fences were only intermittently electrified, and many surveillance cameras remained inoperative.<sup>257</sup> Substantial testimonies confirmed that defection with assistance from border guards was possible prior to the spread of COVID-19.<sup>258</sup>

<sup>254</sup> HGJC251956

<sup>255</sup> 1SDLL22137, UPBU3Q2089, TFHDP41618, 2EQR9S2134

<sup>256</sup> 87YFN32212, CZEPGU2138, 1LB8GF1470, EN35871366

<sup>257</sup> 2EQR9S2134, DBZIQP2152, 2M6K2I1904, P5VXUG1939, 7XXJ8I1937, 5D2YK90685, FNC9SL0409, MOFW7W0379, P20TIO1107

<sup>258</sup> BX3AHU1909, 2EQR9S2134, DBZIQP2152, UPBU3Q2089, G826H31621, H904R61479, MLKH5C1222, P767JN1271, AWQ1RI1386, GAEBNF1170, AXNPOZ0474, 710LYQ1388, 1BX4NN0758, 9GX68D1173, 0BPBA22149, IGGLG52071, 69WU5G2074

Since 2020, North Korea has significantly ramped up its border control, citing COVID-19 as its justification. Defecting from North Korea was not as challenging before the advent of COVID-19 in early January 2020.<sup>259</sup> However, from mid-January, the authorities restricted movement between territories and completely shut down the border, prohibiting any entry or departure to and from North Korea. Military personnel were additionally deployed to border, coastal, and front-line regions for the lockdown. Soldiers were equipped with live ammunition for stringent border control operations, and high-voltage wires were installed along the barbed fences to seal off North Korea.<sup>260</sup> (Refer to II-4. COVID-19.)

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<sup>259</sup> 4NR0J62128

<sup>260</sup> OTP8Z62291

## 6. Right to a Fair Trial

Trials exist to uphold justice, safeguard the basic rights of citizens, and maintain social order. Trials must be conducted fairly, which is considered a fundamental element of human rights protection. Article 14, paragraph 1 of the ICCPR guarantees the substantive fairness of trial outcomes by stipulating the right to a fair and public hearing by a competent, independent, and impartial tribunal. Paragraphs 2 to 7 of this Article regulate the rights of the accused in criminal proceedings.

**Table IV - 10** 「ICCPR」 and Right to a Fair Trial

「ICCPR」		Right to a Fair Trial (Related Contents)
Article 14	1	<p><b>A</b> Violation of the Right to Trial by Court</p> <p><b>B</b> The Workers' Party's Control over the Judiciary</p> <p><b>C</b> Arbitrary Administration of Public Trials</p>
	2	<p><b>D</b> Violation of the Principle of Presumption of Innocence</p>

「ICCPR」		Right to a Fair Trial (Related Contents)	
Article 14	3	<p>In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:</p> <p>(a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;</p> <p>(b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;</p> <p>(c) To be tried without undue delay;</p> <p>(d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;</p> <p>(e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;</p> <p>(f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;</p> <p>(g) Not to be compelled to testify against himself or to confess guilt.</p>	<p><b>E</b></p> <p><b>Inadequate Guarantee of Defendants' Rights</b></p>
	5	<p>Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.</p>	<p><b>F</b></p> <p><b>Ineffective Appeal System</b></p>
	6	<p>When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.</p>	<p><b>G</b></p> <p><b>Lack of Criminal Compensation Rights</b></p>

However, in North Korea, trial independence has not been properly upheld. Additionally, the rights of the accused, including the right to be presumed innocent, the right to legal counsel, the right to remain silent, and the right to appeal, have not been adequately ensured. Moreover, legal provisions for seeking compensation for wrongful convictions have not been

found in publicly available North Korean laws, and it seems that individuals have no recourse if they are wrongly punished due to the authorities' errors.

## A. Violation of the Right to Trial by Court

In North Korea, administrative agencies have the authority to impose penalties with a criminal nature known as a “*rodong-kyoyang* penalty,” effectively circumventing the right to trial by a court guaranteed by the ICCPR. According to Article 14, paragraph 1 of the ICCPR, everyone has the right to a trial by a court in the determination of any criminal charge against him. However, North Korea’s Administrative Penalty Law stipulates the *rodong-kyoyang* penalty as a type of administrative penalty.<sup>261</sup> From a comprehensive examination of defector testimonies, it can be determined that a *rodong-kyoyang* penalty essentially involves confinement with heavy labor, which gives it a nature resembling imprisonment.<sup>262</sup> In other words, administrative agencies such as social security agencies can impose punishment akin to imprisonment without a trial by a court, and this is permitted by North Korean legislation.<sup>263</sup>

In cases involving crimes against the state and the nation, it has been revealed that suspects are punished without a criminal trial. According to the North Korean Criminal Procedure Law, the investigation and preliminary examination<sup>264</sup> of such crimes fall under the jurisdiction of the state security

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<sup>261</sup> 「Administrative Penalty Law」 (2021) Article 18 (*Rodong-kyoyang* penalty) *Rodong-kyoyang* penalty is an administrative penalty that involves sending citizens who have committed serious illegal acts to *rodong-kyoyangdae* and compelling them to engage in labor. The duration of the penalty ranges from five days to six months.

<sup>262</sup> U61S652293, 8IUFRL2452, 1ND60Q2408, 69WU5G2074, 3LLZZ01970

<sup>263</sup> 「Administrative Penalty Law」 (2021) Article 344 (Administrative penalty institution) Administrative penalties shall be imposed by the socialist law-observance guidance committees at all levels, the Cabinet, prosecution agencies, judiciary agencies, social security agencies, mediation agencies, investigation supervisory agencies, and qualification granting agencies.

<sup>264</sup> The criminal procedure in North Korea consists of investigation, preliminary examination, prosecution, and trial. All criminal cases undergo a preliminary examination, known as “*yesim*,” to determine whether

institution, and subsequent trials are under the jurisdiction of the Provincial Courts as the court of first instance.<sup>265</sup> However, multiple testimonies indicate that in practice, individuals charged with crimes against the state and the nation are sometimes subjected to investigation and punishment by the state security institution without undergoing a criminal trial, and they are subsequently held in political prison camps.<sup>266</sup> Moreover, there is documented testimony suggesting that in cases where an official commits a felony, state security agencies carry out investigations and preliminary examinations and determine punishment without a trial.<sup>267</sup>

“In 2017, my younger brother was arrested for assisting North Korean defectors. After his arrest, he was taken to a county-level state security department without being given a trial, and then he disappeared. The security officer told my father, ‘Just know that your son went to the Oro region in Hamhung City, and don’t try to find out more. Your son will never return, so just consider him gone.’ Consequently, I learned that my younger brother had been labeled a political prisoner and was sent to a detention facility in the Oro region (Yonggwang *Dong*), Hamhung City, South Hamgyong Province.”<sup>268</sup>

the suspect should face charges or if the case should be dismissed. Essentially, preliminary examinations aim at prosecution, and agencies like the Ministry of State Security, the Ministry of Social Security, the Security Command, the Prosecutor’s Office, and the Railway Security Department wield preliminary examination authority. Article 144 of North Korea’s Criminal Procedure Law stipulates that the duty of preliminary examination is to determine the suspect and to clarify the criminal case thoroughly and accurately. (‘Criminal Procedure Law’ (2021) Article 144; National Human Rights Commission of the Republic of Korea, ‘Korean- English Glossary of North Korean Human Rights’, 2016, pp. 42-44.)

<sup>265</sup> ‘Criminal Procedure Law’ (2021) Article 47 (Jurisdiction of province court) Province Courts or Courts of municipalities directly under central authority shall try at first instance ordinary criminal cases indicted under articles of law that require crimes against the nation and the people, the death penalty, or life-time terms of *rodong-kyohwa* punishment.

Article 50 (Jurisdiction of investigation and preliminary examination) The investigation and preliminary examination of crimes against the nation and the people shall be done by officers of the state security institution.

<sup>266</sup> RMB6NY1296, FOIJNT0766, 4PWM3A1067, YITCM60183, 1QA1UL0335

<sup>267</sup> ULIF611577

<sup>268</sup> RMB6NY1296

Based on the severity of the charges, criminal punishments were sometimes decided without a court trial.<sup>269</sup> One account from a witness stated that suspects caught by the 620 Unified Command<sup>270</sup> for non-socialist behaviors were subjected to a “public trial” without court involvement. Instead, the head of the state security department at the city level presided over the trial, reading the verdict and directly administering punishments such as *rodong-kyohwa* or *rodong-danryun*.

“In public trials, neither judges nor prosecutors attend. Instead, the head of the 620 Unified Command reads the verdict and directly administers punishments. I personally witnessed one such public trial conducted by the 620 Unified Command at the sports field of a pharmaceutical factory in Suncheon City, South Pyongan Province, just before I defected in early March 2017. Approximately 20 suspects were subjected to a public trial on charges of watching South Korean dramas, producing methamphetamine (narcotics), and other related offenses.”<sup>271</sup>

## B. The Workers’ Party’s Control over the Judiciary

The independence of the judiciary is one of the fundamental requirements for ensuring a fair trial, as clearly stipulated in both the ICCPR and North Korean laws. Article 14, paragraph 1 of the ICCPR states that everyone is entitled to a fair and public hearing by a competent, independent, and impartial tribunal established by law. The UN Human Rights Committee emphasizes that judges’ tenure, remuneration, and other aspects of their status should be guaranteed by law, and they should be shielded from any form of political influence to uphold their independence,

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<sup>269</sup> ONA6HF0737

<sup>270</sup> “620 *Sangmu*” refers to a special task force organized to crack down on drugs, superstitions, foreign videos, and the like.

<sup>271</sup> LRINJ90590

which is closely linked to the independence of the tribunal.<sup>272</sup> North Korea's Socialist Constitution and the Criminal Procedure Law state that "courts independently conduct trials and perform judicial activities in accordance with the law."<sup>273</sup> Additionally, the Constitution delineates the judicial system, including the Central Court, Provincial Courts, City (District or County) People's Courts, and Special Courts.<sup>274</sup>

However, given the nature of the North Korean regime, where the leadership of the Workers' Party takes precedence, there are clear limitations to ensuring the independence of the tribunal and the impartiality of judges. North Korea's supreme law, the Socialist Constitution, stipulates that "all state institutions are organized and operated in accordance with the principles of democratic centralism"<sup>275</sup> and that "all activities are conducted under the guidance of the Workers' Party."<sup>276</sup> The Supreme People's Assembly, as the superior organ of the judiciary, is nominally defined as North Korea's highest sovereign institution, but in reality, it is under the control of the Workers' Party according to the principle of the Workers' Party's supremacy and democratic centralism enshrined in the Constitution. The Central Court and other judicial institutions in North Korea are also subject to the management and supervision of the Workers' Party.<sup>277</sup> In a system completely subservient

<sup>272</sup> UNHRC, CCPR General Comment, No. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, para. 19.

<sup>273</sup> 「Socialist Constitution」 (2019) Article 166. In administering justice, the Court is independent, and judicial proceedings are carried out in strict accordance with the law.

「Criminal Procedure Law」 (2021) Article 268 (Guarantee of independence of the trial) A court shall be independent at the trial and shall conduct the trial in strict accordance with the law.

<sup>274</sup> 「Socialist Constitution」 (2019) Article 159. Justice is administered by the Central Court, the Court of a province (or municipality directly under central authority), the City (or District) or County People's Courts, and the Special Court.

<sup>275</sup> 「Socialist Constitution」 (2019) Article 5. All State organs in the Democratic People's Republic of Korea are formed and function on the principle of democratic centralism.

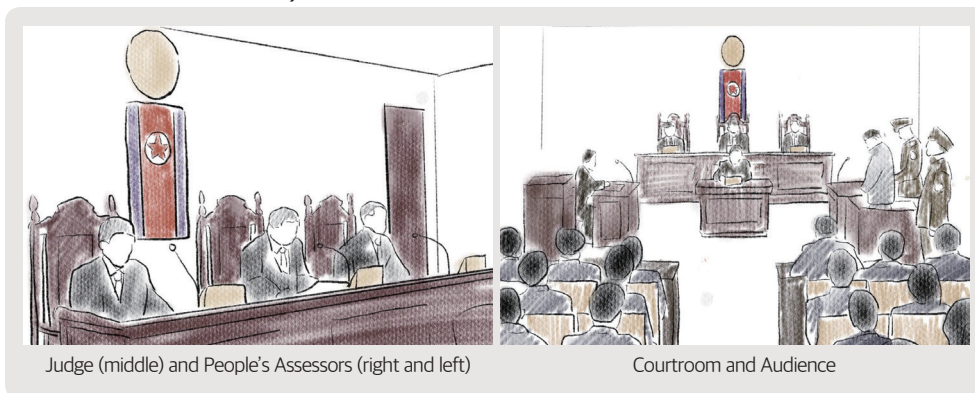
<sup>276</sup> 「Socialist Constitution」 (2019) Article 11. The Democratic People's Republic of Korea shall conduct all activities under the leadership of the Workers' Party.

<sup>277</sup> 「Socialist Constitution」 (2019) Article 87. The Supreme People's Assembly is the highest organ of State power in the Democratic People's Republic of Korea.



to the Workers' Party, it is challenging to expect independent and impartial judgments from North Korean judicial institutions.<sup>278</sup>

**Figure IV - 9** Scenes of North Korean Trial (Reconstructed Based on Reports from North Korean Media)



\* (Source) Refer to the news footage from North Korean Central Television (KCTV) (December 16, 2015)

As judges and other individuals who decide on verdicts and judgments are selected from core Party members, both trials and verdicts are influenced by the Workers' Party.<sup>279</sup> North Korea has adopted the People's Assessors System, where people's assessors are members of the court with equal authority as judges and participate in the first-instance trial as representatives of the working people. They are involved alongside judges in

<sup>278</sup> Particularly, special trials carried out based on the judgment of the Ministry of State Security are swiftly conducted using a single-instance system. For example, Jang Song-thaek was executed immediately after being sentenced to death for 'conspiracy for national subversion' under Article 60 of the Criminal Law in a special military trial by the Ministry of State Security on December 12, 2013, just four days after his purge at the expanded meeting of the Political Bureau of the Workers' Party. (Refer to National Institute for Unification Education, Ministry of Unification, 『Understanding North Korea』, 2023, p. 81.)

<sup>279</sup> In North Korea, judges are elected through the People's Assembly elections. The Chief Justice of the Central Court is elected by the Supreme People's Assembly, while other judges of the Central Court are elected by the Presidium of the Supreme People's Assembly. Judges of the Provincial Courts and People's Courts are elected by the respective regional People's Assemblies. The term of judges corresponds to the term of the respective People's Assembly, and they can only be dismissed upon summons by the People's Assembly that elected them. (『Socialist Constitution』 (2019) Article 91, Article 116, and Article 140; 『Law on Composition of Courts』 (2011) Article 4, Article 7, and Article 8; 『Local Sovereign Authority Law』 (2011) Article 10.)

all aspects of the trials, from fact-finding to the handing down of verdicts.<sup>280</sup> Unless there are special circumstances, the verdict in the first-instance trial is reached through the majority decision of one judge and two people's assessors.<sup>281</sup> People's assessors are also elected by various levels of People's Assemblies, similar to judges, but the qualification requirements are not specified in the related legislation.

On the other hand, in North Korea, prosecutors engage in supervisory activities by participating in trials or reviewing trial records, thereby enabling the Workers' Party to exert control over the judiciary.<sup>282</sup> Under North Korea's Prosecution and Surveillance Law, prosecutors, as political guardians of the state, have the duty to monitor the faithful compliance with decisions, orders, and instructions to state institutions.<sup>283</sup> Additionally, North Korea's constitutional provisions establish the Prosecutor's Office and prosecutors as constitutional institutions alongside the courts and judges, with the Prosecutor's Office positioned above the courts, further demonstrating this. There have been multiple testimonies indicating that prosecutors, rather than judges, were known to lead trials in North Korea.

“Due to the oversight of the Prosecutor's Office over the courts, the courts have little power. There isn't much bribery of judges since prosecutors receive almost all of it. The investigating prosecutors devour the meat, the prosecutors conducting preliminary examinations eat some meat that is left on the bones, and court judges gnaw on the bones.”<sup>284</sup>

<sup>280</sup> North Korea Encyclopedia Publisher, 『Gwangmyong Encyclopedia』, 2009, p. 603.

<sup>281</sup> 『Socialist Constitution』 (2019) Article 163; 『Criminal Procedure Law』 (2021) Article 270, Article 339; 『Law on Composition of Courts』 (2011) Article 9, Article 17.

<sup>282</sup> 『Criminal Procedure Law』 (2021) Article 14; 『Prosecution and Surveillance Law』 (2012) Article 11.

<sup>283</sup> 『Prosecution and Surveillance Law』 (2012) Article 7, Article 14.

<sup>284</sup> YF042L1533

## C. Arbitrary Administration of Public Trials

### (1) On-the-Spot Public Trials as Propaganda Tools

“On-the-spot public trials,” organized by the courts, have been used as a means to exert psychological pressure on defendants and ordinary residents. Article 282 of North Korea’s Criminal Procedure Law specifies the circumstances under which on-the-spot public trials can be organized, stating that their purpose is to awaken the masses and prevent crime. This use of public trials as a tool for public education, rather than ensuring transparency in the legal process and safeguarding the interests of individuals and society, violates the principles of the ICCPR.

On-the-spot public trials have been organized at the site of the crime or the defendant’s residence, involving local residents who are mobilized to the trial to hear individual charges against the defendant and interrogate the criminal. During these proceedings, representatives from institutions, state-owned enterprises, and other organizations expose and condemn the actions of the criminals, sparking debates among the residents in attendance.<sup>285</sup> Cases have been documented where defendants received public trials led by the courts, followed immediately by public executions.<sup>286</sup>

“In 2019, there was a public trial at Hyesan Cinema in Hyesan City, Ryanggang Province, for illegal video viewing. Six students from a senior secondary school were involved, with one instigator facing imprisonment at the ‘Children *Kyoyangso*’ after receiving a two-year *rodong-kyohwa* punishment, and the others being released after receiving social education dispositions. Two months later, there was another public trial for fortune-telling offenses. The fortune-teller received a five-year *rodong-kyohwa* punishment, while residents who had sought fortune-telling services received *rodong-kyoyang* penalties of three to five months.”<sup>287</sup>

<sup>285</sup> 2YZE5I1994, NNOOCB1888, 1ND60Q2408, A9ZFAH1637, BVPE3D1429, V97A6P1188, K2EUR21592, 4ACOW11614, D280Z70942

<sup>286</sup> 1J9VEU1801, FHY7DN2059, NNOOCB1888

<sup>287</sup> NNOOCB1888

The charges dealt with in on-the-spot public trials primarily include illegal border crossing, fortune-telling, illegal video viewing and distribution, unauthorized use of cell phones, human trafficking, brokering money transfers, drug use, rape, and murder.<sup>288</sup> One defector who underwent an on-the-spot public trial for illegal border crossing expressed feeling deeply wronged as she was accused of drug-related charges she had not committed during the public trial.<sup>289</sup> A recent case documented in 2022 involved an on-the-spot public trial related to the alleged murder of a woman held at the playground of an elementary school in Kangryong County, South Hwanghae Province.<sup>290</sup>

## (2) Violation of the Right to a Public Hearing and Access to Court Judgments

The principle of a “public trial” is crucial, especially in criminal proceedings, to ensure transparency in the legal process, protect individual rights, and serve societal interests. For a fair and transparent trial to take place, it is essential that hearings be conducted openly. Article 14, paragraph 1 of the ICCPR guarantees the right to a public hearing, with exceptions allowed only under specific circumstances. According to the ICCPR, public trials may be restricted for reasons of morality, public order, national security, or when necessary to protect the interests of the parties’ private lives, or when there are special circumstances where publicity would prejudice the interests of justice.

In North Korea, although the Socialist Constitution highlights the protection of suspects through public trials,<sup>291</sup> reality often diverges from this

<sup>288</sup> 2YZE5I1994, NNOOCB1888, 5EXU5N2147, A9ZFAH1637, UBWCTO2335, BVPE3D1429, V97A6P1188, K2EUR21592, 4ACOW11614, D280Z70942, 4TYPAG0762, LRINJ90590, FHY7DN2059

<sup>289</sup> WHGIL01336

<sup>290</sup> TGCAEV2403

<sup>291</sup> ‘Socialist Constitution,’ (2019) Article 164. Court cases are heard in public, and the accused is guaranteed

principle. North Korea explains that the publicity of trials is a constitutional principle based on the nature of people-oriented socialist trials, where criminal cases are heard and verdicts are delivered in front of the masses. It is also stipulated that trials may not be open to the public where there is a danger that a national secret or personal secret could be revealed or there is a concern that opening a trial to the public will have a negative effect on society.<sup>292</sup>

In North Korea, in addition to “on-the-spot public trials” in multiple cases, both hearings and sentencing have often been conducted secretly.<sup>293</sup> One North Korean defector, who went through a trial in the People’s Court in 2019, stated that the trial was held in secrecy, with only judges, people’s assessors, prosecutors, and lawyers present, while family members were barred from attending. Furthermore, the verdict was not publicly announced.<sup>294</sup> The majority of testimonies from individuals who have undergone trials state that they were not furnished with trial documents like indictments or verdicts.<sup>295</sup> Since publicizing verdicts ensures access to judgments, denying access to these judgments even to the defendants can be considered a violation of Article 14, paragraph 1 of the ICCPR.

## D. Violation of the Principle of Presumption of Innocence

In North Korea, the right to be presumed innocent is not properly guaranteed. According to Article 14, paragraph 2 of the ICCPR, everyone charged with a criminal offense shall have the right to be presumed innocent

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the right of defense. Hearings may be closed to the public as stipulated by law.

<sup>292</sup> 「Socialist Constitution」 (2019) Article 164; 「Criminal Procedure Law」 (2021) Article 267.

<sup>293</sup> 54O0YL0175, DDPXG61477, SPN4BG1900, O4P71O0490, XJFCJG1927, OORIT62440

<sup>294</sup> NJOZKK1881

<sup>295</sup> BHN1YB0488, 1BQ5TD2470, UM3CII2393, 3RNTQV2332, B77SVN2143, XJFCJG1927, NJOZKK1881, USBGZ10077, FW32EV0125, 7TUMOA1406

until proven guilty according to law. Accordingly, the judge responsible for criminal trials has a duty not to prejudge the outcome of a trial, which is recognized by all public authorities. Therefore, public authorities should refrain from prejudging the trial outcome, including by abstaining from making official announcements affirming the guilt of the accused.<sup>296</sup> In contrast to these principles, it has been revealed that the North Korean authorities organize “public disclosure gatherings,” where residents are mobilized and coerced into participating before the punishments of suspects are determined. Furthermore, suspects are deprived of their voting rights, and the principle of non-custodial investigations and trials are not upheld, thus denying suspects their right to presumption of innocence.

North Korea’s practice of public disclosure gatherings is a clear violation of the right to presumption of innocence. Before criminal trials, suspects are often paraded before crowds and coerced into confessing to alleged charges, which leads to public criticism. These public denunciation gatherings serve as propaganda tools in a similar respect to on-the-spot public trials.<sup>297</sup> There is no legal basis for such gatherings in publicly available North Korean legislation. According to testimonies, public disclosure gatherings are typically conducted by mobilizing residents and publicly announcing the charges and expected punishment of suspects who are undergoing preliminary examinations.<sup>298</sup> One defector recounted her experience of being detained at the *kuryujang* of a social security department, where she was forced to stand before residents along with multiple detainees.<sup>299</sup> They

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<sup>296</sup> UNHRC, CCPR General Comment, No. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, para. 30.

<sup>297</sup> 「Law on the Prevention of Beatings」 (2021) Article 5 (Principle of a unified societal struggle against beating) The state shall publicly criticize and expose those involved in beating through public struggles and general assemblies of employees, residents, and students, aiming to educate the public about the nature of beating, its social dangers, and harmful consequences, thereby encouraging active participation in combating such behavior.

<sup>298</sup> 10KZQ70838, TKVNNS0543

<sup>299</sup> 1JU8U71993

were individually called out and accused of various crimes such as illegal border crossing or smuggling and coerced into publicly admitting their guilt. She described this public disclosure gathering as a brief but profoundly humiliating and distressing experience. Other testimonies also note that public disclosure gatherings were held for public education purposes, whereby forcibly repatriated individuals were accused and humiliated in front of many people before their punishments were decided.<sup>300</sup>

“In 2010, when I was forcibly repatriated for the second time, there was a lot of commotion as if a spy had been caught, in the city where I used to reside, as it was rare for someone to be repatriated twice. Thus, I underwent public disclosure gatherings twice during the preliminary examination stage before my punishment was finalized. In these public disclosure gatherings, residents were mobilized, and the details of the alleged crime and the planned punishment of the individual undergoing the preliminary examination were publicly announced. I could not lift my head because I was too scared of the residents condemning me.”<sup>301</sup>

In North Korea, it appears that suffrage is sometimes revoked before a guilty verdict is rendered. Article 40 of the Criminal Law stipulates that suffrage deprivation is a type of criminal punishment and lasts for a five-year period, starting from the end of *rodong-kyohwa* punishment. Article 422 of the Criminal Procedure Law further specifies that suffrage deprivation occurs after the completion of basic punishment, administered by the People’s Committees at the city, district, or county level. However, one defector stated that her suffrage was revoked by the social security department during the Supreme People’s Assembly elections in 2019, even though she had not received a guilty verdict, citing her expected *rodong-*

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<sup>300</sup> 93VI9U2368, ROD6PD2423, 10KZQ70838

<sup>301</sup> 10KZQ70838

*kyohwa* punishment as the reason for her suffrage being revoked.<sup>302</sup>

It has also been observed that the right to presumption of innocence is not adequately guaranteed during trial proceedings. According to the principle of presumption of innocence, non-custodial investigations and trials should be the norm and defendants should not be brought to trial proceedings in handcuffs or in any other manner that implies their guilt as a criminal. Article 278 of the Criminal Procedure Law stipulates the principle that defendants should not be physically restrained while inside the courtroom. However, it has been found that in North Korea, it is common for individuals to be held in custody from the investigation stage to the trial stage. Throughout all hearings, defendants are often treated as criminals, being forced to bow their heads and even being restrained with handcuffs.<sup>303</sup> (Refer to IV-3. Right to Liberty and Security of Person.)

## E. Inadequate Guarantee of Defendants' Rights

### (1) Violation of the Right to Legal Counsel

Suspects and defendants have the right to defend themselves through legal assistance. Article 14, paragraph 3 of the ICCPR outlines the "right to legal counsel," including the right to appoint a legal counsel of one's own choosing, the right to be informed of this right, and the right to have free legal assistance.

North Korean legislation stipulates the right to legal counsel and a private lawyer system.<sup>304</sup> Article 56 of the North Korean Criminal Procedure Law states that preliminary examinees, defendants, and their family members

<sup>302</sup> SPN4BG1900

<sup>303</sup> ZVVZP42194

<sup>304</sup> 「Socialist Constitution」 (2019) Article 164; 「Criminal Procedure Law」 (2021) Article 54-Article 69; 「Law on Lawyers」 (1993) Article 4.



have the right to choose their own defense counsel. When preliminary examinees decide not to exercise their right to choose a defense counsel during the preliminary examination stage, the officer in charge of the preliminary examination requests the Bar Association to appoint a defense counsel and assigns a “public defender.”<sup>305</sup> If a public defense counsel is initially appointed for the defendant and later the defendant chooses to hire a private lawyer, the private lawyer will become the defense counsel.<sup>306</sup>

However, in reality, North Korean residents do not adequately enjoy the right to legal counsel. The right to appoint and receive legal assistance from a defense counsel should be recognized for suspects even during the police interrogation stage. Yet, the majority of testimonies from individuals who have gone through criminal proceedings in North Korea state that they were detained without being allowed to communicate with the outside world and were not given the right to appoint a defense counsel or receive any form of legal assistance during the investigation and preliminary examination stages. Furthermore, there have been cases of defendants not receiving notification regarding the right to appoint a defense counsel until the start of the trial proceedings and only meeting their defense counsel for the first time in the courtroom on the day of their hearing.<sup>307</sup>

Even when a defense counsel was appointed, there have been many cases where defendants did not receive effective legal representation from their counsel. One North Korean defector mentioned that her lawyer visited her before the trial to review the case record, but this visitation was not much different from the interrogation conducted by the prosecutor.<sup>308</sup> There are also many testimonies from former defendants stating that they

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<sup>305</sup> 「Criminal Procedure Law」 (2021) Article 56, Article 59, Article 61.

<sup>306</sup> 「Criminal Procedure Law」 (2021) Article 64.

<sup>307</sup> TKVNNS0543, UP6UKT0073, J21S1A1908, 1BQ5TD2470

<sup>308</sup> RNK8NS0391

could only meet their lawyers during the hearing, and that the lawyers did not present any arguments on their behalf or offer any assistance to them at all.<sup>309</sup> Furthermore, there are accounts stating that legal counsel did not present arguments favorable to the defendant but instead collaborated with the court.<sup>310</sup> Despite legal provisions for the protection of lawyers' activities,<sup>311</sup> most public defenders did not actively participate in the trial process due to the minimal economic compensation they received and other reasons.<sup>312</sup>

As a result, there have been some movements among North Korean residents to enhance the right to legal counsel, including the appointment of private defense counsels. In one instance, a sentence was reduced following an appeal made through a private defense counsel.<sup>313</sup> In addition, one defector with legal experience in North Korea noted that private defense counsels, compared to public defenders, actively defended their clients in trials, leading to an increase in hiring private defense counsels to reduce sentences.

“Public defenders belong to the Bar Association, which appoints public defenders in each province, city, and county. While public defenders generally aim to hold defendants accountable like prosecutors, private defense lawyers strive not only to reduce sentences but also to secure acquittals. They obtain law licenses by graduating from law schools, and since 2009, law licenses have also been granted to graduates completing legal courses run by each provincial party committee. This law license is necessary for one to practice law.”<sup>314</sup>

<sup>309</sup> J21S1A1908, NJOZKK1881, VOBOHH2087, 1BQ5TD2470, DDPXG61477, SPN4BG1900, B77SVN2143, USBGZ10077, FW32EV0125, OORIT62440, 7TUMOA1406, A9ZFAH1637, D280Z70942, OKAGX80807, O4P71O0490

<sup>310</sup> HKT6IU1075, UP6UKT0073, M5UESD1925, 38WLDS0542, OKAGX80807, XJFCJG1927, 4NMFWA1467, 2PBGNC1384

<sup>311</sup> 「Law on Lawyers,」 (1993) Article 2, Article 6.

<sup>312</sup> SPN4BG1900, A9ZFAH1637, RNK8NS0391, OKAGX80807, O4P71O0490

<sup>313</sup> NNOOCB1888

<sup>314</sup> M5UESD1925

## (2) Violation of the Right to Summon and Examine Witnesses

Defendants should have the right to summon and examine witnesses during trials, and although this right is outlined in North Korean legislation, it does not appear to be adequately enforced in practice. According to Article 14, paragraph 3 of the ICCPR, defendants have the right in the trial to examine or have examined the witnesses against them and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them. In relation to this, North Korea's Criminal Procedure Law specifies that after a witness has testified, the person who requested the examination should examine the witness first. The presiding judge shall give the defendant an opportunity to question witnesses.<sup>315</sup> Moreover, the North Korean Law on Lawyers also stipulates that defense counsels can communicate with witnesses.<sup>316</sup>

In actual North Korean criminal trials, defendants have not received proper guarantees for summoning and examining witnesses. Most testimonies from North Korean defectors who experienced criminal trials stated that they were not given the opportunity to cross-examine witnesses who testified against them, nor could they summon witnesses favorable to their defense.<sup>317</sup> An individual mentioned that as a defendant, he requested the court to summon witnesses favorable to his defense, but the presiding judge did not allow it.<sup>318</sup> Some accounts have even suggested that individuals were unaware of their right to summon and examine witnesses, hence failing to exercise this right.<sup>319</sup> One defector stated that she refrained from summoning witnesses because she believed witnesses were only summoned

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<sup>315</sup> 「Criminal Procedure Law」 (2021) Article 309.

<sup>316</sup> 「Law on Lawyers」 (1993) Article 9.

<sup>317</sup> OKAGX80807, D280Z70942, O4P71O0490, 7TUMOA1406

<sup>318</sup> NJOZKK1881

<sup>319</sup> 2PBGNC1384, B77SVN2143

by the court to testify against the defendant, rather than to provide favorable evidence for the defendant.<sup>320</sup>

“Back in 2016, I went through a trial at the People’s Court in Hyesan City, Ryanggang Province. Despite having a court-appointed lawyer present, I did not receive proactive legal representation. North Korean lawyers simply act as agents of the authorities. I did not get to meet the lawyer before the hearing, and after the trial ended, the lawyer approached me to ask if I wanted to appeal. Although there was an opportunity for a final statement, I was unaware that I could summon witnesses favorable to my defense during the hearing.”<sup>321</sup>

### (3) Violation of the Right to Remain Silent

Suspects and defendants have the right not to be compelled to testify against themselves or to confess guilt, which means they have the right to remain silent. Article 14, paragraph 3 (g) of the ICCPR explicitly states this right. Article 37 of North Korea’s Criminal Procedure Law specifies that statements obtained through coercion or inducement cannot be used as evidence, and if a criminal’s statement is the only evidence, it shall be deemed insufficient to prove guilt. Article 163 of the same law states that the officer responsible for the preliminary examination cannot use coercive methods to extract confessions from preliminary examinees.

However, in North Korea, there are no provisions to inform suspects and defendants of their right to remain silent. The majority of North Korean defectors who have undergone criminal proceedings stated that they were unaware of their right to refuse to make self-incriminating statements. During investigations and preliminary examinations, they were often coerced into confessing through methods such as beatings and other cruel

<sup>320</sup> A8OKDC0392

<sup>321</sup> 2PBGNC1384

treatment.<sup>322</sup> (Refer to IV-4. Rights of Detainees.)

“During the preliminary examination, I was severely beaten by the officer. The prosecution was trying to identify a main perpetrator, and since I was one of four suspects unable to offer a bribe, and also the weakest and least powerful, they targeted me as the main culprit by physically assaulting me. Initially, I was only accused of drug use, but they tried to pin additional charges on me, including drug trafficking and sexual harassment. When I denied these charges and refused to confess, they forced me to kneel and then mercilessly struck my head and body with their hands and fists.”<sup>323</sup>

## F. Ineffective Appeal System

People convicted of a crime have the right to have their conviction and sentence reviewed by a higher court, as stated in Article 14, paragraph 5 of the ICCPR. North Korea’s Criminal Procedure Law also outlines the right to appeal.<sup>324</sup> It is stipulated that if defendants, defense counsels, or claimants for damages disagree with the decision or judgment of the first instance court, they can file an appeal with the provincial court, which acts as the appellate court.

Despite these legal provisions, the guarantee of the right to appeal has been inadequate in North Korea, and its appeal system has operated ineffectively. According to collected testimonies, the majority of individuals who underwent

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<sup>322</sup> B77SVN2143, USBGZ10077, 7TUMOA1406, NNOOCB1888

<sup>323</sup> 2PBGNC1384

<sup>324</sup> 「Criminal Procedure Law」 (2021) Article 354 (Appeal, raising complaints) An accused, counsel, or claimant for compensation who has an opinion about the judgment or rulings of the first instance court may appeal to a higher court, and a prosecutor may make a complaint.

Article 357 (Appeal process) A person who wishes to appeal shall submit a notice of appeal to the first instance court within 10 days of the day he or she received certified copies of the judgment or rulings. However, a person who has received *rodong-danryun* punishment shall submit within three days. If the period for appeal passes, the first instance court must soon send the notice of appeal together with the case record to a higher court.

first-instance trials did not exercise their right to appeal, even after being informed of this right. Their reasons for forgoing appeals mainly included their belief that appealing would not reduce their sentence or their fear of a harsher punishment for daring to make an appeal without demonstrating remorse.<sup>325</sup> One defector recounted being discouraged from appealing by a chief guard who warned that it could lead to a longer sentence.<sup>326</sup> There was even an account from a defector stating that she could not appeal due to pressure from the office of preliminary examination not to do so.<sup>327</sup>

“In 2015, I stood trial at the People’s Court in Hyesan City. Listening to the defense attorney, I couldn’t help but wonder if he was actually a prosecutor in disguise. After his presentation, the prosecutor enumerated my alleged crimes. Ultimately, the judge sentenced me to two years of *rodong-kyohwa* punishment for smuggling illegal cell phones. After the trial, a guard informed me of my right to appeal. However, he warned me that appealing the ruling could actually increase my sentence, thus suggesting that it might be wiser not to pursue it.”<sup>328</sup>

“I chose not to appeal out of concern that it would lead to negative consequences. Typically, those who file an appeal are individuals who have the ability to bribe the relevant parties in order to receive a reduced sentence, whereas people without the financial means to do so do not appeal out of fear that they will face a harsher punishment. By appealing, they are often perceived as lacking remorse for their actions.”<sup>329</sup>

Moreover, it has been found that the right to appeal is sometimes completely denied. Multiple testimonies have reported that individuals were

<sup>325</sup> VLFGOR0861, D280Z70942, 1JU8U71993, TKVNS0543, A8OKDC0392, 0KAGX80807, SPN4BG1900, 4NMFWA1467, 2PBGNC1384, B77SVN2143, NJOZKK1881, USBGZ10077, FW32EV0125

<sup>326</sup> 38WLDS0542

<sup>327</sup> 54O0YL0175

<sup>328</sup> 38WLDS0542

<sup>329</sup> VLFGOR0861

not informed of their right to appeal, rendering them unable to exercise it.<sup>330</sup> An officer conducting a preliminary examination explicitly stated before the trial that appealing was not permitted.<sup>331</sup> Witnesses to instances where death sentences were carried out immediately after being pronounced at on-the-spot public trials stated that those who were executed had no opportunity to appeal.<sup>332</sup>

Although there have been cases where individuals were informed of their right to appeal and exercised it, their decision to do so often led to repercussions, including verbal abuse or physical mistreatment by officers at the detention facilities.<sup>333</sup> One defector detailed the severe treatment he received from a guard after filing an appeal while detained in North Korea. This included physical abuse and being deprived of sleep as forms of punishment.

“In February 2015, I was arrested for illegal border crossing and three months later, sentenced to six years and eight months of *rodong-kyohwa* punishment during a public trial held in front of a county market. After the trial, I didn’t receive any legal documents, such as the judgment, but I was informed of and exercised my right to appeal. The appeal led the preliminary examination director to subject me to harsh disciplinary action by the guards as a form of intimidation. This included making me repeatedly stand up and sit down 800 times, stand all day for regulation studies, or remain standing all night for merely alleged snoring. During the closed-door appellate trial, my sentence was reduced to five years and three months. When I complained about the outcome, no trial was held, but to prevent my case from reaching a higher authority in Pyongyang, my sentence was ultimately reduced to one year and three months of *rodong-kyohwa* punishment.”<sup>334</sup>

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<sup>330</sup> M21Z660599, M9MJ8G0441, U61S652293, 1BQ5TD2470, XJFCJG1927

<sup>331</sup> 33APH11125

<sup>332</sup> ROD6PD2469, OTP8Z62291, YD9Z4Z1038

<sup>333</sup> KOXTLT0825

<sup>334</sup> 7TUMOA1406

Moreover, problems with the appeals system have been revealed, including instances where offering bribes or hiring private defense lawyers influenced the acceptance of appeals. Among such cases, there were instances where an individual filed an appeal within the specified appeal period but was not granted permission to appeal by the higher court, resulting in the affirmation of the first-instance verdict without a second trial.<sup>335</sup> Meanwhile, there have been a few cases where individuals who appealed within the specified appeal period received a reduction in their sentences. However, it has been discovered that in these cases, either bribery was involved or the defendants had access to private defense lawyers. A witness recounted a case from 2011 where her nephew was initially sentenced to death in a People's Court. By appointing a private defense lawyer and submitting an appeal within the designated period, the appeal made by the defendant's private lawyer was accepted, leading to a reduced sentence of *rodong-kyohwa* punishment for an indefinite period in the appellate trial.<sup>336</sup>

## G. Criminal Compensation Rights Only Asserted by North Korea

In North Korea, it appears difficult to effectively exercise the right to claim compensation for a wrongful conviction. Article 14, paragraph 6 of the ICCPR stipulates, "When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law." However, in North Korea, even if a miscarriage of justice was proven after the verdict, it has not been possible

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<sup>335</sup> A9ZFAH1637

<sup>336</sup> NNOOCB1888



to claim criminal compensation.

North Korea has mentioned “criminal compensation regulations” in reports submitted to the UN in the past.<sup>337</sup> However, these regulations could not be found in the publicly available North Korean legislation, and there have been no testimonies of actual compensation being received. Although there is one documented case of an individual who initially received a guilty verdict but was later proven wrongfully convicted and subsequently pardoned, no compensation for the damages resulting from the wrongful conviction was provided. Specifically, in 2002, this individual was wrongfully convicted of causing injury to a minor and was imprisoned in a *kyohwaso*. Four years later, the real perpetrator was arrested, and he was released, yet there was no avenue for him to seek criminal compensation. As a result, it was impossible for him to receive any form of compensation for the wrongful conviction and related damages.

“My husband was imprisoned in a *kyohwaso* on false charges of injuring a minor. Four years later, the actual culprit was apprehended, and my husband was released. However, (despite the wrongful conviction being proven), we received no compensation for the unjust time he spent imprisoned.”<sup>338</sup>

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<sup>337</sup> UN Doc. CCPR/C/PRK/2000/2 (2000), para. 17(d); UN Doc. HRI/CORE/PRK/2016 (2016), para. 52.

<sup>338</sup> 6PXT8W2210

## 7. Right to Privacy

The right to privacy refers to the right of individuals to have their privacy protected, without being subjected to public disclosure or interference, and to have control over their personal information. Article 12 of the Universal Declaration of Human Rights clarifies, “No one shall be subjected to arbitrary interference with their privacy, family, home, or correspondence, nor to attacks upon their honor and reputation.” Similarly, Article 17 of the ICCPR stipulates that all people have the right to the protection of the law against arbitrary or unlawful interference with their privacy.

**Table IV - 11** 「ICCPR」 and Right to Privacy

「ICCPR」		Right to Privacy (Related Content)
Article 17	1	Right to Privacy
	2	

In North Korea, the legal and administrative system are structured to enable the surveillance of North Korean residents. Laws such as the Resident Administration Law,<sup>339</sup> the People’s Security Enforcement Law,<sup>340</sup> the Administrative Penalty Law,<sup>341</sup> and the Crowd Reporting Law<sup>342</sup> form the foundation for conducting housing searches and accommodation inspections, thereby infringing on the privacy of North Korean residents. In 2021, the adoption of the Youth Education Guarantee Law further legalized

<sup>339</sup> 「Resident Administration Law」 (2010) Article 32-33.

<sup>340</sup> 「People’s Security Enforcement Law」 (2007) Article 8-53.

<sup>341</sup> 「Administrative Penalty Law」 (2021) Article 248.

<sup>342</sup> 「Crowd Reporting Law」 (2019) Article 10, Article 15.

the regulation of young people's privacy.<sup>343</sup> The Center has identified various instances of privacy violations by the North Korean authorities, such as employing informants for activities including the surveillance of residents, unauthorized housing searches, wiretapping of mobile phones, and censorship of correspondence and personal attire.

## A. Surveillance and Control in Daily Life

North Korean residents experience surveillance and control by the authorities, beginning with their involvement in the Children's Union as they start their social lives. The authorities conduct surveillance and exert control through the *inminban* system<sup>344</sup> at the residential level and within social organizations. The surveillance and control extend beyond public aspects of life, reaching into private matters as well.

### (1) Surveillance and Control Through *Inminban* (People's Watch Unit)

In North Korea, *inminban* serve as the foundational units through which the authorities conduct surveillance and control over residents, deeply intruding into their private lives. An *inminban*, which is the basic societal unit, requires all registered residents to belong to it.<sup>345</sup> Typically, an *inminban* consists of 20-40 households and is tasked with guiding residents' lives, monitoring their ideological tendencies, and overseeing external visitors.

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<sup>343</sup> In September 2021, North Korea adopted the Youth Education Guarantee Law during its plenary meeting of the Party Central Committee, which stipulates activities that are forbidden for youths, as well as behaviors that could negatively affect them. It introduces regulations concerning the privacy of young individuals, mandating that residents must report any violations. Furthermore, those who breach this law face administrative and criminal penalties. (‘Youth Education Guarantee Law’ (2021) Article 41-45.)

<sup>344</sup> *Inminban* (People's Watch Unit) refers to the lowest level administrative unit in North Korea, typically consisting of full-time housewives or retired workers. Initially, an *inminban* comprised 20-30 households. However, due to increased urban density resulting from apartment construction, the number of households per *inminban* has expanded to 20-40 after 1994. (National Institute for Unification Education, Ministry of Unification, ‘North Korea Knowledge Dictionary’, 2022, p. 617)

<sup>345</sup> Under Article 9 (Organization of *inminban*) of the ‘Resident Administration Law’ (2010), the *Inminban* is the basic unit of the state and society, serving as the foundation of residents' lives.

Each *inminban* includes various roles such as the head of the *inminban*, assistant head, household leader, hygiene leader, propaganda personnel, and security officers from the social security and state security departments. These individuals are responsible for conducting surveillance by visiting homes within their jurisdiction or consulting neighbors, evaluating different aspects of residents' daily lives, and reporting back to their superiors.<sup>346</sup> The *inminban* head may conduct unannounced visits to check on ideological, living, and hygiene conditions, as well as any external guests. They also communicate directives from higher authorities during *saenghwal chonghwa* (life review sessions) or meetings.

Within the *inminban*, certain individuals are appointed by state security and social security institutions to carry out specific surveillance duties and report their findings. These individuals, known as *jeongbowon* (informants) and *tongbowon* (reporters), gather and report information on the private lives of residents.

*Jeongbowon* disguise their identities and secretly report the private details of residents' lives to their superiors. They operate undercover, providing bi-monthly reports on conversations and economic situations within *inminban*. They undergo training and swear an oath to keep their roles confidential.<sup>347</sup> Residents often refer to these informants as "spies" who work incognito. Defectors who had acted as spies for the social

<sup>346</sup> The head and assistant head of the *inminban* are elected through elections at an *inminban* meeting. The head of *inminban* is responsible for surveilling the movements of all residents within the *inminban*. Household leaders are appointed directly by the Workers' Party and are tasked with separately monitoring husbands. They organize meetings and lectures for husbands, mobilize them for events, oversee *inminban* members during elections, and monitor the movements of husbands after work. The hygiene leader is responsible for environmental concerns, while propaganda personnel handle ideology education and manage the Party sub-work group, which consists of Party members within the *inminban*. Responsible state and social security officers are surveillance agents dispatched by the Ministry of Social Security and the Ministry of State Security. (National Institute for Unification Education, Ministry of Unification, "White Paper on Human Rights in North Korea", 2023, p. 151)

<sup>347</sup> NG38BK1579, 7841ZM1314, 00RIT62428, OTP8Z62291, NCUJ0N2029, Y6DQPY2036, NWIGN01911, 7841ZM1314

security department recounted that they took an oath not to reveal their identities to those they knew and reported on the remarks and activities of their *inminban* members to state security officers.<sup>348</sup> One defector was interrogated by a state security officer about the whereabouts of her family after some informants reported that all her family members traveled to another region for a few days to support their livelihood.<sup>349</sup> These spies, with their concealed identities, are viewed quite negatively by the community.

*Tongbowon* openly carry out their surveillance duties, gathering information on the private lives of residents and reporting it to their respective agencies. According to testimonies, residents are generally aware of who these reporters are. *Tongbowon* receive weekly tasks and submit their findings to a state or social security officer once a week.<sup>350</sup> Their reports cover a wide range of topics, including the situation of those who have defector family members, residents' financial status, societal grievances, the daily lives of former prisoners, involvement in smuggling or business activities, living conditions in officials' households, drug trafficking, and the accommodation of visitors.<sup>351</sup> It has been found that this surveillance of private life has been ongoing until recently.<sup>352</sup> In December 2023, the North Korean authorities reportedly enacted the Law on Organizing and Operating Neighborhood Units to elevate the status of *inminban* heads.<sup>353</sup> This law appears to have increased their responsibilities and roles in controlling and monitoring fellow *inminban* members, thereby intensifying the surveillance of North Korean residents.

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<sup>348</sup> 4BKD1P2254, R0D6PD2469

<sup>349</sup> 93V19U2478

<sup>350</sup> 5RBN922141, UEDAZK2098, TWUF1J2041, UPBU3Q2089, MCUYOR1598, 5IQ6F10357

<sup>351</sup> QJF8N1482, BLO4W00639, 1CHLPG2211, 87YFN32212, 1ZPFDX2126, RRQUMC2097, IHJTN1832, UEDAZK2098, TWUF1J2041, UEDAZK2098, NW1GN01911, NNOOCB1888, JMT8SC1804, BLO4W00639, 3KGFDFW0615, AXJ8B40179, UEDAZK2098, JA7WH70775, VPARIA1430, OM89TF1209

<sup>352</sup> TEIEJA2400

<sup>353</sup> The Chosun Sinbo (Newspaper published by the pro-North Korea representative body for Zainichi Koreans), April 8, 2024.

“*Tongbwon* regularly inform the social security officer overseeing their *inminban* about various matters. These include visitor accommodations, traders’ inventories, local rumors among the residents, households planning to relocate secretly, households living beyond their means, consumption of South Korean media, ownership of cattle, smuggling activities, medicine sales, loyalty to the Party, participation in rural mobilization, households not participating in economic activities, the status of non-residents and unemployed individuals, instances of incestuous and early marriages, drug trafficking, and other issues. Serving as a reporter is considered an honorary role, and maintaining a positive relationship with social security officers is advantageous.”<sup>354</sup>

Individuals with a history of defection from North Korea or their family members are subject to increased surveillance due to their higher risk of defecting. A number of testimonies have revealed that following the defection of a family member, both the head of the *inminban* and informants directed by state and social security departments would visit their homes day and night to verify their presence.<sup>355</sup> One defector recounted that in 2019, because of a prior detention in a *rodong-danryundae* (labor training camp) and having a family member who defected to South Korea, she was monitored throughout the night by an *inminban* member and a border guard.<sup>356</sup> Furthermore, defectors who are forcibly repatriated have faced intensified surveillance due to the possibility of another defection.<sup>357</sup>

<sup>354</sup> BLO4W00639

<sup>355</sup> 8UNXG41926, 85A11O1844, AWQ1R11386, 34AC2O1555, 7621650349, A84W651253, XRAX2R0506, VOBOHH208, FIIZC41525, NQ15CE0164, CMQBQA2140, JMT8SC1804, 4RIW840972, NNOOCB1888, IHJTN1832, VPAR1A1430, Y6DQPY2036, X90TSD0888, JUZ0TT2455, 1ZPFDX2126

<sup>356</sup> 1ND60Q2408

<sup>357</sup> 8IUFRL2452

**Figure IV - 10** Surveillance by *Inminban* on Families of North Korean Defectors (Reconstructed Based on the Testimonies)



“After my daughter defected in 2017, we became the target of our neighbors’ surveillance. On three separate occasions, we caught the elderly woman next door eavesdropping at our shed’s door, especially when she saw unfamiliar visitors at our house. The head of our *inminban* made regular visits to check on my family’s activities. In 2018, during a time when my husband and I left our son at home alone, there was a false report claiming we had defected to China, leading the state security officer responsible for our village to visit our home.”<sup>358</sup>

Ever since Kim Jong Un’s rise to power, there has been an uptick in reports of surveillance on North Korean defectors’ families. Before 2010, the surveillance of families with defectors to South Korea was not as severe. However, under Kim Jong Un’s leadership, a systematic surveillance system has been established to keep a close watch on the families of those who are missing. This includes constant monitoring by *tongbowon* and *jeongbowon* of the state security department, the head of the *inminban*, and even neighbors.<sup>359</sup>

In addition to those involved in defection, the North Korean authorities continuously monitored a variety of groups as special targets. These include

<sup>358</sup> VOBOHH2087

<sup>359</sup> IHJTN1832

South Korean POWs, returnees from Japan, those who had relocated from South Korea, and former Chinese convicts, along with their families.<sup>360</sup> POWs and their families were primarily assigned to work in mines as laborers. They were required to report to a state security officer before traveling outside of their designated residential areas.<sup>361</sup> A family member of a POW testified that upon relocating in 2016, the family members were under constant surveillance by the 312 Unified Command, a unit tasked with managing non-residents and vagrants.<sup>362</sup> Similarly, South Korean-born individuals and their families face scrutiny. One defector, whose parents were South Korean nationals repatriated from Japan to North Korea in the 1960s, mentioned being monitored until 2017 due to the parents' origins.<sup>363</sup>

The military and those stationed overseas are subjected to a system of mutual surveillance, compromising their privacy. A former soldier, who served as a *jeongbowon* monitoring his peers during his military service in North Korea, revealed that state security officers would appoint an informant within units. This collaboration enables officers to oversee the entire unit.<sup>364</sup> Students and workers dispatched overseas have experienced similar monitoring to that within North Korea. Testimonies indicate that state security officers check vigilantly to see if North Korean nationals have been exposed to foreign information, and with colleagues who are required to keep watch over each other, even while abroad.<sup>365</sup>

“Throughout our residency in Russia, international students were under surveillance by state security officers. Moreover, we were required to keep an eye on one another. In

<sup>360</sup> G2FEHO0105, 00RIT62434, R78AG60462, 15KFB01268, R7542X1383, LHB9941636, YKDSNY2213, BNPVOT1347

<sup>361</sup> R78AG60462

<sup>362</sup> 15KFB01268

<sup>363</sup> R7542X1383

<sup>364</sup> HGJC251956

<sup>365</sup> CUKQSL2289, 5VRQH72482, 5VRQH72482



2021, a close friend discovered that I had accessed South Korean information online. Although my friend vowed to keep this information confidential, it eventually reached the officer's attention. I was subsequently reassigned to share a room with the individual responsible for supervising overseas students.”<sup>366</sup>

## (2) Coercion of *Saenghwal Chonghwa* (Life Review Sessions)

*Saenghwal chonghwa* is another surveillance system employed by the North Korean authorities to infringe upon the privacy of North Korean residents. This system mandates that residents participate in life review sessions, where they are required to admit their own shortcomings and engage in mutual surveillance by criticizing one another. *Saenghwal chonghwa* consists of regular meetings held within schools, workplaces, the military, *inminban*, institutions, or social organizations. These meetings occur on a weekly, monthly, quarterly, and annual basis, allowing participants to reflect on their professional and personal lives and to engage in mutual criticism concerning both public and private matters. Participation in these meetings is mandatory for all members of the organizations, and failure to participate in them subjects them to criticism. Testimonies have also highlighted instances of coerced participation.<sup>367</sup>

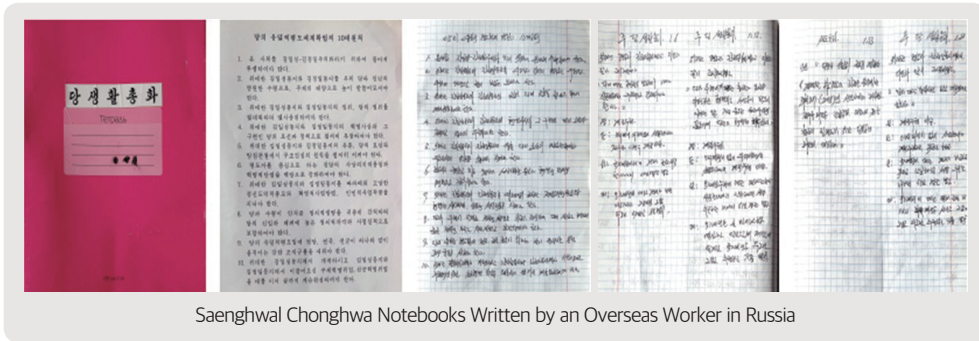
“I participated in a *saenghwal chonghwa* once a week, along with study sessions and lectures bi-weekly. In addition, we convened every evening at 19:00 for roll calls and to receive updates on policies and instructions. The Youth League secretary oversaw the *saenghwal chonghwa* sessions and reported their proceedings to a state security officer. Attendance was mandatory for students studying abroad, with no exceptions for illness or other reasons. I am uncertain of the consequences had I failed to attend a session.”<sup>368</sup>

<sup>366</sup> V0BOHH2087

<sup>367</sup> KNCI462328, 1CHLPG2211, YKDSNY2213, 4BKD1P2254, 93VI9U2478, 5VRQH72482, 1NR82V2465, 1BQ5TD2464, ROD6PD2461, 8IUFRL2462, MAV6AE2472, DFFYXV2473, 93VI9U2476, 00RIT62477

<sup>368</sup> KJ7IFB2239

Figure IV - 11 Saenghwal Chonghwa Notebooks



Saenghwal Chonghwa Notebooks Written by an Overseas Worker in Russia

\* (Source) Prof. Kang Dong Wan (Dong-A Univ.)

Since the 1990s, *saenghwal chonghwa* sessions have increasingly become mere formalities. Until the 1990s, these meetings were held weekly, with mandatory participation from everyone. However, following the Arduous March, the frequency and seriousness of these meetings have varied by region and have often been conducted pro forma.<sup>369</sup> The decline in workplace attendance, driven by individuals engaging in personal economic activities, has led to reduced participation in *saenghwal chonghwa*. To appear compliant during inspections, residents have kept detailed records in their *saenghwal chonghwa* notebooks. One defector mentioned participating in these sessions weekly until 2019. If unable to attend due to being classified as an “8.3 worker,”<sup>370</sup> the resident would substitute attendance with self-criticism entries in their notebooks.<sup>371</sup> In addition, with more workers opting to pay fees to avoid their official workplace duties, regular attendance at *saenghwal chonghwa* has dwindled, involving only officials.<sup>372</sup>

<sup>369</sup> 1NR82V2465, 1BQ5TD2456, 8IUFLR.2452, 93VI9U2481, 1NR82V2474, ZDPTM41630

<sup>370</sup> “8.3 workers” refer to individuals who make payments to state-owned enterprises and then earn their livelihoods through market activities. (National Institute for Unification Education, Ministry of Unification, 『Dictionary of North Korean Knowledge』, 2022, p. 810)

<sup>371</sup> R7KY7W2329

<sup>372</sup> 46I8281547, 1NR82V2372

Instances of bribery to avoid *saenghwal chonghwa* participation have been witnessed by defectors. In 2018, a Women's Union member offered CNY 300 to exempt herself from *saenghwal chonghwa* sessions and other mobilization duties.<sup>373</sup> Similarly, others have paid about USD 30 a month to an officer responsible for student mobilization to avoid *saenghwal chonghwa* sessions and mandatory meetings.<sup>374</sup>

Despite becoming more formalized over time, *saenghwal chonghwa* remains a control mechanism over North Korean residents, mandated for those working or studying overseas as a matter of principle. Following the societal disruptions of the Arduous March, it continues to serve as a surveillance tool. Overseas workers participate in *saenghwal chonghwa* led by the authorities or officers every weekend. This includes those engaged in unofficial *cheongbu* work, who often can afford to pay bribes to superiors.<sup>375</sup> For students abroad, a Youth League secretary selected among every 20 students leads *saenghwal chonghwa* sessions every Thursday, with reports made to state security officers.<sup>376</sup> Lack of enthusiasm in these sessions can lead to suspicions of disloyalty, especially pressuring students abroad to demonstrate their full commitment. COVID-19 quarantines halted *saenghwal chonghwa* for overseas students, but they have reportedly resumed in 2023.<sup>377</sup>

“In 2023, for every group of 20 students studying abroad, a Youth League secretary was designated to lead the *saenghwal chonghwa* every Thursday. We were compelled to engage in these sessions with heightened enthusiasm, as any perceived lack of participation would be interpreted as becoming undisciplined during our time overseas.”<sup>378</sup>

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<sup>373</sup> OORIT62460

<sup>374</sup> YNNL9N2323, 5VRQH72482

<sup>375</sup> 102MHI2012

<sup>376</sup> KJ7IFB2239, 5VRQH72482

<sup>377</sup> YNNL9N2323

<sup>378</sup> 5VRQH72482

### (3) Control Through Accommodation Inspections

North Korea monitors the privacy of its residents through accommodation inspections, a practice that officers often exploit to solicit bribes. These inspections are conducted to identify unregistered occupants, with social security officers and heads of *inminban* performing random checks of accommodation ledgers.<sup>379</sup> However, these inspections have been used as a pretext for house searches, targeting unauthorized videos or electronic devices, combating prostitution, and seizing residents' food supplies.<sup>380</sup> In 2015, residents of Pyongyang underwent accommodation inspections carried out once or twice a month on average by agencies such as the 109 Unified Command. In addition to monitoring visitors, these inspections focused on visitors and residents for having access to external information, including South Korean movies and songs.<sup>381</sup> Despite the potential for punitive measures if violations were discovered during these inspections, many individuals managed to avoid penalties through bribery. Typically, packs of cigarettes were offered as bribes to prevent legal action. In cases where more severe penalties were at risk, additional bribes were required.<sup>382</sup>

In areas such as Pyongyang, near the border, and coastal areas, accommodation inspections occur more frequently for a variety of reasons. In Pyongyang, these inspections often coincide with regime-led political events, including holidays, elections, events attended by Kim Jong Un, and large-scale gatherings in Kim Il Sung Square. During these inspections, social security officers forcefully enter homes to check for external visitors and search for weapons.<sup>383</sup> In the border regions, the frequency of

<sup>379</sup> OTP8Z6229, TPK8GF2281, KQ9C5Q2261, 4BKDIP2254, TGCAEV2403, XHQ3O62407, 1BQ5TD2458, 8IUFR2453

<sup>380</sup> L99N7A2142, V6PE6V2232, XHQ3O62407, KJ7IFB2239, CTT2DS1379, TEIEJA2400, 0M5DQL1786, KYYONW0800, OFS1EN1966, CW14HP2075, 18QU5P1660

<sup>381</sup> DFM95V2357, 8WHPWX2397, BW8MUL2358, CUKQSL2289

<sup>382</sup> 1NR82V2372

<sup>383</sup> YNNL9N2323, BW8MUL2358

accommodation inspections is increased to identify individuals attempting illegal border crossings.<sup>384</sup> In coastal areas, the timing of inspections is aligned with low tide periods, under the assumption that these are the times external visitors are more likely to arrive for fishing operations.<sup>385</sup>

“I resided in the border area, where accommodation inspections were carried out four times a year as part of efforts to prevent illegal border crossings. The frequency of these inspections intensified during periods designated as special security weeks, such as before the Lunar New Year and national mourning periods, as well as during the summer, when smuggling activities tend to increase.”<sup>386</sup>

## B. Illegal House Searches

House searches, as part of criminal investigations aimed at establishing an individual’s guilt, must be conducted under due process and require a warrant. North Korea’s Socialist Constitution prohibits house searches without legal justification.<sup>387</sup> Furthermore, the People’s Security Enforcement Law mandates that officers must present their identification documents and a search and seizure warrant to the individuals subjected to the search and potential seizure.<sup>388</sup> In addition, the Criminal Procedure Law stipulates

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<sup>384</sup> 4BKDIP2254, 34AC201555, 7PKPD00352, U6HOSV2270, 1NR82V2372, 00RIT62454

<sup>385</sup> TGCAEV2403

<sup>386</sup> 4BKDIP2254

<sup>387</sup> ‘Socialist Constitution,’ (2019) Article 79 stipulates that residents have the right to the inviolability of the person and dwelling, and the secrecy of correspondence shall be guaranteed. No resident can be arrested or detained without a legal basis, nor can their dwelling be searched.

<sup>388</sup> ‘People’s Security Enforcement Law,’ (2007) Article 42 (Crackdown on violators of law and order) When a social security officer inspects an individual who has violated law and order, the officer shall inform the individual of their identity and the reason for the inspection. Then, the officer is authorized to verify the individual’s identity, examine items and documents deemed related to the violation of law and order, and inspect the necessary contents.

‘Criminal Procedure Law,’ (2021) Article 213 (Approval for search and seizure) A search and seizure operation must be conducted with the approval of a prosecutor. The social security officer in charge of the preliminary examination must prepare a search and seizure determination document and obtain approval from the prosecutor.

that search and seizure operations related to criminal cases must receive approval from a prosecutor.<sup>389</sup>

In many instances, officers did not present their identification documents or search and seizure warrants during house searches, thus failing to adhere to the required legal procedures.<sup>390</sup> These unexpected house searches, particularly prevalent in border regions to combat smuggling and the harboring of external visitors, were often found to be conducted without the necessary legal documentation.<sup>391</sup> However, there is testimony indicating that a defector was able to prepare for an upcoming inspection in advance, due to a special connection with the head of the *inminban*.<sup>392</sup>

“In December 2017, while watching a South Korean movie at a friend’s house in Hyesan City, Ryanggang Province, we were startled by a knock at the door. Upon inquiring who was there, the individual outside claimed to be sent by my father. Upon opening the door, three members of the 109 Unified Command entered the premises. Caught off guard, my friend accidentally dropped and stepped on a memory card. This was noticed by the 109 Unified Command members, who then initiated a house search without presenting a search warrant. Typically, the presence of a search warrant and the head of *inminban* are prerequisites for the 109 Unified Command to carry out a house search. However, it has become increasingly common for such searches to be conducted without these formalities.”<sup>393</sup>

**389** 「Criminal Procedure Law」 (2021) Article 139 stipulates exceptions where no prosecutor’s approval is needed for the arrest, search, and seizure of evidence from a suspect.

「Criminal Procedure Law」 (2021) Article 139 (Reasons allowed for arrest, search, seizure without prosecutor’s approval) An investigator can arrest a criminal suspect, conduct a search of the body or house, and seize evidence under the following circumstances:

1. When the crime is in progress, or the suspect is discovered during or immediately after the commission of the crime;
2. When a victim or witness has caught or identified the suspect;
3. When evidence of the crime is found on the suspect’s body or in their residence;
4. When the suspect is attempting to commit suicide, flee, or is being pursued; and
5. When the suspect’s place of residence is unknown.

**390** 3RNTQV2332, U4G4Q32334, 13PN7Y2325

**391** JUZ0TT2455, 0FSIEN1966, 4BKD1P2254, NGBQ341169, ROD6PD2461, 00RIT62454

**392** YNNL9N2323, DFM95V2357

**393** MR8IJF0531

Although it is a rare occurrence, there have been instances where search warrants were presented before conducting a house search, specifically in cases with confirmed criminal charges. A search warrant was typically issued in situations involving clear criminal activities, such as facilitating illegal remittance, distributing prohibited video content,<sup>394</sup> using unauthorized mobile phones, and engaging in smuggling.<sup>395</sup> One defector recounted a house search where a state security officer provided a warrant prior to the search due to a confirmed smuggling charge. The officer video-recorded the entire search process.<sup>396</sup>

## C. Communication Inspections

North Korea's Communications Law ensures the confidentiality of communication activities, encompassing both electronic and postal communications.<sup>397</sup> Despite this, the North Korean authorities infringe upon individuals' privacy rights through the monitoring of mobile phone usage, wiretapping of communications, and examination of private letters, thus violating the guaranteed right to privacy.

### (1) Mobile Phone Inspections

In North Korea, individuals are routinely subjected to inspections of their mobile phones by the authorities in public spaces. Residents must endure random checks of their mobile devices on the streets, in schools,

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<sup>394</sup> "Prohibited video content" refers to videos containing material that is considered impure or inappropriate in terms of politics, ideology, culture, or ethics. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 2, 2017, p. 897)

<sup>395</sup> A9ZFAH1637, TZURKG1073, 4TYPAG0762, OOHQ4P1811, 80PADX1866, RWZWCR1613, 3RNTQV2332, 19Z9TY0938, PORU2K0763, W940750050, OORIT62460

<sup>396</sup> IBLCP50956

<sup>397</sup> 『Communications Law』 (2021) Article 8 (Principle of swiftness, conciseness, and confidentiality) The state shall guarantee swiftness, conciseness, and confidentiality, and promote service quality and cultural relevance in communications activities.

and even within their homes. These practices are in direct conflict with the confidentiality protections stipulated by the Law on Mobile Communications.<sup>398</sup>

Mobile phone inspections were carried out alongside house searches or clothing inspections, primarily targeting university students and young people suspected of possessing unauthorized videos. The 109 Unified Command, responsible for suppressing access to external information, often conducted these mobile phone checks during house searches.<sup>399</sup> Similarly, the 82 Unified Command, tasked with addressing non-socialist behaviors such as inappropriate attire and unemployment, expanded its inspections to include mobile phones found in individuals' pockets.<sup>400</sup> In addition, the “non-socialist *grouppa*” (investigation task forces) dedicated to eradicating non-socialist practices has occasionally employed mobile phone inspections as a means of censoring the digital content of young individuals.<sup>401</sup> Youth League officers conducted random checks on young people using their mobile phones in public spaces. Furthermore, the Workers' Party and the Youth League officers at universities investigated students for the possession of South Korean media, including songs, movies, and pornography.<sup>402</sup>

“Around October 2019, a social security officer approached me, seized my mobile phone, and examined it for stored videos or songs. The discovery of any foreign videos during this search would result in an extended investigation period. This situation would be highly troublesome as one would be compelled to offer bribes to

<sup>398</sup> 「Law on Mobile Communications,」 (2020) Article 8 (Service and principles in using mobile communications) The state shall strictly comply with the principles of swiftness, conciseness, service quality, safety, cultural appropriateness, and confidentiality in the provision and utilization of mobile communication services.

<sup>399</sup> 13PN7Y2325, U4G4Q32334

<sup>400</sup> From the testimonies collected, it was learned that the 109 Unified Command was renamed to the 82 Unified Command during the COVID-19 pandemic. (UYSKRB2399, ONW4SH2402, TGCAEV2403)

<sup>401</sup> TPK8GF2281, P767JN1271

<sup>402</sup> E4MJOI2167, YNNL9N2323



recover the phone. I ensured that my phone contained nothing that could potentially instigate an investigation.”<sup>403</sup>

During mobile phone inspections, individuals could sometimes avoid penalties by offering bribes or leveraging their personal connections. One defector reported that mobile phones were confiscated if problematic content was found, but a bribe of KPW 100,000-200,000 could secure their return.<sup>404</sup> Some officers conducted inspections solely to solicit bribes, while others targeted individuals who appeared affluent.<sup>405</sup>

With the introduction of the Youth Education Guarantee Law and the Law on Protecting the Pyongyang Cultural Language, it seems that North Korea has intensified its crackdowns and increased the severity of its punishments. The Youth Education Guarantee Law, aimed at instilling socialist lifestyle principles to prevent ideological shifts among the youth, mandates enhanced education and oversight by monitoring authorities.<sup>406</sup> The Law on Protecting the Pyongyang Cultural Language, enacted in January 2023 to curb the use of South Korean language and preserve the Pyongyang cultural language, strictly prohibits the distribution of South Korean language styles in mobile text messages and emails.<sup>407</sup> This law is part of a broader societal effort to resist the influence of the South Korean language, with stringent penalties

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<sup>403</sup> TPK8GF2281

<sup>404</sup> TGCAEV2403

<sup>405</sup> TEIEJA2400

<sup>406</sup> 「Youth Education Guarantee Law」 (2021) Article 43 (Responsibility of surveillance control agency) Responsible surveillance control agencies including the prosecutor’s office and social security institutions shall enhance law-abiding education and legal oversight. This is to prevent the emergence of criminal and unlawful activities among youth. Additionally, these agencies are tasked with assessing the state of youth education in institutions, state-owned enterprises, and organizations and developing appropriate countermeasures.

<sup>407</sup> 「Law on Protecting the Pyongyang Cultural Language」 (2023) Article 25 (Prohibition of distributing the South Korean language through mobile phones and computer networks) Institutions, state-owned enterprises, organizations, and people shall not engage in activities involving exchanging documents and emails in South Korean language through mobile phones and computer networks.

expected to increase the scrutiny of mobile phone use. (Refer to II-1. Information Control and IV-9. Right to Freedom of Expression.)

Control over mobile phone use extends to students and workers abroad, who are closely monitored by managers in their respective countries. Individuals are restricted to using mobile phones that are only capable of voice calls and text messaging. There have been instances where people had their smartphones confiscated and were fined.<sup>408</sup> Overseas workers are provided with basic mobile phones, and those found in possession of smartphones are suspected of viewing South Korean videos. If such a suspicion is confirmed, they face forced repatriation to North Korea.<sup>409</sup>

## (2) Wiretapping

Article 8 of North Korea's Communications Law guarantees the confidentiality of electronic communications. Despite this, the North Korean authorities actively wiretap residents' phone conversations using signal detectors and interception devices. The focus of such wiretapping efforts is primarily on conversations conducted via Chinese mobile phones, which are commonly used in smuggling and remittance activities. Accordingly, its Criminal Law imposes penalties for illegal international communications with foreign countries.<sup>410</sup>

North Korea's wiretapping capabilities have evolved with technological advancements and have become especially active since 2015. By the late 2000s, a communications agency facilitated local and long-distance calls, including pre-paid options for international calls, during which the agency

<sup>408</sup> KQ9C5Q2261, CM8P8K0045

<sup>409</sup> IBOIH12246, Z63J852157

<sup>410</sup> 「Criminal Law」(2022) Article 261 (Illegal international communications) Individuals engaged in unauthorized international communication shall be subjected to *rodong-danryun* punishment. In severe cases, they shall face *rodong-kyohwa* punishment for a period of up to five years.

occasionally wiretapped conversations.<sup>411</sup> As mobile phone usage became widespread and Chinese mobile phones were increasingly employed for smuggling and remittances near the China-North Korea border regions, traditional wiretapping by communication agencies faced challenges. In response, North Korea adapted its strategies to intercept mobile communications, with testimonies of intensified efforts emerging around 2015. A defector recounted receiving orders in 2014 from the authorities to wiretap conversations involving calls from China or South Korea, using a large vehicle equipped with interception devices by the Ministry of State Security.<sup>412</sup> From 2015, surveillance of unauthorized international communications was ramped up, and this was officially announced through decrees. During periods of enhanced surveillance, interception vehicles patrolled the streets for wiretapping activities, while specialized agents with interception equipment monitored designated areas during normal times. Many individuals communicating with family members in China or South Korea were detected and arrested by the interception forces of the Ministry of State Security.<sup>413</sup>

In China-North Korea border areas, the 15<sup>th</sup> Wireless Surveillance Bureau of the Ministry of State Security surveils and disrupts radio waves to limit international communications. Within 2km of the Amnok and Duman River regions, mobile communication is deliberately weakened by radio-wave blockers, leading residents to rely on wired telephones. An echoing voice during a call is an indicator of being wiretapped.<sup>414</sup> One testimony regarding the observation of wiretapping facilities near the China-North Korea border has been collected. In 2016, a building approximately 40m<sup>2</sup> in size, located in the border region of *Misan Ri*, Onsong County, North Hamgyong Province,

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<sup>411</sup> 7BIVB30566

<sup>412</sup> A1VD8L0761

<sup>413</sup> X90TSD0888, A1VD8L0761, MIFROV1026

<sup>414</sup> MNH2KG2026

was equipped with a radio wave detector for wiretapping purposes.<sup>415</sup>

“During my involvement in smuggling up until 2016, state security officers informed me that the use of mobile phones, whether for communication with Chinese or South Korean contacts, was subject to the authorities’ wiretapping. In Hyesan City, phone calls related to smuggling activities with individuals in China were common. Bribery could often mitigate the consequences, resulting in minimal to no punishment. However, engaging in conversations with individuals in South Korea was likely to result in arrest. Consequently, communications with South Korean contacts required the use of pseudonyms or codes, and mentioning any contact details was strongly advised against to avoid detection of the conversation by surveillance operations.”<sup>416</sup>

### (3) Correspondence Censorship

Despite the legal guarantees for the confidentiality of correspondence, the North Korean authorities reportedly censor the correspondence of their residents.<sup>417</sup> Witness accounts have revealed that state security officers assigned to communication agencies systematically screen correspondences before postal items are dispatched. Postal items flagged during the content censorship process, which includes registered, military, and international mail, are often withheld from delivery.<sup>418</sup> One defector was compelled to sign a non-disclosure agreement, committing to secrecy after observing a state security officer at the post office engaged in the censorship of international mail.

<sup>415</sup> PORU2K0763

<sup>416</sup> OORIT62460

<sup>417</sup> 「Communications Law」 (2021) Article 23 (Normalization of postal communications work, standardization of postal items) Communication agencies and state-owned enterprises shall guarantee the accuracy, sophistication, and confidentiality of correspondence by normalizing communications work. In addition, postal items shall be standardized.

<sup>418</sup> ZPQ6VC0309, 1M00XQ0157, 7BIVB30566

“Until 2008, I was employed at a communication agency in a county of North Hamgyong Province. Within the agency’s premises, there was a designated office space for state security officers. It was in this space that I observed officers scrutinizing all correspondences sent to and from North Korea. Access to the state security officer’s office was restricted, but on one occasion, I, along with some colleagues, inadvertently witnessed an officer censoring letters. The officer, caught off guard, urged us to act as if we had seen nothing. The method used to open letters involved gently removing the adhesive with a towel dampened with hot water and then carefully slicing open the envelope with a very thin razor blade, all done so meticulously that the recipient would not detect any tampering.”<sup>419</sup>

North Korean residents living abroad have experienced routine censorship of their correspondences with individuals in North Korea. Letters from North Korea to overseas destinations typically take about a month to be sent, owing to the censorship process. Similarly, recipients abroad would only receive their letters after they had been cleared by local state security officers.<sup>420</sup> One defector, who had been a dispatched worker abroad in 1995, shared that during a vacation visit back to North Korea, he found out that he had not received letters from his family due to censorship. These letters contained information about the suspension of food distribution in North Korea. This severely affected his communication with family members, which he later understood was a result of censorship.<sup>421</sup> Another defector recounted noticing that the letters he received were torn at the side, a sign of inspection. This discovery led to a profound disillusionment with the North Korean authorities and ultimately contributed to his decision to defect.<sup>422</sup>

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<sup>419</sup> 7BIVB30566

<sup>420</sup> TJH9G50525, UYYAWM0821

<sup>421</sup> BSQXYF2224

<sup>422</sup> BW290A1394

## D. Other Privacy Inspections

The North Korean authorities go beyond house searches and accommodation inspections by implementing control and surveillance over residents' private lives through other inspection measures. These include inspections of portraits and portrait badges,<sup>423</sup> clothing, and electricity usage. Portrait inspections are carried out by the relevant organizations to assess the placement, condition, and areas of the portraits.<sup>424</sup> Given the scarcity of electricity in North Korea, the authorities also conduct inspections to detect unregistered electronic devices or items that consume a high amount of power.<sup>425</sup>

“North Korean residents face inspections regarding portrait badges and attire deemed non-socialist each time they venture outside. Portrait inspections, though less frequent, occur once or twice annually. Typically, a secretary from the Workers' Party and the head of the *inminban* visit residents' homes to ensure that portraits of Kim Il Sung and Kim Jong Il are well-maintained and free of dust. Residents are mandated to display the Youth League flag badge and portrait badges on their clothing whenever they go outside. Officers conduct random inspections on the streets to enforce this rule. Furthermore, those who wear attire that is tight-fitting, including jeans, which are considered non-socialist, may be asked to remove the clothing, upon which it is cut with scissors right on the spot.”<sup>426</sup>

Starting around 2017, as residents began accessing more information from the outside, the scrutiny of daily life by the authorities tightened. Policies aimed at eradicating non-socialist phenomena were consistently issued, leading to more rigorous inspections of various aspects of people's lifestyles,

<sup>423</sup> North Korean residents are required to wear portrait badges depicting Kim Il Sung, Kim Jong Il, and Kim Jong Suk on their upper left chest area at all times. (National Human Rights Commission of Korea, 『Korean-English Glossary of North Korean Human Rights Terms』, 2016, p. 233; North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 3, 2017, p. 938).

<sup>424</sup> ROD6PD2360, 51IH842267, FH87SC2243 S02DOL2356, ROD6PD2469, 4BKD1P2254, JUZ0TT2459

<sup>425</sup> REUFYK2396, XHQ3O62395, REUFYK2389, 1ND6OQ2377, ROD6PD2386, FJ391D2148, X90TSD0888

<sup>426</sup> JUZ0TT2459

notably their clothing.<sup>427</sup> In line with directives that banned Western-style attire and hairstyles, the authorities frequently conducted street inspections to monitor residents' appearances, targeting shorts, jeans, flared trousers, sunglasses, and sleeveless shirts. For women, manifestations of a capitalist lifestyle such as having long hair and wearing pants, mini-skirts, and earrings were prohibited.<sup>428</sup> Furthermore, there were instances where individuals who had undergone plastic surgery faced investigations and were publicly criticized, being marked as figures subjected to the ideological struggles.<sup>429</sup>

“In a lecture video, the lecturer showed footage of a wedding, explaining that a groom carrying a bride is South Korean style. Women wearing multiple accessories, brides in white wedding dresses, wearing sunglasses, and drinking from wine glasses are all considered 'reactionary ideologies.' I assumed the participants of the wedding were punished because at the end of the footage, they were standing as if punished with their heads shaved.”<sup>430</sup>

Residents living abroad are also subjected to the control and inspection of their lifestyles. Defectors who were once students overseas mentioned that their attire and constant wearing of portrait badges were monitored by a designated state security officer, ensuring that their appearance remained neat and compliant with expectations.<sup>431</sup>

“I had resided in Russia as a state-funded student until 2019. The authorities conducted daily roll calls at 19:00, during which they inspected our use of smartphones and evaluated our attire. I was instructed to always wear a neat shirt and portrait badges. Non-

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<sup>427</sup> 4BKDIP2254

<sup>428</sup> 51IH842267, JSEFPE2271, 8IUFRL2462

<sup>429</sup> 1CHLPG2211

<sup>430</sup> TGCAEV2403

<sup>431</sup> YNNL9N2323, KJ7IFB2239

compliance resulted in mandatory self-criticism and punishment. I was informed that, in severe cases, the consequences could escalate to forced repatriation to North Korea.”<sup>432</sup>

Recently, North Korea has shown a tendency to tighten control over the lifestyles of residents, particularly among the youth. With the enactment of the Youth Education Guarantee Law in 2021, North Korea established a legal basis for regulating the lifestyles of its younger generation. Following Kim Jong Un’s rise to power, there has been a marked increase in efforts at ideological education and internal control, aimed at preserving the regime’s stability. A significant part of these efforts is aimed at the prevention of South Korean cultural influence. In addition to the censorship of attire and the monitoring of language and moral behavior by Youth League officers, North Korean youth face even more stringent controls on their privacy under the new law. The North Korean authorities are expected to further infringe on young people’s right to privacy, as the law outlines prohibited behaviors along with subsequent administrative and criminal penalties.<sup>433</sup>

<sup>432</sup> YF042L1533

<sup>433</sup> Under Article 41 (Actions young people shall not engage in) of the ‘Youth Education Guarantee Law’ (2021), young people shall not engage in the following behaviors:

14. Wearing unusual attire and having grooming habits that are not in accordance with our customs and disrupting the healthy social atmosphere with unconventional wedding ceremonies.

Article 45 (Administrative or criminal responsibility) Those responsible for institutions, enterprises, and organizations, as well as individuals who violate this law and cause serious consequences shall be held accountable administratively or criminally, depending on the severity of the consequences.



## 8. Right to Freedom of Thought, Conscience, and Religion

The right to freedom of thought, conscience, and religion is the freedom of individuals to act upon their moral beliefs, as well as the right to practice their religion as they please. Article 18 of the Universal Declaration of Human Rights declares, “Everyone has the right to freedom of thought, conscience, and religion,” and the ICCPR also recognizes this right in Article 18. According to Article 18, paragraph 1 of the ICCPR, the right to freedom of thought, conscience, and religion includes the freedom to have or to adopt a religion or belief of one’s choice, and the freedom to manifest it. North Korea does not have explicit provisions regarding the freedom of thought and conscience, but addresses the freedom of religion in Article 68 of its Socialist Constitution.<sup>434</sup>

**Table IV - 12** 「ICCPR」 and Right to Freedom of Thought, Conscience, and Religion

「ICCPR」		Right to Freedom of Thought, Conscience, and Religion (Related Content)
Article 18	1	Right to Freedom of Thought, Conscience, and Religion
	2	
	3	

<sup>434</sup> 「Socialist Constitution」 (2019) Article 68 stipulates that people have the freedom of religious belief. This right is granted through the approval of the construction of religious buildings and holding of religious ceremonies. Religion must not be used as a pretext for inviting foreign forces or for harming the state or social order.

「ICCPR」		Right to Freedom of Thought, Conscience, and Religion (Related Content)
Article 18	4	<b>Right to Freedom of Thought, Conscience, and Religion</b>

Despite such stipulations, North Korean residents are subjected to lifelong indoctrination in the *Kimilsungism-Kimjongilism* ideology along with anti-religious teachings. Violations of these principles are met with strict punishment. In addition, the North Korean authorities actively suppress superstitious practices, infringing on the freedom of thought, conscience, and religion of its residents.

## A. Restrictions on Freedom of Thought and Conscience

North Korea has established *Kimilsungism-Kimjongilism*<sup>435</sup> as its official ideology, disapproving of any other beliefs. This stance is codified in both the Socialist Constitution and the Workers' Party Rules, which position *Kimilsungism-Kimjongilism* as the sole guiding principle for national construction and activities, affirming it as the only ideology of the Workers' Party.<sup>436</sup> Furthermore, through the "Ten Principles for the Establishment of

<sup>435</sup> *Kimilsungism-Kimjongilism* emerged as an ideology with Kim Jong Un's rise to power in 2012, marking the continuation of the *Juche* and *Songun* ideologies pioneered by Kim Il Sung and Kim Jong Il, respectively. Initially, due to Kim Jong Un's swift ascent and the resulting questions about his political legitimacy, this ideology provided a crucial base to strengthen his leadership. It was officially adopted as the official ideology of the Workers' Party as stated in the revised Party Rules. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 134)

<sup>436</sup> 『Socialist Constitution』 (2019) Article 3 stipulates that North Korea is guided in its state-building and activities exclusively by the great ideology of *Kimilsungism-Kimjongilism*. Under the 『Rules of the Workers' Party』 (2021) (Preamble), the Workers' Party of Korea is the party that embodies the great ideology of *Kimilsungism-Kimjongilism*. Based on the *Juche* idea, *Kimilsungism-Kimjongilism* is an encyclopedic system of revolution and nation-building that has been comprehensively systematized. It is a revolutionary and scientific ideology whose truth and vitality have been proven through practical struggle to realize the independence of the people. The Workers' Party of Korea is a revolutionary party oriented by the *Juche* ideology, which upholds the great *Kimilsungism-Kimjongilism* as its sole guiding ideology.

the Party’s Unitary Leadership System” (referred to as the Ten Principles), North Korea prohibits any belief other than *Kimilsungism-Kimjongilism*.<sup>437</sup>

### (1) Ideological Indoctrination

*Kimilsungism-Kimjongilism* appears to be deeply ingrained and internalized as an absolute code of behavior, influencing the entire lives of North Korean residents.<sup>438</sup> The teachings of *Kimilsungism-Kimjongilism* begin early with music, arts, and physical education during childhood, and diffuse through the entire educational curriculum, including the early lives of Kim Il Sung and Kim Jong Il and their revolutionary history. This indoctrination continues after secondary education and permeates daily life through study sessions and lectures organized by institutions such as the military and workplaces. According to testimonies from a defector, a daily routine at work involved a 30-minute activity where the workers would recite the Party’s policies and socialist ideology, followed by singing loyalty songs dedicated to the Party. On Friday evenings, they participated in *saenghwal chonghwa*, a life review session, and Saturday evenings focused on educational activities that reinforced the Ten Principles.

“Until 2019, I worked at a state-owned enterprise producing electronic devices. My workday ran from 7:30 to 19:00 or 20:00. Upon arriving at work, I started my day by reciting exemplary cases of adherence to the Party’s policies and socialist ideology as reported in newspapers and singing loyalty songs dedicated to the Workers’ Party such as ‘Our Party Flag’ and ‘With Single Minded Unity.’ On Fridays, from

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<sup>437</sup> “The Ten Principles for the Establishment of the Party’s Unitary Leadership System” was announced a day before Kim Il Sung’s birthday on April 14, 1974. It contains the Ten Principles and 60 articles in addition to the preamble and commentaries. After Kim Jong Un took control of the regime, the phrase “loyalty to Kim Il Sung” was revised to “loyalty to Kim Il Sung and Kim Jong Il,” as a justification for the three-generation succession. (National Human Rights Commission of Korea, “Korean-English Glossary of North Korean Human Rights Terms,” 2016, pp. 74-75; National Institute for Unification Education, Ministry of Unification, “North Korea Knowledge Dictionary,” 2022, pp. 588-589)

<sup>438</sup> 511H842267, VSK8HW0250, 204G6G1011, 4XIK2K0784, S02DOL2356

approximately 18:00-20:00, *saenghwal chonghwa* sessions were conducted. On Saturdays, from 18:00-20:00, we participated in learning activities that focused on the Ten Principles, the responsibilities of Youth League members, and the efforts to eradicate non-socialist ideologies.<sup>439</sup>

North Korean residents receive extensive indoctrination in the Ten Principles, which form the foundation of North Korea's sole leadership system, leading to lives fully governed within the boundaries of these principles. The Ten Principles act as the supreme norms ensuring the institutional integrity of the Unitary Leadership System of Kim Jong Un to control the residents. The Ten Principles, which require demanding unconditional loyalty to the regime, are used to suppress political and ideological dissent. They also serve as the basis for ideological education and for monitoring compliance with related obligations in residents' daily lives, such as the display of portrait badges and portraits. From an early age, North Korean residents are indoctrinated with the Ten Principles, which govern their lives and call for complete adherence to these principles.

"In North Korea, the most important law or directive is the Ten Principles for the Establishment of the Party's Unitary Leadership System, a cornerstone of our education. In schools, we were taught to internalize these principles to ensure that they guided our actions both in school and later in society. Our homeroom teachers repeatedly reminded us of the severe legal consequences for any breaches of these principles. Through this education, we were deeply ingrained with the belief that we should never dare to engage in actions that contradicted these principles."<sup>440</sup>

<sup>439</sup> 2O4G6G1011

<sup>440</sup> 4XIK2K0784

**Table IV - 13 Key Aspects of the ‘Ten Principles for the Establishment of the Party’s Unitary Leadership System’**

Principle	Contents
1	We must give our all in the struggle to unify the entire society with <i>Kimilsungism-Kimjongilism</i> .
2	We must honor the great Comrades Kim Il Sung and Kim Jong Il as the eternal leaders of our Party and the people and as the Sun of <i>Juche</i> .
3	We must absolutely and desperately defend the authority of the great Comrades Kim Il Sung and Kim Jong Il and the authority of the Workers’ Party.
4	We must be thoroughly armed with the revolutionary ideas of the great Comrades Kim Il Sung and Kim Jong Il and the Party’s lines and policies that are the realization of these ideas.
5	We must adhere strictly to the principle of unconditional obedience in accomplishing the instructions passed on by the great Comrades Kim Il Sung and Kim Jong Il and in the Party’s lines and policies.
6	We must strengthen by all possible means the entire Party’s ideology, willpower, and revolutionary unity, centering on the Leader.
7	We must learn from the great Comrades Kim Il Sung and Kim Jong Il and adopt the noble mental and moral presence, revolutionary work methods, and people-oriented work style.
8	We must value the political life we were given by the Party and the Leader and loyally repay the Party’s trust and thoughtfulness with heightened political awareness and work performance.
9	We must establish strong organizational regulations so that the entire Party, nation, and military move as one under the one and only leadership of the Party.
10	We must pass down the great achievement of the <i>Juche</i> revolution and the <i>Songun</i> revolution, pioneered by the great Comrade Kim Il Sung and led by Comrades Kim Il Sung and Kim Jong Il, from generation to generation, inheriting and completing it to the end.

Besides ideological education, North Korea mandates the wearing of portrait badges and inspects portraits in residents’ homes to control their thoughts. Portraits of Kim Il Sung and Kim Jong Il must be displayed in all public facilities and homes, and residents are required to wear portrait badges on their outer clothing.<sup>441</sup>

“In North Korea, residents join the Youth League in their first year of senior secondary school, at the age of 15, which marks the transition to adulthood. Wearing portrait

<sup>441</sup> NMGONU0690, 51IH842267, JUZOTT2435, REUFYK2389, 58H8N12317, KQ9C5Q2261, 4BKDIP2254, ABRHGQ2257, ROD6PD2469, JUZOTT2459, 1NR82V2465, 0ORIT62477, 8IUFRL2453

badges of Kim Il Sung and Kim Jong Il is not simply seen as a routine act of ‘wearing,’ it is regarded as an act of ‘serving.’ Adherence to wearing portrait badges is monitored in schools, workplaces, on the streets, and in the military. Most North Korean residents are well aware of the rule requiring them to wear portrait badges, resulting in few people being caught during inspections.”<sup>442</sup>

The portraits of Kim Il Sung and Kim Jong Il in every household are treated with exceptional reverence, often described as being “served,” and demand meticulous care. According to collected testimonies, maintaining these portraits involves daily dusting with great care and using an embroidered velvet towel. This towel is kept in a box referred to as a “sincerity box.” Residents called this act of cleaning portraits the “sincerity project.”<sup>443</sup> In the event of a fire, the safety of these portraits is prioritized over human lives, as there have been instances where damaged portraits led to criminal investigations by the social security department.<sup>444</sup> Furthermore, portrait inspections are conducted by inspectors who wear white gloves and carefully examine the frames for any dust or blemishes.<sup>445</sup> If a portrait is found to have flaws, the inspector records the owner’s name in a register. This information is then notified to the relevant authorities, resulting in criticism and punishment for the owner.<sup>446</sup>

<sup>442</sup> OTP8Z62291

<sup>443</sup> S02DOL2356, FH87SC2243, 51IH842267, BERYD80822, 4BKD1P2254, JUZ0TT2459, ROD6PD2469, A6RSEV2353, OTP8Z62291

<sup>444</sup> AZLN4W1646

<sup>445</sup> ROD6PD2360, 51IH842267, FH87SC2243, ABRHGQ2257, DEJ6ST2342

<sup>446</sup> FH87SC2243

**Figure IV - 12** Idolization of Kim Il Sung and Kim Jong Il



\* (Sources) KCNA (October 19, 2014), Rodong Sinmun (October 5, 2016), Daily NK (December 3, 2018)

As *Kimilsungism-Kimjongilism* is upheld as absolute in North Korea, recording or photographing the Supreme Leader's images or statues is absolutely restricted. If portraits of Kim Il Sung or Kim Jong Il are found in someone's camera or mobile phone, the individual may be subject to inspection. While one might be allowed to take photographs of a monument or sculpture that praises the North Korean regime, it is essential not to crop out any letters, and the entirety of the monument or sculpture must be captured, even if this means the person in the photo appears small.<sup>447</sup> A defector recounted that, to avoid accidental photographs of Kim Il Sung's or Kim Jong Il's portraits on mobile phones, which could lead to punishment such as revolutionary education, many refrain from using their phones to take pictures.<sup>448</sup> Another defector stated that in 2022, her mobile phone was confiscated during a random inspection because a video of her children playing had inadvertently included a corner of the portraits of Kim Il Sung and Kim Jong Il.<sup>449</sup>

<sup>447</sup> OORIT62434

<sup>448</sup> E4MJOI2167

<sup>449</sup> TGCAEV2403

**Figure IV - 13** Residents Paying Tribute to Kim Il Sung and Kim Jong Il



\* (Sources) Rodong Sinmun (April 16, 2023/ July 9, 2023)

Every institution, state-owned enterprise, and school in North Korea has a room dedicated to studying the revolutionary ideologies of Kim Il Sung and Kim Jong Il. Testimonies indicate that research labs for studying *Kimilsungism-Kimjongilism* exist across various institutions, and each city and province features revolutionary museums and statues of Kim Il Sung and Kim Jong Il. North Korean residents are compelled to demonstrate their loyalty to the Supreme Leader through actions such as cleaning these sites, presenting flowers, paying tribute, providing maintenance, and covering the maintenance fees of the labs, revolutionary museums, and statues.<sup>450</sup>

Ideological education is also conducted for workers stationed overseas. Workers who fail to engage in these educational sessions face criticism and potential setbacks in their careers. A defector who was previously dispatched abroad stated that a party secretary would inspect workers' study notebooks, where workers recorded what they learned from study sessions. If the notes were inadequately maintained, the workers could face verbal abuse.<sup>451</sup> Students living overseas are not exempt from this ideological indoctrination and surveillance. They were required to participate in regularly

<sup>450</sup> ROD6PD2411, 8IUFRL2417, REUFYK2389, AL2DIA1438, X2IB8H0457, JUZOTT2435, XWLLIS2413, 5D2YK90685, KNCI462328, AA1AMX0433, NQCJLO0769, 00RIT62468

<sup>451</sup> FH87SC2243



scheduled education sessions focused on the achievements of Kim Jong Un and had to wear portrait badges at all times.<sup>452</sup>

“While studying abroad, I participated in weekly *saenghwal chonghwa* sessions, and biweekly study and lecture sessions. Every evening at 19:00, we convened for a roll call to receive updates on policies and instructions. This time also included checks on our attire and smartphone use. As students overseas, it was mandatory for us to wear our shirts in a neat manner and always have our portrait badges displayed on our chests. We were also advised against engaging with South Korean media, such as dramas and songs, told to always stay alert, avoid romantic relationships, and exercise caution in whom we trust.”<sup>453</sup>

## (2) Control of Thought

In North Korea, the only accepted belief system is the official ideology of *Kimilsungism-Kimjongilism*, with any deviation resulting in punishment. The Criminal Law includes provisions on a wide range of thought-related crimes, including anti-national propaganda and agitation.<sup>454</sup> The Ten Principles also specify that individuals should never tolerate any disputes or opposition regarding *Kimilsungism-Kimjongilism* and the Party line and policies, should vigorously combat any anti-Party and counter-revolutionary ideologies such as bourgeois ideology and flunkeyism, and should strictly adhere to the truthfulness and purity within *Kimilsungism-Kimjongilism*.<sup>455</sup>

In practice, North Korea engages in continuous surveillance and inspections to control its residents’ thoughts and ensure their loyalty to

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<sup>452</sup> YNNL9N2323, KJ7IFB2239, 5VRQH72482

<sup>453</sup> KJ7IFB2239

<sup>454</sup> 「Criminal Law」 (2021) Article 66 (Propaganda against the state and incitement) A person who has spread incitement or propaganda with an aim against the nation shall be sentenced to a *rodong-kyohwa* punishment up to five years. In particularly grave cases, the person shall be sentenced to a *rodong-kyohwa* punishment for a period between five and ten years.

<sup>455</sup> 「Ten Principles for the Establishment of the Party’s Unitary Leadership System」 (2021) Article 4(8).

the regime. Testimonies have revealed that the state security department deploys informants within *inminban* and other organizations as a way of sorting out acts deviating from *Kimilsungism-Kimjongilism*. These informants secretly monitor residents' thoughts and report their findings to the authorities, encouraging mutual surveillance among residents.<sup>456</sup> In addition, specialized task forces, such as the non-socialist *grouppa*, are formed to actively suppress and punish any counter-revolutionary thought or behavior. Specifically, individuals who were discovered watching or in possession of videos deemed "counter-revolutionary," including those from South Korea or foreign countries, faced a wide range of punishments, from warnings to executions, depending on the severity of the case.<sup>457</sup>

"Until 2012, it was relatively easy to watch foreign movies and dramas and share them with friends via USBs. However, this changed after Kim Jong Un took power in 2013. Since then, the authorities ramped up their efforts to crack down on non-socialist activity, making it almost impossible for us to admit access to external information or freely share such content. The punishments for accessing or sharing information from South Korea, U.S., and Japan became much more severe compared to sharing content from China. I cannot imagine what would have happened if I were caught in 2013 when inspections were significantly stricter."<sup>458</sup>

To be selected as overseas workers or students, North Korean residents must undergo "ideological censorship" and are subject to constant surveillance and control while abroad. Informants from the social security department monitored their ideological activities and reported back to their superiors. A defector who applied for a qualification exam for state-funded study abroad in 2017 mentioned that he had to pass additional exams on the

<sup>456</sup> 4BKD1P2254, ROD6PD2469

<sup>457</sup> 5VRQH72482, QK0K9S0279, HNTCJ42201

<sup>458</sup> 5VRQH72482

revolutionary history and activities of Kim Il Sung, Kim Jong Il, Kim Jong Suk, and Kim Jong Un, administered by a university student council.<sup>459</sup> Another defector with experience in overseas dispatch took an exam during a question-and-answer learning competition, where individuals scoring poorly were unable to receive recommendations for future opportunities to work abroad.<sup>460</sup>

## B. Religious Crackdowns and Punishments

North Korea guarantees the freedom of religion merely as a formality. It is practically impossible for its residents to freely engage in religious activities without facing the risk of punishment if caught during crackdowns. Article 68 of its Socialist Constitution guarantees the freedom of religion, but it also stipulates that “religion cannot be used to bring in foreign influences or to undermine the state and social order.” Article 41 of the Youth Education Guarantee Law, enacted in 2021 to tighten ideological control over the youth, provides that “youth should not engage in religious and superstitious activities.”<sup>461</sup>

### (1) Guarantee of Freedom of Religion as a Formality

The freedom of religion in North Korea is mentioned in written legislation but is not guaranteed in practice. There are Protestant churches, such as Chilgol Church and Bongsu Church in Pyongyang, as well as Buddhist temples in Mt. Myohyang and Mt. Gungang. In addition, various religious

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<sup>459</sup> YNNL9N2323

<sup>460</sup> FH87SC2243

<sup>461</sup> Under the 「Youth Education Guarantee Law」 (2021) Article 41 (Actions young people shall not engage in), youth shall not engage in the following activities.

1. Committing violent crimes, including murder, robbery, and rape.
2. Engaging in sexual misconduct, indecent behavior, prostitution, and gambling.
3. Participating in religious and superstitious activities.

organizations exist, including the Korea Buddhist Federation founded in 1945, the Korean Christian Federation, the Korean Catholic Association, and the Chondoist Church Central Committee. There is a consultative body of these groups called the Korean Council of Religionists (KCR). North Korea claims that a certain number of religious practitioners including monks and members of religions reside in North Korea.

Religious facilities in North Korea are operated by the authorities for propaganda purposes, and most residents lack an understanding of religion. According to a defector, there are churches and a cathedral in Pyongyang, but they are Potemkin establishments exclusively accessible to foreigners, with North Korean residents strictly prohibited from entering them.<sup>462</sup> Another defector mentioned that although Chilgol Church was visible from her house, she neither saw anyone enter it nor did she observe any signs of activity.<sup>463</sup> In addition, a witness who visited a Buddhist temple in Mt. Chilbo during a school trip testified that the temple served as a tourist attraction, with its donation box filled with foreign currencies.<sup>464</sup> Most witnesses stated that they were unaware of the concept of religion while in North Korea and had no experience with religious facilities or activities.<sup>465</sup>

“We were taught that superstitious activities are very dangerous and we must have absolute faith in the Supreme Leader, Kim Il Sung. I resided in the Moranbong District in Pyongyang, where I had never seen nor heard of any religious facilities like churches. No one engaged in religious activities in North Korea.”<sup>466</sup>

<sup>462</sup> S7UIML2223

<sup>463</sup> K3ZFIL1819

<sup>464</sup> NJK11K1156

<sup>465</sup> IFSB441254, 8IUFLR2452, ASQN3S2398, LYHUAW2322, OORIT62440, H4WM1J2315, TPK8GF2281, FH87SC2243, T1OKYP2242, G1YH940147, 5QG11E2237, 1CHLPG2211, DXQLXA2122, 83MDDMT1244

<sup>466</sup> TPK8GF2281

**Figure IV - 14 Major Religious Facilities in North Korea**



\* (Sources) Academy of Korean Studies, Yonhap News Agency, Tongil News

## (2) Anti-Religious Education

North Korea mandates anti-religious education across various organizations including schools, state-owned enterprises, legal institutions, and the military.<sup>467</sup> Christianity, pastors, and the Bible are particularly targeted in this anti-religious education, which continuously and repeatedly portrays Christian missionaries negatively. According to multiple testimonies, students in primary and secondary schools were taught stories that included episodes of a missionary marking a child's forehead with the word "thief" using hydrochloric acid or a fountain pen for eating an apple that the missionary discarded.<sup>468</sup>

Such education extends to universities, with overseas students required to attend anti-religious classes regularly. One defector mentioned that students had to participate in anti-religious class once a month while at university and once every two weeks while abroad. This indicates that the North Korean authorities are particularly concerned about overseas students being influenced by missionary activities, fearing that their socialist ideology could be compromised by religious beliefs.

<sup>467</sup> JUZOTT2380, 00RIT62440, AWQ1RI1386, YNNL9N2323, 1ND60Q2377, A6RSEV2353, JUZOTT2459, 8IUFR2453, ROD6PD2469, 93VI9U2478

<sup>468</sup> 8IUFR2414, V6PE6V2232, 8WHPWX2397, JUZOTT2459, 8IUFR2453, ROD6PD2469, 93VI9U2478, GGEUKL2236, DXQLXA2122

“Throughout my school years, including secondary school and university from 2016 to 2018, as well as during my time studying abroad from 2018 to 2022, I received anti-religious education. A well-known story in North Korea tells of a missionary from America between the 1910s and 1920s who carved the word ‘thief’ into the forehead of a child with a fountain pen for eating an apple left on the ground. Another widely known tale describes a missionary who entices children with candies and then subjects them to medical experiments. These stories were often shared by officers of the Children’s Union in schools. Anti-religious classes were conducted once a month at the university. While abroad, I was frequently warned to take great caution against missionaries’ attempts to indoctrinate us and to ‘stay alert,’ with reminders every two weeks.”<sup>469</sup>

Anti-religious education is implemented not only in school curricula but also through organizational activities after graduation. Lectures in *inminban* teach residents to view Christians as counter-revolutionaries, obligating their residents to report all Christians they encounter. In workplaces, anti-religious educational sessions introduced cases of overt religious activities and the Bible possession, alongside videos promoting notions that “religion destroys a person,” “faith in a religion means neglecting oneself and depending on the Christian God,” and “religion brainwashes your thoughts.”<sup>470</sup> One defector recalled receiving anti-religious education at the “Class Education House,” a North Korean regime propaganda institution where attendance was mandatory. This education depicted religion as being brought to North Korea by invaders through the Bible. Christians were portrayed as collaborators of imperialistic forces and enemies of the nation and revolution.<sup>471</sup>

From early childhood to adulthood, North Korean residents are subjected to anti-religious education, thereby fostering negative perceptions on

<sup>469</sup> YNNL9N2323

<sup>470</sup> 1ND60Q2377

<sup>471</sup> 8CWCD32231

religion. Many view Christian believers as counter-revolutionaries and the Bible as undermining socialist ideology.<sup>472</sup> One defector recounted receiving continuous education that dismissed religion as false and meaningless, while portraying missionaries in a negative light. This indoctrination left her fearful and uninterested in exploring religious beliefs, with the term “missionary” still evoking fear.<sup>473</sup>

“Around 2010, residents were assembled for ideological education, where I encountered images of the Bible and Christian worship for the first time. In North Korean propaganda, Christians were depicted as traitorous groups awaiting a new world. They are said to secretly convene and worship their own god. We were taught that the Bible was filled with superstitions and that reading it would corrupt our minds. Consequently, we were instructed to report any sightings of the Bible. Those found in possession of the Bible were labeled as national traitors who needed to be eradicated. As a result, many North Koreans, myself included, came to believe that the Bible cast the North Korean regime in a negative light, and were fearful that merely possessing it could lead to death.”<sup>474</sup>

Anti-religious education also included having residents witness the execution of individuals involved in religious activities. To warn residents to remain vigilant, the authorities publicly announced the reasons for the executions of those engaged in religious activities. There is testimony stating that, while reading out the charges for the execution, the authorities urged the residents watching to understand that those who believe in the Christian God are reactionaries who deny the Supreme Leader, emphasizing that they must solely trust and depend on the Supreme Leader.<sup>475</sup>

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<sup>472</sup> AWQ1RI1386

<sup>473</sup> V6PE6V2232

<sup>474</sup> AWQ1RI1386

<sup>475</sup> ROD6PD2469

“Around 1994, I was mobilized by the *inminban* to attend an execution at a public stadium in North Hamgyong Province. At that time, an official order required everyone in the *inminban*, institutions, and state-owned enterprises to participate, totaling about 5,000 to 6,000 people. Before the execution, a public trial was held. An officer announced the offenses, charging the individual with treason for possessing the Bible and believing in the God. The condemned had brought a Bible from China, kept it at home, and was later discovered by a state security informant. After the execution, the family members vanished, and their properties were confiscated. I was horrified. It was then that I realized that even the slightest association with Christianity could lead to death, and that I should never consider believing in anything other than the Supreme Leader.”<sup>476</sup>

North Korea has implemented anti-religious education and punishments to strictly forbid its residents’ engagement in religious activities, especially Christianity. It appears that the activities of devoted Christian missionaries have triggered a strong adverse reaction from the North Korean authorities against Christianity. In the past, North Korean residents encountered missionary organizations through support projects in China and other countries. Furthermore, numerous North Korean defectors have received aid from Christian-affiliated organizations in the process of their defection to South Korea.<sup>477</sup> Other factors contributing to the regime’s opposition to Christianity include its association with the Western world, particularly the U.S. and Europe, and perceived similarities between Christian doctrines and North Korea’s Unitary Leadership System, which underpins the regime’s practice of hereditary succession. Ironically, there was a time when Christianity enjoyed popularity in North Korea before liberation from Japanese colonization.

<sup>476</sup> ROD6PD2469

<sup>477</sup> 93V19U2478, 1JU8U71993, 80PADX1866, J2TWU71606, 9G37IQ1611, QJF8N1482, 5KICI71423, T9FTWO1483, 9BHNXT1391, NKZT071387, AWQ1RI1386, XX2N7E0796, NHKH8A0337



“In 2017, after gaining access to the internet in Russia, I learned why North Korea strongly enforces crackdowns on Christianity. As I became aware of the teachings of Christianity, I noticed striking similarities between the Ten Commandments and North Korea’s Ten Principles.”<sup>478</sup>

### (3) Punishments for Engaging in Religious Activities

North Korea considers religion a disruptor of national and social order and punishes individuals involved in religious activities. Christian missionary activities are deemed anti-national crimes overseen by state security institutions. North Korean residents caught engaging in religious activities have been sentenced to the death penalty, *rodong-kyohwa* punishment, or detention in political prison camps.<sup>479</sup> In 2017, in North Hamgyong Province, 12 residents were arrested and interrogated by the state security department for allegedly receiving funds from Christian organizations in South Korea and establishing bases for missionary work among the local residents. Two were imprisoned in political prison camps, while the remaining 10 people faced *rodong-kyohwa* punishments.<sup>480</sup> In 2019, a Christian organization carrying out secret missionary work in Pyongyang was detected by the state security department. Five individuals were publicly executed, seven were sent to political prison camps, and 30 were sentenced to *rodong-kyohwa* punishment. In addition, 50 people, including family members and associates of the accused, were forcefully relocated.<sup>481</sup>

After being forcibly repatriated to North Korea, defectors found to have

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<sup>478</sup> S7UIML2223

<sup>479</sup> XWLLIS2413, TEIEJA2400, JUZ0TT2380, 1LYGUU1634, 4PWM3A1067, APB6940304, BLO4W00639, 1BQ5TD2456

<sup>480</sup> 5AEYZR1525

<sup>481</sup> P3RFM51542

engaged in religious activities are severely interrogated during investigations by the state security department, which can lead to punishment. Punishment was harsher for those who had contact with Christian organizations while in China or were found possessing religious items like the Bible.<sup>482</sup> One defector testified that after being forcibly repatriated and detained in a state security *kuryujang*, a fellow inmate who had brought a Bible back to North Korea was placed in solitary confinement and was later executed.<sup>483</sup> In 2022, in South Hwanghae Province, an individual heard that a fellow resident was sentenced to *rodong-kyohwa* punishment of 15 years after a Bible was found during a house inspection.

“Around December 2022, a house search in South Hwanghae Province led to the discovery of a couple of Bibles. Since there are no churches in North Korea, Christians often gather covertly to worship together. I do not have personal information about the individual detected, but I heard that this person was sentenced to 15 years of *rodong-kyohwa* punishment.”<sup>484</sup>

Another testimony reveals secret religious activities despite potential punishment by the authorities, with the defector using a storage medium to worship with her family right before defecting.

“My family engaged in religious activities from around 2009 to 2010 after encountering the Bible. Every Sunday, we gathered and worshipped together, listening to sermons saved on a USB from a pastor in China and singing praises. I received the Bible and worship USBs from my sister’s husband, who smuggled them from China. Fearing discovery, I burned the two Bibles that I possessed.”<sup>485</sup>

<sup>482</sup> XWLLIS2413, 93VI9U2481, ORN6G61491, OTB3TR0817, 1LYGUU1634, 1BQ5TD2456, 8IUFRL2361, 67MM9S2253

<sup>483</sup> 1BQ5TD2456

<sup>484</sup> TEIEJA2400

<sup>485</sup> JBTG6E2120

## C. Superstition Crackdowns and Punishments

Superstitious activities, considered non-socialist behavior, are subject to crackdowns and punishments under the Criminal Law and the Administrative Penalty Law.<sup>486</sup> The North Korean authorities make efforts to suppress superstitious activities, with amendments to the Criminal Law enacted since 2015 leading to stronger punishments. The maximum term of imprisonment for superstition-related offenses has increased from seven to ten years of *rodong-kyohwa* punishment. Testimonies from recent defectors indicate that crackdowns on superstitious activities appear to have strengthened since 2023.

The North Korean authorities continuously raise alarms against superstitious activities to prevent any deviation from the official ideology of *Kimilsungism-Kimjongilism*. Multiple testimonies reveal that the North Korean authorities conducted various education programs including lectures on the punishments for engaging in superstition.<sup>487</sup> Despite these efforts, superstitions remain widespread among the population. In 2018, the year of the dog, a superstition that it was an inauspicious year led many residents to avoid having children that year. Although the authorities actively promoted childbirth to counteract these beliefs, testimonies suggest that superstitions are still prevalent.

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<sup>486</sup> 「Criminal Law」 (2022) Article 291 (Acts of superstition) A person who engages in acts of superstition shall be sentenced to *rodong-danryun* punishment. In cases of repeated acts of superstition or causing grave consequences due to acts of superstition, he or she shall be sentenced to *rodong-kyohwa* punishment up to five years. In grave cases, he or she shall be sentenced to *rodong-kyohwa* punishment for a period between five and ten years.

「Administrative Punishment Law」 (2021) Article 305 (Acts of superstition) A person who has engaged in acts of superstition shall have a punishment of a penalty or up to three months of *rodong-kyoyang* punishment. In grave circumstances, a *rodong-kyoyang* punishment of three months and more shall be imposed.

<sup>487</sup> BW8MUL2358, 13PN7Y2325, 1NR82V2465

“During a lecture in 2018, the authorities criticized a prevailing superstition that discouraged childbirth in the ‘year of the crazy dog’ and strongly encouraged residents to ignore such beliefs and have more children. Despite these educational efforts, superstitions remain widespread throughout North Korean society. Hospitals even suggest performing rituals to expel bad spirits believed to cause illness. With such practices evident among its population, the authorities have been intensifying their crackdowns on superstitions since 2023. Folk traditions, like selecting auspicious wedding dates based on the Lunar calendar to avoid misfortune, have also come under scrutiny and faced crackdowns.”<sup>488</sup>

In the past, engaging in acts of superstition resulted in minor punishments or could be resolved with bribery. If a religious practitioner, such as a shaman, was caught during an inspection, they faced *rodong-kyoyang* punishment rather than criminal penalties.<sup>489</sup> Residents who participated in the superstitious activities received only warnings, not legal punishment. Even if detained, bribes could secure their release. According to testimony, until 2015, a shaman detained for performing superstitious activities could bribe the way out of detention.<sup>490</sup>

“In 2015, a well-known psychic fortune teller in Ryanggang Province was caught by an undercover social security officer posing as a client. After being detained, the fortune teller had to collect every possible amount of money to use as a bribe and avoid punishment.”<sup>491</sup>

After Kim Jong Un assumed power, the crackdown and punishment against superstitious activities intensified as part of the “fight against non-

<sup>488</sup> 5VRQH72406

<sup>489</sup> JUZ0TT2380, K4HHNQ2264, JUZ0TT2459, 1NR82V2465

<sup>490</sup> 00RIT62460

<sup>491</sup> G2EEXE1947

socialist practices” for the purpose of internal control. Decrees and diverse policies, such as to “single out and punish all who engage in superstitious activities” and “those who perform superstitious activities can be executed by firing squad,” were announced through organizations like *inminban* and the Women’s Union.<sup>492</sup> Particularly in 2018, the 619 *Grouppa* carried out an extensive crackdown on superstitious activities through the June 19 Policy.

“From 2013 to 2018, I was a member of a branch of the Women’s Union in Pyongyang. We received an annual directive aimed at eradicating non-socialist practices and superstitious activities. Following these policies, a task force was formed to conduct investigations against *inminban* members. The investigations carried out across the entire city of Pyongyang in August 2018 were in response to a directive from Kim Jong Un, known as the June 19 Policy, which led to the formation of the 619 *Grouppa*. Approximately 50 people in Pyongyang alone were identified and singled out.”<sup>493</sup>

The 619 *Grouppa* was assembled to embark on an extensive crackdown on superstitious activities, and people caught were punished according to intensified penalties. A number of testimonies indicate that between 2018 and 2019, public executions of shamans for superstitious acts took place in North Pyongan and North Hamgyong Provinces.<sup>494</sup> During the same time period, shamans faced punishment, including *rodong-kyohwa* punishment and the death penalty, in various locations including Pyongyang, Hyesan City in Ryanggang Province, Hamhung City in South Hamgyong Province, and Chunggang County in Jagang Province.<sup>495</sup> According to multiple testimonies, the North Korean authorities reinforced the level of punishments to the extent that merely visiting a fortune teller could result in *rodong-kyoyang*

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<sup>492</sup> NL8VTI1440, 83MDMT1244, AWQ1RI1386, J46UK71442, K2EUR21592, 5VRQH72482

<sup>493</sup> 83MDMT1244

<sup>494</sup> ULIF611577, T9KKSL1913, APV7AZ1435, G2EEXE1947

<sup>495</sup> NL8VTI1440, J46UK71442, 1ND60Q2408, 83MDMT1244, K2EUR21592

punishment. Even offering food to the spirits, a long-standing tradition aimed at averting misfortune, also led to punishment.<sup>496</sup> Such efforts have intensified and continued up to the present.<sup>497</sup>

“It was the first time that an execution by firing squad was conducted for superstitious activities. Since 2018, the crackdown has intensified, and I believe the execution served as a warning to the residents. I knew a prosecutor, who was an acquaintance of mine, and this person asked me to report anyone practicing superstition, as every prosecutor was tasked with identifying three superstitious practitioners.”<sup>498</sup>

<sup>496</sup> TEIEJA2400, 83MDMT1244, 5VRQH72482, 93V19U2476

<sup>497</sup> 5VRQH72406, TGCAEV2403, TGCAEV2403

<sup>498</sup> G2EEXE1947

## 9. Right to Freedom of Expression

The right to freedom of expression allows individuals to freely express their opinions and ideas, whether through verbal speech or publication. Article 19 of the Universal Declaration of Human Rights states, “Everyone has the right to freedom of opinion and expression.” Similarly, Article 19 of the ICCPR affirms that individuals have the right to exercise freedom of expression through any media of their choice and also recognizes that this right may be limited by law in necessary circumstances, such as respecting the rights of others, protecting national security, or maintaining public order.

**Table IV - 14** 「ICCPR」 and Right to Freedom of Expression

「ICCPR」		Right to Freedom of Expression (Related Content)
Article 19	1	Everyone shall have the right to hold opinions without interference.
	2	Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
	3	The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order, or of public health or morals.
		<b>Right to Freedom of Expression</b>

Despite such international human rights norms, North Korea restricts the freedom of expression in every aspect, including individuals’ expression of opinions and the use of language, signs, pictures, and photographs. Since the outset of Kim Jong Un’s regime, North Korea has enacted new laws and strengthened the severity and scope of punishments to curb the freedom of expression. The newly enacted Law on Rejecting Reactionary Thought

and Culture, along with the Law on Protecting the Pyongyang Cultural Language, include provisions that impose the death penalty, indicating that the regime's explicit efforts to suppress residents' freedom of expression are only expected to only increase.

## A. Restrictions on Freedom of the Press and Publication

In practice, freedom of the press and publication is not guaranteed in North Korea, which views the purpose of the press and publications as perpetuating the regime and uses media and publications as propaganda tools. North Korea's Socialist Constitution, in Article 67, claims that people have the right to freedom of the press and publication. However, the Publication Law, specifically Article 2, restricts the objectives of publishing businesses, requiring them to support and advance the socialist cause, rooted in the revolutionary publishing tradition.<sup>499</sup> In addition, the Broadcasting Law, in Article 3, mandates the principle of autonomy in broadcasting businesses.<sup>500</sup>

Despite the existence of media outlets in North Korea, they are mandated to follow the regime's press guidelines, and the freedom of news-gathering is not guaranteed. Instead, the media serves primarily as a propaganda tool to praise the North Korean regime and indoctrinate its residents. In North Korea, the Central Broadcasting Committee, under the Cabinet's supervision,

<sup>499</sup> 「Socialist Constitution」 (2019) Article 67 stipulates that people are guaranteed the freedom of speech, the press, assembly, demonstration, and association. The state shall guarantee the conditions for the free activities of democratic political parties and social organizations.

「Publication Law」 (1999) Article 2 specifies that the publication endeavors of North Korea are grounded in its revolutionary publication tradition and are aimed at enhancing socialist achievements. The state is committed to improving performance in the publication sector. It aims to stimulate and enrich the intellectual and cultural lives of its people by ensuring that publications embody political ideology, enjoy mass appeal, and maintain accuracy.

<sup>500</sup> 「Broadcasting Law」 (2015) Article 3 (Principle of establishing autonomy in broadcasting initiatives) The principle of establishing autonomy in broadcasting initiatives is a fundamental approach to preserving the unique characteristics of our broadcasting and facilitating the smooth fulfillment of its mission and roles of our broadcasting work.



oversees all broadcasting activities, acting as both a broadcasting and controlling entity.<sup>501</sup> This committee selects content that aligns with the Party’s policies for broadcasting, which is then distributed to regional broadcasting committees. Following these directives, journalists in North Korea are limited to reporting news that commends the regime or depicts residents living prosperous lives. A defector with experience in North Korean press and publishing work testified that reporters’ coverage was subject to censorship and editing by the respective regional broadcasting committee prior to being broadcasted.

“Around 2001, the Broadcasting Committee of Ryanggang Province employed approximately 80 journalists, including those affiliated with broadcasting committees at the city and county levels. These journalists were responsible for covering major events in Ryanggang Province as well as the everyday lives of its residents. After they submitted their reports, the articles were subjected to censorship by the Deputy Director of the News Writing Department and further edits by the Deputy Director of the Editing Department. Following strict reporting guidelines, the journalists exclusively wrote news articles that praised the North Korean regime and portrayed the prosperous lives of North Korean residents.”<sup>502</sup>

## B. Restrictions on Language Usage

### (1) Crackdowns and Punishments for *Mal Bandong* (Verbal Treason)

The term *mal bandong*, or verbal treason, exemplifies the typical restrictions on the freedom of expression imposed by the North Korean authorities. *Mal bandong* refers to any words or expressions criticizing the Supreme Leader, the Workers’ Party, or the regime.<sup>503</sup> Any form of criticism against the leadership

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<sup>501</sup> National Institute for Unification Education, Ministry of Unification, “Understanding North Korea,” 2023, p. 312.

<sup>502</sup> IXUEEPO470

<sup>503</sup> National Human Rights Commission of Korea, “Korean-English Glossary of North Korean Human Rights Terms,” 2016, p. 145.

and its family members, comparisons with the South Korean system, or expressions of dissatisfaction with the North Korean authorities are considered acts of *mal bandong*. Punishments for *mal bandong* are often based on daily conversations, which are reported by those in the surrounding community, including neighbors, *tongbowon* (reporters), and *jeongbowon* (informants).

The North Korean authorities control and surveil the everyday speech of residents, infringing on their ability to freely express their opinions. There have also been testimonies stating that North Korean residents consistently live in fear, fully aware that their words could potentially lead to trouble.<sup>504</sup>

“Since the summer of 2008, North Korea has resumed the establishment of mosaic murals depicting Kim Jong Il. A military official involved in the project privately expressed complaints about the substantial budget required for them. Although such remarks were not made publicly but rather muttered to himself, their consequences of them were severe. Overnight, all of his family members, including his two sons, who were serving in the military, disappeared. Moreover, his house, which was renowned as one of the largest and most beautiful in a county of Ryanggang Province, was dismantled.”<sup>505</sup>

Criticism directed at the Supreme Leader and the regime leads to severe punishment, as highlighted by numerous testimonies. In most cases, charges of *mal bandong* are applied not only to the individuals who spoke but also to their entire family. One defector stated that the entire family of a resident was forcibly expelled for spreading rumors about the children of Kim Jong Un.

“When I was attending junior secondary school in 2014, a fellow classmate’s older brother spread a rumor about Kim Jong Un, which led to the expulsion of their entire family. The rumor claimed that Kim Jong Un had three sons, drawing a parallel to the

<sup>504</sup> 1BX4NN0758, NQCJLO0769

<sup>505</sup> NQCJLO0769

historical figure *Yeon Gaesomun*, who also had three sons and experienced a downfall because of his sons. The implication was that Kim Jong Un would face a similar fate. After this rumor spread, my classmate stopped coming to school, and we all knew that the entire family had been forcibly expelled.”<sup>506</sup>

In 2018, there was an incident where a cadre from the provincial Workers’ Party shared his personal views on the Kim Jong Un regime during a private meeting. After being reported by those around him, both the cadre and his family members were arrested and subsequently disappeared.<sup>507</sup> It was his acquaintances who reported him. During the same period, in South Hamgyong Province, soldiers stole a goat from an elderly couple, who expressed their frustration by referring to the soldiers as “worse than the hostile forces from South Korea.” As a result, the elderly couple was arrested the next day and sent to a political prison camp, known as *kwanliso*.<sup>508</sup>

“In South Hwanghae Province in 2021, a farmer said, ‘Nothing has changed. Despite the party congress, nothing has improved.’ A fellow farm member who overheard such remarks reported the individual, who subsequently disappeared and never returned.”<sup>509</sup>

When acts of *mal bandong* are detected, they are documented, leading to the individuals’ family members and descendants being subjected to special surveillance.<sup>510</sup> One defector discovered a personal document while preparing for college admission in 2014, revealing that his grandfather had been sent to a political prison camp for *mal bandong*. The document

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<sup>506</sup> DFM95V2357

<sup>507</sup> RU1F6F2209

<sup>508</sup> 72ZY6C2044

<sup>509</sup> TGCAEV2403

<sup>510</sup> 9BP73G0224, KRVI AU2326, BLO4W00639, 030NIJ1912

noted that his grandfather was punished in the 1970s for committing “code treason”<sup>511</sup> against the Supreme Leader.<sup>512</sup>

Not only verbal expressions but also writings on walls or murals are subject to severe punishment for *mal bandong*, widely prohibiting the freedom of expression. In 2008, graffiti criticizing Kim Jong Il and Kim Jong Un was discovered in Sariwon City, North Hwanghae Province. The North Korean authorities spent about a year and a half inspecting the handwriting of all residents in the province to match it to the graffiti. Eventually, the person responsible for it was publicly executed.

“In 2016, I witnessed the public execution of three women in Sariwon City, North Hwanghae Province. Criticisms of Kim Jong Il and Kim Jong Un had been discovered on the walls of a restroom in a district’s *jangmadang* and on a rock on the street in front of the district’s logistics mobilization guidance bureau. Every resident of North Hwanghae Province was subjected to handwriting inspections, and the suspects were identified one and a half years later. A public trial, overseen by the State Security Department of Pyongyang, was held prior to the execution. The presiding officer shouted, ‘This case is exceptionally serious. Therefore, these individuals shall be punished with the death sentence according to the Criminal Law.’”<sup>513</sup>

## (2) Enforcement of North Korean-Style Language

North Korea coerces its residents regarding not only the content but also the style of their language usage. The authorities regularly inspect mobile phones to prevent the use of South Korean terminology and expressions. For example, storing contacts under nicknames rather than their actual names is heavily penalized. Moreover, text messages are also a major target

<sup>511</sup> The Ministry of State Security specifically categorizes cases of criticizing the Supreme Leaders, such as Kim Il Sung and Kim Jong Il, as “code cases”. (NJOZKK1881)

<sup>512</sup> KRV1AU2326

<sup>513</sup> 1J9VEU1801

of censorship, with any usage of South Korean style or slang being strictly prohibited.<sup>514</sup>

“In 2017, the 109 Unified Command inspected my mobile phone. Any content stored on phones, including South Korean language or symbols, or any lifestyle deemed unsuitable for socialism is strictly banned.”<sup>515</sup>

## C. Other Restrictions on Freedom of Expression

### (1) Restrictions on Non-Socialist Artistic Expression

North Korean residents’ freedom of artistic expression appears to be limited. In North Korea, all forms of artistic expression and content, including paintings, photographs, and films, are subject to surveillance, censorship, and control. Testimonies indicate that movies and stories produced in North Korea must contain content that praises the regime and its ideology. Meanwhile, South Korean movies and dramas, being more realistic and focused on everyday life, were perceived as more interesting.<sup>516</sup> One defector stated that South Korean works, unlike those from North Korea, lacked party allegiance or political elements and told stories about daily life, making them more popular among North Korean residents.<sup>517</sup>

Photos stored on mobile phones are also subject to crackdowns, as in principle, residents are only allowed to possess approved images. Foreign photos are banned because they are considered non-socialist. According to a defector, pictures of jeans, various advertisements, cakes, foreign hotels, heart symbols, animals wearing clothes, daytime scenes with stars, and

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<sup>514</sup> 2ITQJ51282, 4TYPAG0762

<sup>515</sup> 2ITQJ51282

<sup>516</sup> ETRLM22255

<sup>517</sup> ZLEDL41338

phrases written in foreign languages were all targeted for being alien.<sup>518</sup> In addition, the only pictures North Korean residents could possess were restricted to North Korean paintings, including those of the *Kimilsungia* and *Kimjongilia*<sup>519</sup> flowers.

“In early 2018, in Hoeryong City, North Hamgyong Province, I experienced a crackdown on mobile phones by members of the Youth League and unified command officers. In North Korea, residents are only allowed to play games made in North Korea and have images related to North Korea, such as the *Kimilsungia* and *Kimjongilia* flowers. Pictures of cakes, roses, foreign hotels, or images with English text are targeted for being foreign-style. Even e-books stored on mobile phones were scrutinized, and only books approved by the state were allowed.”<sup>520</sup>

“In 2017, officers inspected my mobile phone and found a picture of a bear with English text during a crackdown. The picture was pre-installed even before I bought the phone. I was caught because the image was considered foreign and not permissible in North Korea. Furthermore, any content stored on phones, including images of people wearing jeans, ads with cars, planes, or ships, pictures with foreign letters, daytime scenes featuring a star, baseball caps, South Korean language or symbols, or any lifestyle deemed unsuitable for socialism is strictly banned. This extends to expressions and tones not recognized in North Korean speech, recordings of movies and sports on mobile phones, and images of animals in clothing.”<sup>521</sup>

## (2) Enforcement of the North Korean-Style Dress Code

The North Korean authorities also regulate personal expressions of individuality through clothing, hairstyles, and the wearing of accessories. They believe that individuals express their self-identity and values through

<sup>518</sup> 2ITQJ51282, 4TYPAG0762

<sup>519</sup> *Kimilsungia* is an orchid that Kim Il Sung received from Indonesian President Sukarno during his visit to Indonesia in 1965. *Kimjongilia* is a type of begonia presented to Kim Jong Il by a Japanese botanist in 1988.

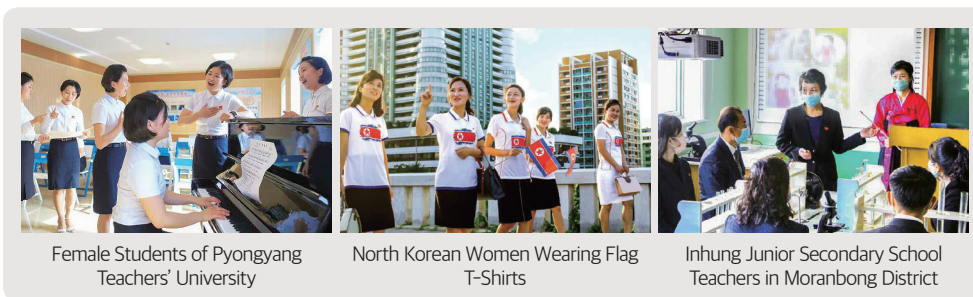
<sup>520</sup> 4TYPAG0762

<sup>521</sup> 2ITQJ51282

their attire, and that their outward appearance defines their personal identity and thoughts. North Korean media also encourage residents to wear season-appropriate attire while promoting the idea that clothing and grooming are indicators of one’s ideological and mental state.<sup>522</sup> Witnesses have stated that such regulations aim to reinforce socialist thinking and identity among the residents.

“Since 2014, as a way of maintaining social order, the authorities’ control over the daily lives of North Korean residents has intensified, leading to widespread dissatisfaction among the people. Western-style clothing and hairstyles are prohibited, and portrait controls continue to be enforced. Inspection groups from the Women’s League and inspection groups composed of university students and youth students are among the groups conducting these inspections.”<sup>523</sup>

**Figure IV - 15** North Korean Women’s Attire in the Media



\* (Sources) Rodong Sinmun (August 27, 2021/ August 18, 2022 / March 6, 2023)

These regulations, especially targeting the youth, have been significantly tightened since Kim Jong Un came to power. According to numerous testimonies, surveillance of non-socialist behavior is regularly carried out by

<sup>522</sup> “According to Kim Jong Il, people’s attire and appearance are not merely matters of formality, but rather symbols that reflect their ideological stance and mentality. A tidy appearance enhances personality and fosters a cultural attitude and mindset within society. Wearing attire that is appropriate to the characteristics of the era and season plays an essential role in establishing a beautiful life culture and a healthy lifestyle.” Rodong Sinmun, July 9, 2023, p. 6)

<sup>523</sup> I9IMQL0545

organizations such as the unified command, surveillance units, and the Youth League.<sup>524</sup> Common testimonies reveal that long hair, dyed hair, and nail polish were all targeted for inspection. Wearing clothes with English words, skinny jeans, flared pants, and polka-dotted trousers were all deemed non-socialist and not permitted. Residents who did not adhere to the prescribed dress code were subject to crackdowns and criticism.<sup>525</sup> One female defector recalled that in the past, women were not allowed to wear pants and were always expected to wear neat skirts and shirts.<sup>526</sup> Another witness recounted that the Youth League strictly enforced dress code regulations when she went to university.

“While attending university, there was a Youth League within the Teachers’ College, and every day, Youth League members would monitor the students’ attire. University students were required to wear uniforms, which needed to be purchased personally. The female uniform consisted of a jacket, skirt, and pants, but except for labor mobilization activities, wearing a skirt was mandatory. Especially in the morning, wearing pants would result in an inspection by the Youth League. In addition, wearing earrings, necklaces, or rings was also subject to inspection, and only bob haircuts shorter than 2cm below the ear were allowed. Any other hairstyles were monitored and regulated.”<sup>527</sup>

<sup>524</sup> VVDQ8Q1516, AWQ1RI1386, 1BX4NN0758, TYRIR50941

<sup>525</sup> 8WHPWX2397, REUFYK2389, MNH2KG2026, VVDQ8Q1516, AWQ1RI1386, WBR3851008

<sup>526</sup> DFFYXV2475

<sup>527</sup> TYRIR50941



## 10. Right to Freedom of Assembly and Association

The right to freedom of assembly and association is one of the basic freedoms of a democratic nation, alongside the freedom of speech and the press, which involves the right of a group of people to gather or unite for a common purpose. Article 20 of the Universal Declaration of Human Rights states that everyone has the right to freedom of peaceful assembly and association, and no one may be compelled to belong to an association. Article 21 of the ICCPR stipulates that everyone shall have the right to freedom of peaceful assembly<sup>528</sup> and shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of their interests.<sup>529</sup>

**Table IV - 15** 「ICCPR」 and Right to Freedom of Assembly and Association

「ICCPR」		Right to Freedom of Assembly and Association (Related Contents)
Article 21	The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.	<b>Right to Freedom of Assembly and Association</b>
Article 22	1 Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.	

<sup>528</sup> International Covenant on Civil and Political Rights, Article 21.

<sup>529</sup> *Ibid.*, Article 22.

「ICCPR」		Right to Freedom of Assembly and Association (Related Contents)
Article 22	2	<p><b>Right to Freedom of Assembly and Association</b></p>
	3	

In relation to the right to freedom of assembly and association, North Korean laws present a contradictory stance. North Korea's Socialist Constitution states that individuals have the freedom of demonstration and association and are guaranteed the right to freely participate in democratic political parties and social organizations.<sup>530</sup> However, the Criminal Law provides the legal grounds for punishing restrictions on the freedom of assembly and association. This is outlined in Article 245,<sup>531</sup> which addresses the offense of mass disturbance, and Article 246,<sup>532</sup> which addresses the offense of political trickery. Contrary to the rights guaranteed by its Constitution, North Korea sets a legal basis for prohibiting the right to freedom of assembly and demonstration, thus restricting the right to freedom of association.

<sup>530</sup> Socialist Constitution (2019), Article 67.

<sup>531</sup> 「Criminal Law」 (2022) Article 245 (Mass disturbance) An individual who fails to follow the directives of a state institution and causes a mass disturbance shall be sentenced to *rodong-danyun* punishment. In cases of using a weapon or deadly instrument, causing grave injury or death, or engaging in behavior that results in significant property damage, the individual shall be sentenced to *rodong-kyohwa* for up to five years. For severe cases, the sentence shall be *rodong-kyohwa* for a period of five to ten years.

<sup>532</sup> 「Criminal Law」 (2022) Article 246 (Political trickery) An individual who has committed acts of political trickery shall be sentenced to *rodong-danyun* punishment. An individual who has committed several acts or political trickery or colluded with others or committed extremely grave acts shall be sentenced to *rodong-kyohwa* punishment for a period up to five years.

## A. Infringement of the Right to Freedom of Assembly and Association

North Korean residents have their rights restricted both in not being able to participate in assemblies by their own free will and in not having the right to opt out of unwanted assemblies. In North Korea, the only allowed assemblies and voluntary associations are those organized by the regime, including mass rallies. For residents in North Korea, the idea of organizing their own association is considered unimaginable.

### (1) Infringement of the Right to Freedom of Assembly and Association

North Korean residents are in no way guaranteed the right to assemble and demonstrate. Witnesses recall that all assemblies in which they participated while in North Korea were mass rallies led by the North Korean authorities to propagandize the regime and emphasize its legitimacy. North Korean residents were mobilized to take part in regime-led assemblies to demonstrate loyalty to the Workers' Party and the regime, including on the anniversary of the establishment of the North Korean regime on September 9.<sup>533</sup> Testimonies collected reveal that a rally was held in response to an order from Kim Jong Un, and a demonstration against leaflets from South Korea was also organized.<sup>534</sup> The Korean Central Television (KCTV), North Korea's state-owned broadcaster, showed scenes of protests held in South Korea as evidence of a "corrupt society."<sup>535</sup>

In contrast to its Socialist Constitution, which guarantees the right to freedom of association, organizing and operating an entity in accordance with an individual's will or interests is practically impossible in North Korea.

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<sup>533</sup> LXUIUC2307, TMJBDT2280

<sup>534</sup> YNNL9N2323

<sup>535</sup> FZ9ZSL0429

Any form of voluntary association is strictly forbidden, with collective action viewed as an act of collective resistance. Testimony reveals that a small group named “English Class,” formed by various university students in Pyongyang in 2016, was dismantled by the authorities.<sup>536</sup> Furthermore, witnesses with previous working experiences stated that workers in North Korea were unable to form labor unions to improve working conditions.<sup>537</sup> Most respondents indicated that the idea of forming a worker’s organization was completely unthinkable.

## (2) Infringement of the Right Not to Participate

The North Korean authorities mobilize residents to take part in regime-led assemblies and mass rallies, making attendance at these events compulsory. These mass rallies, primarily driven by political objectives, aim to promote the regime and strengthen internal solidarity. Important national holidays in North Korea, including the birthdays of Kim Il Sung on April 15 and Kim Jong Il on February 16, the anniversaries of their deaths on July 8 and December 17, respectively, the military founding anniversaries on February 8 and April 25, the anniversary of the establishment of the North Korean regime on September 9, and the founding anniversary of the Workers’ Party on October 10. Residents were also mobilized for choreographed performances, rallies, elections, and *gachangdae* (singing groups).<sup>538</sup> These rallies often targeted specific school grades or state-owned enterprises for participation. Individuals were obligated to pay floral tribute to the statues of Kim Il Sung and Kim Jong Il, clean the memorials, and

<sup>536</sup> YNNL9N2323

<sup>537</sup> 00RIT62445, 2G5GFH2345, Q6VZNC2339, 32CICV2337, U4G4Q32334, 5Q8LRL2333, 3RNTQV2332, UY2OY52324, R7KY7W2329, 13PN7Y2325, K6JGAA2321, KNCI462328, LYHUAW2322, 58H8N12317, TI7RBZ2320, QOP5852319, JQYD690967, 5QG11E2237, VT6HR92171, WEBX8G1034, 8WHPWX2382

<sup>538</sup> *Gachangdae* (singing groups) refers to groups of mostly teenage students singing and parading on the street for propaganda purposes. (North Korea’s Social Science Publishing House, 『Chosun Language Dictionary (Revised Version)』, Vol. 1, 2017, p. 80.)

engage in activities to raise public participation in elections.<sup>539</sup>

Participating in regime-led assemblies is deemed a duty of the residents, and failure to attend can result in disadvantages. Except for those too ill to walk, attendance is mandatory for all residents. Choosing not to participate in such mobilizations is viewed as disloyal to the Supreme Leader and the Party, leading to criticism from the authorities and other group members.<sup>540</sup> Some individuals incurred additional costs to remove themselves from the mobilization list.<sup>541</sup>

“Public events attended by Kim Jong Un are designated as ‘Events No. 1.’ I was summoned to a mass rally in Kim Il Sung Square on September 9 to commemorate the founding day of the regime. I also went to the Kumsusan Palace of the Sun on Kim Il Sung’s birthday, April 15, and on the day of his death, July 8, to pay my respects. On the birth and death anniversaries of Kim Il Sung and Kim Jong Il, I would present flowers and bow before their statues. The mobilization would usually happen in certain grades within a school or particular state-owned enterprises. While opting out is technically possible, it is rarely chosen due to fear of the inevitable criticism that would ensue.”<sup>542</sup>

Though circumstances may vary by region, North Korean residents are mobilized for approximately 10 rallies annually. Mass mobilization was especially frequent in Pyongyang, where numerous regime-led assemblies took place. A witness from Pyongyang noted that people were mobilized for about 10 events per year, including torch parades, mass demonstrations, and military parades. For torch parades, which involve university students, six months of special training is required.<sup>543</sup> According to a university student, as

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<sup>539</sup> 93VI9U2481, MAV6AE2472, DFFYXV2473

<sup>540</sup> LXUIUC2307, 00RIT62477, YNNL9N2323

<sup>541</sup> 1BQ5TD2424

<sup>542</sup> LXUIUC2307

<sup>543</sup> 5VRQH72482

of 2018, Pyongyang residents were required to participate in political events once a month.<sup>544</sup> Around 10 assemblies aimed at promoting loyalty and consolidating ideology were organized annually, with participants feeling coerced to attend.

“Around 2017, I was required to attend 10 state-led events in Pyongyang, which aimed to demonstrate loyalty to the Workers’ Party, patriotism, and opposition to imperialism. Participants donned uniforms, chanted slogans, and carried banners. However, I often felt like an animal being forcibly dragged to these events.”<sup>545</sup>

In other regions as well, residents were mobilized approximately 5-10 times a year. The North Korean authorities have mandated public participation on occasions such as the birthdays and death anniversaries of Kim Il Sung and Kim Jong Il, as well as the founding day of the Workers’ Party. An individual who lived in Ryanggang Province in 2019 was mobilized for various events, including New Year rallies in front of a theater in Hyesan City. Testimonies also indicate that individuals were obligated to participate in the birthdays of Kim Il Sung and Kim Jong Il, the mourning period for Kim Il Sung’s death in July, and the mourning period for Kim Jong Il’s death in December. Recently, a witness stated that she was required to attend a rally denouncing North Korean defectors.<sup>546</sup> Another witness mentioned that by 2023, attendance at a total of 10 politically related events was mandatory. Participants gathered together to watch videos of Kim Il Sung titled, “Among the People” and “The Supreme Leader is Forever with Us.”<sup>547</sup>

<sup>544</sup> YNNL9N2323

<sup>545</sup> TMJB DT2280

<sup>546</sup> 1ND60Q2408

<sup>547</sup> XHQ3062407

## B. Forced Organizational Life

North Korean residents are deprived of the freedom of association guaranteed by the Socialist Constitution and are coerced into organizational life. In the collectivist society of North Korea, participation in organizational life is statutory in the family, society, and workplace from the age of seven until retirement. Witnesses have commonly stated that they were involuntarily affiliated with organizations and compelled to fulfill their duties within those groups.

**Table IV - 16** Organizations for Non-Members of the Workers' Party

Gender		Age 7-16		Age 17-30		Age 30 and above	
Male	→		→		→	(General workers)	<b>General Federation of Trade Unions of North Korea</b>
						(Farm workers)	<b>Union of Agricultural Workers of North Korea</b>
Female	→	<b>Children's Union</b>	→	<b>Socialist Patriotic Youth League</b>	→	(General workers)	<b>General Federation of Trade Unions of North Korea</b>
						(Farm workers)	<b>Union of Agricultural Workers of North Korea</b>
						(Housewives)	<b>Socialist Women's Union of North Korea</b>

It has been found that all North Korean residents are required to join various social organizations throughout their life cycles. Individuals who are not members of the Workers' Party are enrolled in various social organizations under the guidance and supervision of the Workers' Party. These organizations include the North Korean Children's Union (Children's Union), the Socialist Patriotic Youth League (Youth League), the General Federation of Trade Unions of North Korea (Trade Union), the Union of Agricultural Workers of North Korea (Agricultural Workers' Union), and the Socialist Women's Union of North Korea (Women's Union).<sup>548</sup> In North Korea,

<sup>548</sup> 8WHPWX2410, JUZOTT2459

organizational life starts when children join the Children’s Union in the second grade of primary school at the age of seven.<sup>549</sup> Upon graduating from senior secondary school, they transition to the Youth League. Membership in the Workers’ Party results in the cessation of one’s Youth League membership. Those who do not join the Workers’ Party are affiliated with respective organizations based on their occupation and marital status.

**Table IV - 17 Social Organizations in North Korea**

Name of Organizations	Eligibility	Content
North Korean Children’s Union (Children’s Union)	Students between age 7 and 16 (Second grade of primary school–third grade of senior secondary school)	<ul style="list-style-type: none"> <li>· A youth organization managed by the Socialist Patriotic Youth League.</li> <li>· Officially admitted to formal events of North Korea wearing red neckerchiefs.</li> </ul>
Socialist Patriotic Youth League (Youth League)	All youth and students between 17 and 30 who are not members of the Workers’ Party	<ul style="list-style-type: none"> <li>· The largest affiliated organization of the Workers’ Party that all youth and students are mandated to join.</li> <li>· Possesses the authority to train the Children’s Union.</li> </ul>
General Federation of Trade Unions of North Korea (Trade Union)	Workers and clerks who are 30 years and older	<ul style="list-style-type: none"> <li>· An affiliated organization of the Workers’ Party comprising workers from factories, state-owned companies, mines and coal mines, and clerks.</li> </ul>
Union of Agricultural Workers of North Korea (Agricultural Workers’ Union)	Agricultural workers	<ul style="list-style-type: none"> <li>· An affiliated organization of the Workers’ Party comprising agricultural workers.</li> <li>· Discipline and control of policies of the Workers’ Party for agricultural workers.</li> </ul>
Socialist Women’s Union of North Korea (Women’s Union)	Full-time housewives (married women)	<ul style="list-style-type: none"> <li>· An affiliated organization of the Workers’ Party comprising of full-time housewives.</li> </ul>

North Korean residents are automatically enrolled in social organizations without regard for their personal preferences. Individuals over the age of 30 who have not joined the Workers’ Party join the Trade Union or Agricultural Workers’ Union, while married women who become full-time housewives

<sup>549</sup> OORIT62468



are enrolled in the Women’s Union. This process is facilitated through administrative procedures such as workplace assignments or marriage registration. It is widely testified that voluntary withdrawal is not possible.<sup>550</sup>

“No one wants to be a member of the Women’s Union. Membership is an automatic process. The excessive demands placed on its members make it undesirable. There is no separate membership process, and all married women automatically become members of the Women’s Union upon registering their marriage. That’s why I became a member when I registered my marriage in 1991.”<sup>551</sup>

Members face several obligations, including various material contributions, mobilization of labor, and participation in lectures and study sessions. The Youth League oversees various material contributions, including *kkoma gyehoek*, known as children’s assignment,<sup>552</sup> at the school level. As part of this, students were required to submit items such as rabbit pelts, scrap metal, scrap rubber, used paper, and scrap aluminum or to make monetary contributions monthly. In addition, members of the Youth League must attend various lectures and unpaid labor mobilization. Participation is compulsory, and voluntary termination of their membership is considered impossible. Failing to attend Youth League functions on multiple occasions leads to public criticism.<sup>553</sup>

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<sup>550</sup> ROD6PD2386, 8WHPWX2382, KQ9C5Q2261, A84W651253, 1NR82V2465, 8IUFRL2453, ROD6PD2469, 1NR82V2457

<sup>551</sup> A84W651253

<sup>552</sup> *Kkoma gyehoek* (Children’s Assignment) refers to a plan established by members of the Children’s Union, where they set goals for engaging in good deeds and carry out activities to achieve those goals. (North Korea’s Social Science Publishing House, 『Chosun Language Dictionary (Revised Version)』, Vol. 4, 2017, p. 488.)

<sup>553</sup> YNNL9N2323

Figure IV- 16 North Korean Residents Mobilized for Mass Rallies



\* (Sources) KCNA (June 25, 2023), Rodong Sinmun (February 20, 2021)

Assignments and duties mandated by the organizations place a significant burden on their members. In the Women's Union, which primarily consists of full-time housewives, annual contributions included items such as rabbit pelts, work gloves, dried wild vegetables, and oil-producing crops. Additional contributions, either in goods or cash, were also collected as needed. In areas where large-scale construction projects were underway, labor mobilization enforced by the Women's Union was a particular burden for its members, requiring several days of work at construction sites. When participation in various mobilization activities was difficult, Women's Union members were organized into *Suikkeumjo*, or Profit Unit, and obligated to contribute a predetermined amount of money to the Union monthly or annually.<sup>554</sup>

Punishments for non-participation in organizational activities and failure to carry out tasks, as well as the collective responsibility among members, coerced duty fulfillment. Trade Union members were tasked with material contributions, labor mobilization, and participation in lectures and study sessions. Failure to complete these tasks resulted in reports to security

<sup>554</sup> OORIT62434, FJ391D2148

officials and subsequent punishment.<sup>555</sup> Furthermore, if members failed to fulfill their assigned duties, the burden often fell on other members to compensate.<sup>556</sup>

Organizational life and duties are enforced through an administrative body known as *inminban*. Witnesses frequently reported being subjected to intense labor mobilization by other *inminban* members.<sup>557</sup> Refusal to participate in mobilization activities could subject the entire family to criticism. In some cases, minors had to participate in labor mobilization on behalf of their family.<sup>558</sup>

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<sup>555</sup> 1BQ5TD2458

<sup>556</sup> 5VRQH72482

<sup>557</sup> 1NR82V2474, 1NR82V2457

<sup>558</sup> Z4F5JE2331, 8IUFRL2437

## 11. Right to Political Participation

The right to political participation is essential for popular sovereignty and the functioning of democracy, ensuring that citizens can participate in politics through elections. The Universal Declaration of Human Rights states in Article 21 that everyone has the right to take part in the government of his country, directly or through freely chosen representatives, and the will of the people shall be the basis of the authority of the government. In addition, Article 25 of the ICCPR guarantees that every citizen has the right to participate in elections through direct, universal, and equal suffrage, using a free and secret ballot.<sup>559</sup>

**Table IV - 18** 「ICCPR」 and Right to Political Participation

「ICCPR」		Right to Political Participation (Related Contents)
Article 25	Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions	<b>Right to Political Participation</b>
	(a) To take part in the conduct of public affairs, directly or through freely chosen representatives	<b>A</b> <b>Compulsory Participation in Elections and Affirmative Vote</b>
	(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors	<b>B</b> <b>Violation of the Principle of Direct and Secret Voting</b>
	(c) To have access, on general terms of equality, to public service in his country	<b>C</b> <b>Restrictions on the Right to Stand for Election</b>

Through its Socialist Constitution and relevant laws, North Korea guarantees the democratic political participation rights of its people.<sup>560</sup> In

<sup>559</sup> 「International Covenant on Civil and Political Rights」, Article 25.

<sup>560</sup> 「Socialist Constitution」 (2019) Article 4 stipulates that the sovereignty of North Korea resides in the

practice, however, it enforces compulsory participation in elections and affirmative voting, breaching the principle of free elections. North Korean residents are not able to exercise their right to free suffrage at will and are not properly afforded the right to run for election. Elections in North Korea are not a process through which the people elect their political representatives. Instead, they are mere formalities to propagandize the people's support for the Workers' Party and to justify the regime's rule.

## A. Compulsory Participation in Elections and Affirmative Vote

Voting must be conducted freely and of one's own volition, without direct or indirect external influence. This includes passive freedom, or the right not to vote. The UN Human Rights Committee, in its General Comment No. 25, clarifies that an independent electoral authority should be established to supervise the electoral process and to ensure the fairness and impartiality of elections. It also stresses that elections must be conducted fairly and freely within a framework of laws guaranteeing the effective exercise of voting rights.<sup>561</sup>

In contrast, North Korea does not ensure its residents the freedom to participate politically, instead mandating their participation in elections. Numerous testimonies indicate that North Korean residents were required to participate in elections without any exceptions, as voting is considered a civic duty in North Korea. These testimonies also reveal that election participation was mandatory, with a saying that “people who do not vote are considered

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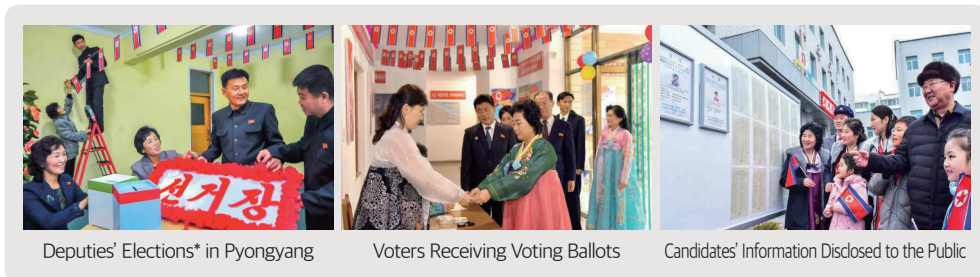
workers, peasants, soldiers, working intellectuals, and all other working people. The working people exercise state power through their representative organs, the Supreme People's Assembly, and local People's Assemblies at all levels.

Article 6 stipulates that the organs of state power at all levels, from the county People's Assembly to the Supreme People's Assembly, are elected on the principle of universal, equal, and direct suffrage by secret ballot.

<sup>561</sup> UNHRC, CCPR General Comment, No. 25, Article 25: Participation in public affairs and the right to vote, paras. 19-20.

non-existent in this world.”<sup>562</sup> The North Korean authorities regard the act of not participating or being absent during the voter registration and election process as a serious deviation from the norm. As a result, individuals who abstain from voting are perceived as not being part of the community. Even homeless individuals, known as *kkotjebi*, have been strongly pressured to participate in the elections.<sup>563</sup>

**Figure IV - 17** Elections in North Korea (Deputies’ Elections of the County, Municipal, and Provincial People’s Assemblies)



\* (Sources) Rodong Sinmun (November 17, 2023 (left) / November 27, 2023)

\* After the amendment of the Law on Election of Deputies to People’s Assemblies at the 27<sup>th</sup> plenary session of the 14<sup>th</sup> Standing Committee of the Supreme People’s Assembly in August 2023, two ballot boxes appeared in the media: one in favor (green) and one against (red).

North Korea mandates compulsory participation in elections and compels its residents to vote affirmatively, achieving 100% participation rates in its elections.<sup>564</sup> This level of participation was made possible through active intervention and coercion by the authorities. For voters such as the elderly, individuals with disabilities, and patients with limited mobility, the election commission arranged visits to each household with a mobile ballot box.<sup>565</sup> Movement to the polling station was usually organized by the *inminban*. The head of the *inminban* verified the participation of residents to

<sup>562</sup> SYYKDH2214, C6MTJ12185

<sup>563</sup> 7CRICZ2168, NGBQ341169, 67MM9S2253

<sup>564</sup> Voter turnout in recent elections in North Korea, based on the North Korean authorities’ announcement: 99.99% in the 14<sup>th</sup> Supreme People’s Assembly in March 2019, 99.98% in elections for the local people’s committees in July 2019, and 99.63% in elections for the local people’s committees in November 2023.

<sup>565</sup> TMJBDT2280, NGBQ341169

ensure that everyone listed in the voter register cast their vote.<sup>566</sup> During the voting process, residents were required to present their citizen identification card. Those without an identification card could obtain a temporary one on the day of the election from the social security department.<sup>567</sup> “Election propaganda” activities are highly encouraged to deter any potential rejection of the vote, withdrawal, or instigation to undermine the election. To foster this atmosphere, *gachangdae* were mobilized.<sup>568</sup> *Gachangdae*, comprising secondary school students, not only inspired people to vote but also encouraged fellow residents to vote affirmatively with slogans such as “Let’s all vote in favor” and “Let’s show 100% voting in favor as if we were one person.”<sup>569</sup>

“I participated as a voter in the deputies’ election held in July 2019 in North Hamgyong Province. Starting three days before the election, the head of our *inminban* visited every household to tally the number of voters. Since I didn’t have a citizen identification card, I had to use a temporary identification card to vote. Members of the *inminban* went to the polling station together. At the entrance of the polling station, there were slogans displayed, such as ‘Let’s all vote in favor.’ Near the polling stations, groups of *gachangdae*, composed of junior and senior secondary school students, roamed the streets singing propaganda songs related to the election. I was part of these groups a few times. On some occasions, school ended early to allow for *gachangdae* activities. In the 10 days leading up to the election, we sang election-themed songs and chanted slogans like ‘Let’s all vote in favor.’”<sup>570</sup>

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<sup>566</sup> 31ZJ9K2121

<sup>567</sup> EL2PVO2035

<sup>568</sup> ‘Law on the Election of Deputies to People’s Assemblies,’ (2020) Article 53 (Prohibited matters in election publicity) The following particulars shall be prohibited in election publicity.

1. Inciting opposition votes, abstention, or election destruction
2. Slandering individual candidates
3. Organizing rallies and demonstrations without the approval of the election committee
4. Creating election organizations not approved by the election committee

<sup>569</sup> 1JU8U71993, S1YETU1914

<sup>570</sup> S1YETU1914

**Figure IV - 18** Election Process in North Korea (Based on the Center’s Investigations)



North Korean residents are unable to express their opinions through voting. In North Korean elections, there is no process for voters to fill out a ballot or vote against a candidate, leading to a reported 100% approval rate. Inside the polling station, members of the election commission check the identification cards against the voter register before handing out the paper ballots. After receiving their ballot, voters proceed to the voting booth and place the paper directly into the ballot box, thus concluding their part in the voting process. Many voters are not familiar with the sole candidates presented and show little interest in them.

“I participated in the Supreme People’s Assembly deputies’ election held in Ryanggang Province in March 2019. In North Korea, participation in the election was mandatory for everyone, without any exceptions. This included individuals with disabilities and patients, who were accommodated with a mobile ballot box. The process did not offer an option to vote against. It seemed like we were only expected to vote in favor. At the polling station, a photo and biography of the candidate were displayed, but these rarely captured the voters’ attention. There was only one candidate to consider, and most residents only gave this information a cursory glance on election day. I don’t even remember who the candidate was.”<sup>571</sup>

<sup>571</sup> 1JU8U71993



Most witnesses testified that they had never seen or heard of anyone voting against the candidate, and they were often unaware of how to cast a dissenting vote. Common testimonies acknowledged the negative perceptions and concerns regarding voting in opposition.<sup>572</sup> Many decided not to vote against the candidate out of fear that doing so could lead to punishment.<sup>573</sup>

“I participated as a voter in the Supreme People’s Assembly deputies’ election held in March 2019. Not participating in the election was viewed as an act of betrayal, compelling everyone to take part. The head of the *inminban* encouraged members to participate. The candidate didn’t need to campaign to ensure victory. The idea of voting against the candidate or choosing not to vote was inconceivable. There were no writing utensils in the voting booth. Voters were given a ballot paper and simply placed it directly into the ballot box.”<sup>574</sup>

North Korea appears to have utilized elections as a tool for controlling its population, with voter lists serving both as a census mechanism and a means to track residents’ movements or defections.<sup>575</sup> The head of the *inminban* advises residents against traveling before the election, using the voter register to verify their actual residence.<sup>576</sup> For necessary travel on election day, individuals must inform the Election Committee of their reason for traveling and their destination, upon which they can obtain an Election Travel Permit. This permit allows their name to be transferred from their home constituency to one near their destination, removing them from the original voter list.<sup>577</sup>

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<sup>572</sup> UYSKRB2399, TGCAEV2403, XHQ3O62395

<sup>573</sup> 7CRICZ2168

<sup>574</sup> TMJBDT2280

<sup>575</sup> SYKDH2214, 46I8281547

<sup>576</sup> 46I8281547

<sup>577</sup> 31ZJ9K2121; ‘Law on Election of Deputies to People’s Assemblies,’ (2020) Article 33, Article 34

In a significant change, North Korea amended its election law. Testimony regarding this matter has not been collected, though several changes have been observed in North Korean media reports.<sup>578</sup> In August 2023, the Standing Committee of the Supreme People’s Assembly revised the Law on Election of Deputies to People’s Assemblies to introduce a preliminary election and provide separate ballot boxes for and against the candidate. Following this legal revision, the participation rate, previously at 100%, saw a slight decrease. The Central Election Guidance Committee reported a 99.63% voter turnout in the November 2023 elections for provincial People’s Assemblies deputies. Those unable to attend polling stations voted via mobile ballot boxes, but absentees, including overseas workers, were unable to participate.<sup>579</sup> The voting rate in favor, historically at 100%, also experienced a decline. North Korean media reported that the favorability rate for provincial deputies to People’s Assemblies was 99.91%, and for city and county deputies, it was 98.87%. The rate of votes against the candidates were 0.09% and 0.13%, respectively.<sup>580</sup>

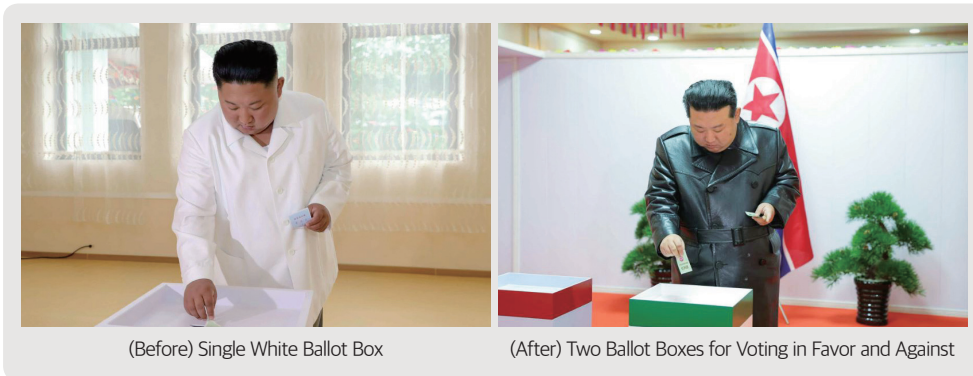
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**578** The Law on the Election of Deputies to People’s Assemblies, amended in August 2023, includes major changes. First, two ballot boxes, one for votes in favor and one for votes against, are now installed. Previously, voters who wished to vote against a candidate had to place a voting paper with a mark against the candidate into a single ballot box, as stipulated in Article 64. Second, candidates for deputy elections are not limited to one person per district. Article 42, which stated that the number of candidates for deputy elections shall not be limited, has been amended to legally eliminate the possibility of competitive elections. (Park, Seo-hwa, ‘The Amendments of North Korea’s Law on the Election of Deputies to People’s Assemblies and its Implications,’ The Institute for Far Eastern Studies, January 2024.)

**579** ‘Rodong Sinmun,’ November 27, 2023, p. 3.

**580** ‘KCNA,’ November 28, 2023.

**Figure IV - 19** Change in Ballot Box in North Korea (Deputies' Elections of the County, Municipal, and Provincial People's Assemblies)



\* (Sources) Rodong Sinmun (July 22, 2019 / November 27, 2023)

## B. Violation of the Principle of Direct and Secret Voting

Direct and secret voting is essential for a fair election, yet this principle is often not observed in North Korea. Article 25 of the ICCPR stipulates that every citizen shall have the right to take part in the conduct of public affairs, directly or through freely chosen representatives. According to General Comment No. 25 of the Human Rights Committee, where a mode of direct citizen participation is established, no unreasonable restrictions should be imposed. The Committee also emphasizes that voters should be free from any kind of violence or threat of violence, compulsion, inducement, or manipulative interference. The Committee further highlights the need to take measures to guarantee the conditions for secret voting during elections including absentee voting, where such a system exists. In addition, it clarifies that voters should be protected from any form of coercion or compulsion to disclose how they voted and from any unlawful or arbitrary interference with the voting process.<sup>581</sup> Despite these principles provided by international human rights norms, North Korean practices deviate significantly from them.

<sup>581</sup> UNHRC, CCPR General Comment, No. 25, Article 25: Participation in public affairs and the right to vote, para. 6, para. 19, para. 20

Direct voting is not effectively practiced in North Korea. Instead, North Korea permits proxy voting, enabling those unable to vote directly to have another person vote on their behalf.<sup>582</sup> One North Korean defector testified that he helped his visually impaired parents vote at the polling station, casting votes on their behalf.<sup>583</sup> Another defector recalled that when she was away from her residence on election day, the head of her village office cast a proxy vote for her.<sup>584</sup>

The principle of secret voting is also not upheld in North Korea. Numerous accounts highlight how a voter's choice, whether for or against a candidate, can be easily discerned. Before the amendment of the election law, a horizontal line was drawn across the candidate's name to indicate disapproval, while no mark indicated approval. This method compromised the secrecy of the vote, as observers could deduce the voters' choices based on how long they spent inside the voting booth. Consequently, this voting process prevented North Korean residents from freely expressing their will. One defector revealed that during her participation in the Supreme People's Assembly election in March 2019, she saw the head of the *inminban* overseeing the placement of ballot papers into the ballot box at the entrance of the voting booth.<sup>585</sup> In particular, when using the mobile ballot box for voting, it became evident that voters could not anonymously cast a negative vote, as they had to submit their ballots in front of the election official who carried the mobile ballot box.<sup>586</sup>

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<sup>582</sup> 「Law on Election of Deputies to People's Assemblies」 (2020) Article 67 (Mobile voting) In cases where a constituent cannot attend the election hall because of circumstances such as serious illness, old age, or bodily disability, a district division (or district) election committee member may take a sealed mobile polling box and allow him or her to vote. In these cases, constituents who cannot directly vote may vote in conformity with their will by designating another person.

<sup>583</sup> WTNUL21649

<sup>584</sup> 14SNZT0548

<sup>585</sup> TN4PA91260

<sup>586</sup> 8GMC4X1273, 1JU8U71993

## C. Restrictions on the Right to Stand for Election

The right to stand for election is a fundamental right that allows individuals to be elected in accordance with the law. The UN Human Rights Committee emphasizes that any restrictions on the right to stand for election must be reasonable<sup>587</sup> and should be prescribed by law.<sup>588</sup> No person should suffer any form of discrimination or disadvantage due to their candidacy.<sup>589</sup> According to North Korea's Law on the Election of Deputies to People's Assemblies at All Levels, candidates for these assemblies can be nominated either directly by voters or through recommendations made jointly or independently by political parties or social organizations.<sup>590</sup>

“As far as I know, candidates are those who are the most faithful and who can represent the Party, the state, and the people. I am aware that ordinary residents or organizations cannot nominate deputies to people's assemblies.”<sup>591</sup>

Nevertheless, the collected testimonies reveal a different reality. Ordinary residents or organizations cannot be involved in nominating candidates. Instead, the nomination process is controlled by the city or county-level Party committee. This committee selects candidates based on specific criteria,

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<sup>587</sup> [UNHRC, CCPR General Comment], No. 25, Article 25: Participation in public affairs and the right to vote, paras. 15-18.

<sup>588</sup> *Ibid.*, para. 15. “Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation. No person should suffer discrimination or disadvantage of any kind because of that person's candidacy.”, “The effective implementation of the right and the opportunity to stand for elective office ensures that persons entitled to vote have a free choice of candidates.”

<sup>589</sup> *Ibid.*, paras. 17-18.

<sup>590</sup> [Law on Election of Deputies to People's Assemblies] (2020) Article 35 (Person with the authority to recommend a candidate for deputy) Candidates for deputy for People's Assemblies at each level shall be recommended directly by constituents, or recommended jointly or alone by the Party or by social organizations. The person making the recommendation must inform the recommended candidate for deputy to the district election committee.

<sup>591</sup> TMJBDT2280

including age, membership in the Workers' Party, and personal background. Once individuals are nominated as a candidates by this committee, their election is virtually guaranteed.<sup>592</sup>

“Candidates for deputy positions are chosen by the city or country-level Party committees according to specific criteria. For female candidates, these criteria encompass age, worker-class status, state agency affiliation, and Party membership. The Department of Deputies, functioning under the municipal People’s Committee, sets the qualifications for deputies, announces them publicly, and then selects candidates who meet these criteria from state-owned enterprises and other organizations. Party membership is the primary consideration in this selection process, with an emphasis on whether the candidate is a working woman. Once someone is nominated as a candidate for deputy, his or her election is essentially guaranteed, eliminating the need for any further action on their part.”<sup>593</sup>

<sup>592</sup> R23IR10041, TMJBDT2280

<sup>593</sup> R23IR10041

## 12. Right to Equality

The right to equality is an inalienable human right of everyone and serves as a fundamental principle ensuring the protection of other human rights. Article 7 of the Universal Declaration of Human Rights states, “All are equal before the law and are entitled, without any discrimination, to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.” Similarly, Article 26 of the ICCPR guarantees the right to equality before the law and equal protection of the law without any discrimination. It also specifies that the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any grounds.

**Table IV - 19** 「ICCPR」 and Right to Equality

	「ICCPR」	Right to Equality (Related Contents)
Article 26	All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, nation or social origin, property, birth or other status.	Right to Equality

The North Korean authorities categorize their residents by “*songbun*,”<sup>594</sup> and it has been revealed that North Korean residents face discrimination in various aspects of life, including housing, university admissions, and employment, based on their *songbun*. This *songbun*-based discrimination in

<sup>594</sup> The term *songbun* refers to the social classification of individuals based on their social differences, which are determined by their social class relations. It is the classification of individuals based on their background, occupation, and social experiences, aiming to identify which class ideology has a significant influence on them and dominates their mindset. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 2, 2017, p. 1357.)

North Korean society is pervasive and results in persistent inequality among individuals, perpetuating a cycle of discrimination passed down to their children, thereby violating the right to equality. Despite this, the majority of North Korean residents have remained indifferent to discrimination based on *songbun* and classes characterized by strong class distinctions. The residents' lives were shaped by the *songbun* of their parents, often without awareness of their right to equal protection under the law without facing discrimination.

## A. Social Class Division Based on *Songbun*

The North Korean authorities categorize residents into various strata based on their *songbun*. A resident's *songbun* consists of "origins-based *songbun* (family background)" and "social-based *songbun* (social background)." Origins-based *songbun* is determined by the socio-political life background<sup>595</sup> of one's parents from birth until one enters society. Social-based *songbun* refers to the classification determined by one's occupation and social class relationships after starting one's social life.<sup>596</sup>

North Korean residents are classified into three primary classes:<sup>597</sup> namely, "basic masses," "complex masses," and "remnants of the hostile

<sup>595</sup> The "Socio-Political Life Background" refers to one's life experiences from the time they enter school and start their social and professional career until the present. (Judicial Policy Research Institute, 『A Study on North Korea's System of Status, Citizenship, and Resident Registration』, 2017, p. 120.)

<sup>596</sup> Judicial Policy Research Institute, 『A Study on North Korea's System of Status, Citizenship, and Resident Registration』, 2017, p. 113, p. 120.

<sup>597</sup> According to the "Chosun Encyclopedia" and the "Collected Works of Kim Il Sung," the term "basic masses (basic class)" refers to the fundamental force in the revolutionary movement, composed of workers and farmers. This class includes revolutionaries, war participants, children of revolutionaries (referred to as "young reds"), and discharged soldiers. The term "complex masses" refers to individuals with complex family and social-political backgrounds, including those from South Korea or returnees from abroad. The term "remnants of the hostile class" refers to the remnants of the exploiting class that were liquidated after the socialist revolution in North Korea. (North Korean Encyclopedia Publisher, 『Chosun Encyclopedia』, Vol. 3, pp. 676-677; Vol. 11, p. 290; Vol. 16, p. 570, 1996. / North Korean Workers' Party Publishing Company, 『Collected Works of Kim Il Sung』, No. 45, 2002.)



class.” Below these three classes, there are several dozen subcategories and *songbun* classifications.<sup>598</sup> While certain *songbun* classifications may no longer be applicable due to societal changes in North Korea, the *songbun* system remains a crucial determinant in the daily lives of North Korean residents, serving as a basis for discrimination.<sup>599</sup>

One’s *songbun* and social class are recorded in the “resident register,”<sup>600</sup> but most North Korean residents were only aware of their own origins-based and social-based *songbun* and were unaware of the details regarding how the authorities perceived their class and subcategory and recorded them in the resident register. Resident register data has typically been inaccessible to ordinary North Koreans. North Korean residents have been unable to access even their own resident register data, so they are only aware that details about their *songbun* and social class were recorded there, without knowing the specifics. Only local agency officers under the Ministry of Social Security, provincial and municipal party cadres, state security officers, and human resources personnel from major institutions who needed knowledge of the residents’ background could access and review the resident register. This is because *songbun* became an important factor in appointing and promoting cadres.

North Korean residents have not been able to alter their *songbun* and social class recorded in the resident register. However, if there were valid reasons

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<sup>598</sup> Judicial Policy Research Institute, “A Study on North Korea’s System of Status, Citizenship, and Resident Registration,” 2017, pp. 122-123.

<sup>599</sup> UYYAWM0821

<sup>600</sup> The “resident register” is compiled by the Civil Registration Division of the social security department at the city or county level with the purpose of collecting information about residents’ circumstances. According to testimonies, the resident register is documented on a household basis, primarily focusing on the heads of households and their spouse. It includes personal details such as their birthdates and places, employment history, social class, family circumstances, and recent activities, along with the birthdates and overall history of their parents. Additional information is recorded for each individual within the household up to the fourth degree of relationship. This information includes the individual’s relationship with the householder, date of birth, place of residence, family relationships, education, occupational changes, and recent developments, including administrative punishments. (GKON1C1394)

such as job changes, changes of residence, or marriage/divorce registration, they could officially request modifications through the social security office in their place of residence. However, changing one's origins-based *songbun* is nearly impossible. Some residents have attempted to use bribery to avoid discrimination based on their *songbun*, but illegal modifications are exceedingly difficult and meticulous and practically impossible due to the stringent annual inspection called the "resident register inspection."

The North Korean authorities not only manage North Korea residents' *songbun* and social class through the resident register but also utilize it for surveillance and discrimination. According to testimonies gathered, individuals with missing family members or unfavorable origins-based *songbun*, like South Korean POWs, were categorized and treated differently. Specifically, because missing individuals were perceived as having defected from North Korea, their family members were dealt with separately from others.

"Under the 'miscellaneous' section of the resident register, recent activities were recorded, including various content such as job changes and punishments for illegal activities. The resident register for families with missing members was managed separately and had a special mark. Missing individuals were viewed as having defected from North Korea, and if whole families were missing, there was a black round-shaped stamp on the top right of the resident register. If some family members were missing, there was a special mark on the page for those individuals."<sup>601</sup>

## B. Discrimination Based on *Songbun*

Despite concerns raised by the United Nations and the international community, North Korean residents have continued to face discrimination

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<sup>601</sup> GKONIC1394

based on their *songbun* and social class. The COI on Human Rights in North Korea stated in its 2014 report that *songbun* was the primary factor determining the lives of every North Korean from birth, and that decisions regarding residency, occupation, access to food, healthcare, education, and other services were contingent upon one's *songbun*.<sup>602</sup> Additionally, the COI mentioned that *songbun* determined eligibility for military service, membership in the Workers' Party, and college admission, and that those with lower *songbun* were often assigned to jobs in mining and farming, and their descendants were frequently excluded from higher education opportunities.<sup>603</sup> The COI also stated that *songbun* appeared to play a critical role in the consideration of punishments for criminal offenses, with individuals of lower *songbun* receiving harsher penalties.<sup>604</sup> The North Korean authorities have discriminated against particular groups in allocating residences, university admissions, job placements, and promotions based on residents' origins-based *songbun*. This has denied North Korean residents equal opportunities in their daily lives, and various testimonies have shed light on this reality.

## **(1) Residential and Regional Discrimination**

In North Korea, residency is determined by *songbun*, and North Korean residents do not have the freedom to choose their place of residence, such as whether they live in Pyongyang or a rural area, based on their preferences. Residency in North Korea is essentially not a matter of "choice" but rather of "assignment." Typically, residents continue to live in the same place as their parents until they become adults. Only major life events such as changing careers or getting married can potentially result in a change of

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<sup>602</sup> UN Doc. A/HRC/25/CRP.1 (2014), para. 271.

<sup>603</sup> *Ibid.*, para. 277.

<sup>604</sup> UN Doc. A/HRC/25/CRP.1 (2014), para. 280.

residence. The origins-based *songbun* of an individual is determined by the social-based *songbun* of their parents and grandparents, and as a result, the location where the parents and grandparents resided plays a crucial role in determining the person's place of residence.<sup>605</sup>

The fact that residency is determined by *songbun* implies that the possibility of change is slim, even with individual effort. A notable example is the "Policy No. 410" of the 1990s.<sup>606</sup> This directive mandated that even if children of farm workers transitioned into laborers upon reaching adulthood, they were required to return to rural areas, or if only one of the parents was a farm worker, their children too had to return to rural areas. This directive reinforced the role of *songbun* in determining residency. Recent findings indicate that this directive still exists to ensure that individuals with a farming family background are systematically assigned to work on farms.<sup>607</sup>

Forced relocation is another form of residential discrimination based on social class. According to testimonies collected, individuals convicted of crimes and their families were categorized into the complex masses among the three social classes and were forcibly relocated from urban areas or specific regions (such as Pyongyang and Samjiyon City). One female defector stated that she initially resided in Pyongyang, but upon her release after completing a *rodong-kyohwa* punishment, she learned that her family had

<sup>605</sup> According to testimonies, if the parents or grandparents of an individual resided in rural areas as farm workers or in mining regions as miners, it is highly probable that their children will likewise be assigned a place of residence in a rural or mining area. Similarly, if the parents or grandparents worked in state-owned enterprises in Pyongyang, it is highly likely that their children will also reside in Pyongyang. (DFFYXV2365, ROD6PD2463, 00RIT62454)

<sup>606</sup> According to testimonies, Policy No. 410 was issued by Kim Jong Il on April 10, 1995, and it appears to be related to *songbun*. Those who were previously farmers were forced to engage in farm work, and if one's spouse was from a farming background, then the entire family, including the spouse and children, would be designated as farmers. In Pyongyang, the areas targeted by Policy No. 410 are reportedly Ryongsong District, Sunan District, Ryokpo District, and some parts of Nakrang District, and residents in these areas are not allowed to work or reside in the central zone. (DEJ6ST2342, K6JGAA2321, 55IV3I2260, 8B5CA02248)

<sup>607</sup> 54EJUS0741, 2EQR9S2134, S8KWFS1065, Y3OVXV1474, 20SZIG1070

already been expelled to North Pyongan Province.<sup>608</sup> Another female defector mentioned that after completing a *rodong-danryun* punishment, she faced the prospect of forced relocation because Samjiyon City is the hometown of Kim Jong Il, and ex-convicts were not allowed to reside there. As a result, she sought refuge in a relative's house to avoid relocation.<sup>609</sup>

North Korea strictly distinguishes between Pyongyang and other regions, often discriminating against residents outside of the capital. North Korea refers to Pyongyang as the “Capital of the Revolution” and designates it as the revered place of Juche ideology.<sup>610</sup> The North Korean authorities meticulously control urban development and residential placements in Pyongyang and enacted the Law for the Management of Pyongyang in 1998 to institutionalize these measures. While Pyongyang is strictly distinguished from other regions, North Korea offers many privileges to its Pyongyang citizens. Those with a “Pyongyang Citizen Card” can travel to other areas without needing a travel permit, except for border areas, and they only need to follow simple procedures when entering or leaving Pyongyang.<sup>611</sup> Moreover, Pyongyang residents have been receiving food rations, unlike other regions where such food rations largely stopped after the Arduous March in 1995.<sup>612</sup> Additionally, Pyongyang citizens have greater advantages with respect to healthcare services compared to residents from other regions, as they have convenient access to medical facilities such as the

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<sup>608</sup> P3RFM51542

<sup>609</sup> ZBJE6Z1518

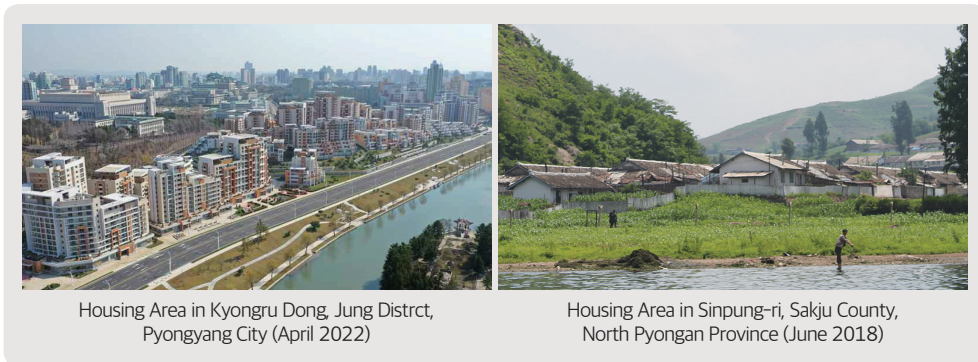
<sup>610</sup> 「Pyongyang City Management Law」 (2014) Article 1 (Objective of the Pyongyang City Management Law) Pyongyang is the shrine of Juche, the heart of the Korean people, and the capital of the Democratic People's Republic of Korea. The Pyongyang City Management Law shall serve to better manage Pyongyang City into a modern and cultural city and to arrange a more quiet and cleaner living environment for the residents and more comfortable living conditions and labor conditions.

<sup>611</sup> At the No. 10 checkpoint in Pyongyang, which serves as an entry and exit point, there is a significant difference in the level of inspections conducted between Pyongyang citizens and those from other regions. Even during random inspections along the route, Pyongyang citizens are only required to undergo identity verification by comparing their Pyongyang Citizen Cards and actual faces, without their luggage or belongings being searched. (YKDSNY2213)

<sup>612</sup> LXUIUC2307

“Central Hospital” and specialized hospitals located in Pyongyang. However, this preferential treatment has resulted in the forging of Pyongyang Citizen Cards, and the North Korean authorities have sought to prevent such practices by conducting crackdowns and issuing replacement cards.<sup>613</sup>

**Figure IV - 20** Housing Area in Pyongyang and a Local Region



\* (Sources) Rodong Sinmun (April 3, 2022), Ministry of Unification

Even within Pyongyang, there exists discrimination based on residential areas. The Policy No. 410, implemented in 1995, prevented residents from relocating and restricted job assignments between Pyongyang’s central and peripheral areas, leading to an unequal distribution of goods and resources. Residents in peripheral regions like Taesong District and Sadong District were not assigned to work in the central area and were restricted from relocating their residence to the central region. Moreover, they faced discrimination in the supply of food and public transportation benefits. Subsequently, the Law for the Management of Pyongyang was enacted to define the boundaries between the central and peripheral areas, allowing

<sup>613</sup> Due to the gap between Pyongyang and rural regions, there are individuals who give bribes to social security officers to obtain forged Pyongyang Citizen Cards. Those who acquire these forged cards tend to reside in surrounding areas like Mangyongdae District rather than the central area of Pyongyang. They regularly provide bribes to the head of the *inminban* (people’s watch unit), the relevant social security officers, and state security officers to evade detection. In response to the growing incidents of forgery or alteration of Pyongyang Citizen Cards, the North Korean authorities occasionally renew and reissue these cards every few years under the guise of urban defense and security. (YKDSNY2213)

the cabinet to regulate these divisions.<sup>614</sup>

“Pyongyang residents face discriminatory treatment regarding job allocation and food distribution, which is determined by their place of residence categorized as either the ‘central zone’ of the ‘surrounding zone.’ They refer to this situation as being ‘caught in No. 410.’ The central zone includes Jung (Central), Moranbong, Taedonggang, and Sosong districts, while the surrounding zone encompasses Ryongsong and Hyongjesan districts as well as parts of Taesong district. Individuals residing in the surrounding zone are not eligible for employment in the central zone, and there are disparities between the two zones in the supply of goods provided. In order to obtain a Pyongyang Citizen Card as a resident from a different region, one must reside in Pyongyang, and non-residents are strictly prohibited from obtaining such an identification. It is challenging for residents from other regions to relocate to Pyongyang. However, in certain cases, women can become eligible for residency in Pyongyang by marrying a man from the city, and if individuals from other regions serve as military officials in Pyongyang, their families are also permitted to reside there.”<sup>615</sup>

## (2) Discrimination in University Admission

In the realm of university admissions, it has been revealed that one’s origins-based *songbun* carries more weight than one’s individual abilities. This discrimination is tied to North Korea’s recommendation-based admissions process.<sup>616</sup> In North Korea, only those recommended are eligible

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<sup>614</sup> ‘Pyongyang City Management Law,’ (2014) Article 7 (Classification of Pyongyang City territory) The territory of Pyongyang city is the area where the administration of the capital is exercised, and it is divided into the central area and the surrounding area. The central area is the area with Mansudae determined as the center, and the surrounding area includes the protected zone, satellite cities, and the agricultural area. ‘Pyongyang City Management Law,’ (2014) Article 8 (Establishing the central area, protected zone, and satellite cities) The work of determining the boundary of the central area, the width of the protected zone, and satellite cities shall be carried out by the Cabinet. In arranging the central area and the protected zone, the Cabinet shall match the boundary of the central area with the boundary of administrative districts.

<sup>615</sup> HOZO5X1222

<sup>616</sup> In North Korea, students typically undergo three stages to gain admission to university. First, their rankings are determined at the county level based on their nationwide exam scores. Each region has a set number of recommended slots for each university, and the education department at the local People’s Committee compiles a list of recommended students, considering not only their exam scores but also their *songbun*. The recommended students can take the university’s entrance exam, and the final admission decisions are based on the results of this exam.

for university entrance examinations. Therefore, recommendations play a more important role than individual exam scores, with one's *songbun* having a significant impact. One North Korean defector stated that while preparing for college admission, the director of the Education Department at the local People's Committee, serving as a recommender, directly informed her that she could not enroll in college due to her missing family member.<sup>617</sup> In another case, two grandsons were excluded from being recommended for college admission because their grandfather was from South Korea.<sup>618</sup>

"In 2018, I was preparing for my university entrance exams to enter medical school. Before the university application process began, there was a procedure to meet with the director of the Education Department in a local People's Committee. During that meeting, the Education Department director told me, 'It will be difficult for you to attend university because your mother is missing.' Upon hearing that, I gave up on pursuing a university education. The Education Department director's recommendation was crucial for students to qualify for university entrance exams, and his authority was significant."<sup>619</sup>

When discharged soldiers pursue a university education, it seems that their *songbun* and social class have a significant impact on their prospects for admission. University recommendations for discharged soldiers are solely based on recommendations from the military authorities and the People's Committee, without separate examinations required, making *songbun*, social class, and the category of the soldier's parents the primary considerations. One defector, who completed her military service in Pyongyang right after graduating from secondary school, shared that although she was recommended for admission to a university in Pyongyang, her

<sup>617</sup> P4ILM91470, 9PQ5S71540

<sup>618</sup> D280Z70942

<sup>619</sup> 9PQ5S71540



recommendation was revoked because she was the child of a farm worker.<sup>620</sup> For children of farm workers, recommendations appear to be limited to places like agricultural technical schools in areas where they are expected to be placed after graduation.

For admission to universities associated with the ‘regime protection group,’ meeting certain *songbun* criteria was necessary. In North Korea, gaining entry to major universities such as those in Pyongyang or political universities, which train officials known as Party-affiliated workers or law enforcement workers, requires a favorable origins-based *songbun*. On the other hand, students with unfavorable *songbun* have found it nearly impossible to secure admission to these major universities. Meanwhile, for regular universities, admission has been comparatively easier, and one could be recommended by offering bribes. This is because, compared to the top universities, job placements and future income were less certain.<sup>621</sup> A female North Korean defector preparing for entry into a provincial medical school testified that she had to give a bribe of over CNY 10,000 to the head of the education department of the local People’s Committee, who had the authority to grant recommendations.<sup>622</sup>

“In North Korea, to gain admission, students need a recommendation known as ‘university font,’ allocated by the state to each school. However, compared to urban areas, rural schools sometimes receive fewer or no allocations of this ‘university font.’ Additionally, for university admission, factors like the student’s parents’ *songbun* and occupation carry more weight than the student’s abilities. Due to the limited availability of university fonts, students have to resort to bribery to obtain them. Even after receiving a university font and applying to their desired university, if students fail to bribe their desired university, they cannot be accepted.”<sup>623</sup>

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<sup>620</sup> 1CHLPG2211

<sup>621</sup> SPN4BG1900, 2EQR9S2134

<sup>622</sup> 9PQ5S71540

<sup>623</sup> 2EQR9S2134

### (3) Workplace Discrimination

Discrimination based on one's *songbun* and social class is prevalent in workplace assignments, transfers, and promotions. Upon graduating from senior secondary schools, North Korean residents' career paths are largely determined by their *songbun* and social class rather than their abilities and aspirations. Decisions regarding whether they can enter the workforce, pursue higher education, or enlist in the military have been influenced by their *songbun* and social class. The labor department of the People's Committee plays a significant role in determining workplace placements, with children of farm workers and mine workers less likely to be placed in other professions. Even if children of farm workers attended university, they often end up at agricultural colleges or agricultural technical schools, and eventually find themselves working on farms after graduation. Similarly, children of mine workers typically end up working in the same mines as their fathers. However, there have been rare instances where children of farm workers or mine workers managed to secure placements in other workplaces using money or connections.<sup>624</sup>

“Children of farm workers naturally are expected to follow in their parents' footsteps and become farm workers themselves. Due to the high regard for military officials in North Korean society, children of farm workers who marry into military families are exempt from this fate, leading to aspirations among girls from farms to marry military officials. Meanwhile, sons typically end up working in the same sectors as their fathers, particularly in industries like mining or farming, where it is difficult to break free from the cycle. Even if children of farm workers pursue higher education at agricultural colleges, they often find themselves back on farms after graduation. To overcome this cycle of discrimination, they must excel academically and attend prestigious universities like Kim Chaek University of Technology and switch to different majors.”<sup>625</sup>

<sup>624</sup> SYYKDH2214, QWVNRL2135

<sup>625</sup> EJRHLJ2244

“I became a farmer when I married my husband. In North Korea, marrying a farmer leads to a spouse’s social status becoming a farmer. We refer to this as ‘being tied to rural placement.’ Children of farmers are likely to become farmers, even if they attend universities.”<sup>626</sup>

With respect to career opportunities and advancements in North Korea, significant discrimination against individuals with family members from South Korea exists. If any family member had South Korean origins, their descendants are prohibited from holding positions as cadres, law enforcement officers such as state security officers, social security officers, prosecutors, or administrative officials. One North Korean defector mentioned his aspiration to enroll in a political university to become a state security officer, but his grandmother’s South Korean origin made his enrollment impossible.<sup>627</sup> Another defector, whose maternal grandfather was from South Korea, recounted the detrimental impact this discrimination had, as his father could not advance to become an official.

“My origins-based *songbun* was not favorable. My grandfather on my mother’s side is from South Korea, specifically from Gangwon Province. Having relatives in South Korea meant that up to three generations could not hold certain positions like Party-affiliated workers or law enforcement workers. Additionally, my paternal grandfather’s decision not to serve in the military during the Korean War and instead pursue business had a negative impact on our family’s *songbun*. Consequently, despite my father receiving an education, he could not advance to become a cadre.”<sup>628</sup>

Discrimination based on *songbun* and social class have also affected job transfers. In the mid-1990s, under Policy No. 410, residents working as

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<sup>626</sup> XHQ3062529

<sup>627</sup> 1T6JQA2112

<sup>628</sup> QWVNRL2135

laborers were sometimes forcibly relocated to farms where their fathers worked.<sup>629</sup> Even afterward, *songbun* and social class continued to influence job transfers, often necessitating individuals to use money or connections to resolve the situation. One defector described initially being assigned to work in a factory but ending up transferred to a clinic within the factory after bribing relevant officials through an acquaintance of her father.<sup>630</sup> Another defector mentioned that she could transfer to her desired job by leveraging her uncle's connections. Typically, however, residents have had to bribe officials at the city or county People's Committee Labor Department to secure placement in their desired position.<sup>631</sup>

Discrimination based on one's *songbun* and social class has also been observed in promotions. There was a case where a returnee from Japan to North Korea was unable to be promoted to a managerial position even after becoming a law enforcement worker. Instances have also been documented of individuals being excluded from promotions because their parents were from South Korea or because they were identified as family members of North Korean defectors.<sup>632</sup> A male defector stated that his father, who had served in the North Korean military during the Korean War, was unable to get promoted within his organization because of his South Korean origin. Another male defector testified that he initially made it onto the promotion list but later received notice of promotion denial due to the defection of his wife's sister.<sup>633</sup>

"My grandfather on my mother's side was from South Korea. He came to North Korea and joined the North Korean military during the Korean War. His children faced

<sup>629</sup> VVFEB91656

<sup>630</sup> OWTG6L2284

<sup>631</sup> EO2TWG1095

<sup>632</sup> D280Z70942

<sup>633</sup> 271E382274, C63MQK1441

discrimination because of their father’s South Korean origin. Although it has decreased compared to the past, there is still discrimination based on one’s family background. In 2018, my uncle, who was working at a seismological observatory, attempted to get promoted but was unable to do so because of his father’s background.”<sup>634</sup>

#### **(4) Discrimination Against Family Members of North Korean Defectors**

Family members of North Korean defectors have been found to be classified as complex masses or the complex class among the three social classes and to face discrimination in various aspects of their daily lives. The North Korean authorities classify them as “Subject No. 111.” These family members have been reported to face discrimination, including being deprived of opportunities for university admission, exclusion from the Workers’ Party, and restrictions on their job choices and military enlistment. They have also had to offer bribes to avoid punishment or disadvantages during various investigations and surveillance. At times, they were extorted for money by the state security officers or social security officers.<sup>635</sup>

“I wanted to work at an agricultural machinery workshop or in the wiring department of a county in North Hamgyong Province, my hometown, but I couldn’t get in because of my status as a family member of a defector and because I didn’t have a job. I then offered a bribe to the manager of a business office affiliated with the local Party and was able to work there. However, after just three months, I received a notice that I would have to leave. I lodged a complaint with the county People’s Committee, but the chairman of the People’s Committee dismissed me, saying, “How can a defector’s son like you work at an office affiliated with the local Party?”<sup>636</sup>

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<sup>634</sup> D280Z70942

<sup>635</sup> 9HL4KU1283

<sup>636</sup> KHT3JH0692

**Table IV - 20** Discrimination Against Family Members of North Korean Defectors (Based on the Center’s investigations)

Type	Discrimination <sup>637</sup>
Daily Life	Blatant surveillance by residents, social security officers, and state security officers; Public criticism during life session reviews and other meetings
University Admission	Deprivation of qualification for university entrance exams due to missing family members (considered as having defected from North Korea)
Workplace Life	Refusal of job placement by the workplace for the responsibility associated with chain defections
	Demotion as a consequence of a family defection
Military Service	Forced discharge from military service of the defected person’s family members * Loss of benefits, such as admission to the Workers’ Party, that those who complete military service are provided

### (5) Discrimination Against Returnees from Japan to North Korea

Returnees from Japan to North Korea (referred to as returnees) and their children often relied on financial support from their relatives living in Japan, which provided them with economic stability. However, they have encountered discrimination in various aspects of social life within North Korean society. The term “returnees” refers to North Koreans and their families who collectively returned to North Korea as part of the “Repatriation Project for North Koreans in Japan.”<sup>638</sup> Despite North Korean propaganda depicting them positively, returnees were derogatorily labeled as “*jjaepo*”<sup>639</sup> or “*jjokbari*” and faced discrimination within North Korean society.

<sup>637</sup> N2PGQJ1963, 00RIT62445, TCQH4NI020, 9PQ5S71540, 3WAWSU1355, ZX8HAH0831

<sup>638</sup> This project is carried out according to the “Agreement on the Repatriation of North Koreans in Japan,” concluded by the North Korean Red Cross and the Japanese Red Cross at the Calcutta Conference in August 1959.

<sup>639</sup> “*Jjaepo*” is an abbreviated term for returnees from Japan to North Korea, often used derogatorily to refer to them.

**Figure IV - 21** Returnees from Japan to North Korea



\* (Source) ICRC Archives(1959.12.14./ First Group of Returnees from Japan to North Korea)

While there may not have been explicit discrimination on the surface, returnees still faced unfair treatment. There also seemed to be discrimination within the returnee community itself, with some individuals enjoying privileges while others faced limitations. Testimonies reveal that despite there being no official constraints on military service or party membership for returnees and their families, practical barriers existed for advancing to certain positions like Party-affiliated workers or law enforcement workers. There is also testimony indicating differential treatment between families of officials in the General Association of North Koreans in Japan (referred to as *Chongryon*) and other ordinary returnee families.<sup>640</sup> Families of officials in *Chongryon* could work in the Workers' Party organizations and various institutions such as the State Security Agency, the Social Security Agency, or the Prosecutor's Office, while ordinary returnee families could not.<sup>641</sup> Another account mentioned that pursuing education at a teachers' university was impossible, and even being assigned an administrative worker position was denied.<sup>642</sup>

<sup>640</sup> UYYAWM0821

<sup>641</sup> R7542X1383

<sup>642</sup> UYYAWM0821

“Due to our family background, neither I nor my siblings could attend universities or work in the jobs we desired. My elder sister aspired to become a teacher and applied to a college of education for that purpose. However, despite having sufficient grades and qualifications, she was denied admission due to our parents being from South Korea and us being returnees from Japan to North Korea. Similarly, my eldest son, who graduated from medical school, aimed to join the military as a doctor at the Military Medical School, but he was unable to do so and ended up serving as a hygiene officer in a regular unit. Even at my workplace, I faced obstacles in progressing to higher positions, such as a manager, due to my family background.”<sup>643</sup>

## (6) Discrimination Against Chinese-Origin Individuals

Chinese-origin individuals in North Korea were able to enlist in the People’s Army and pursue higher education, but it was found to be challenging for them to join the Workers’ Party or work in regime protection agencies like the Social Security Agency, the State Security Agency, and the Prosecutor’s Office. Chinese-origin individuals refer to those who migrated to China, specifically the northeastern region of China, before the liberation of Korea, and later returned to the North Korean region from the time of the Korean War in 1950 until around 1960. North Korean residents refer to these individuals as “*yeongoja*,” and these Chinese-origin individuals appear to be classified as complex masses among North Korean social classes. One defector stated that her sons were unable to join the Workers’ Party or get promoted, and that discrimination against Chinese-origin individuals has worsened since Kim Jong Un came to power:

“My husband and I are Chinese-origin individuals who were born in China and lived in the city of Dandong in Liaoning Province before immigrating to North Korea in 1961. We had three sons in North Korea, but because all of them had Chinese origins, they were unable to join the Workers’ Party or receive promotions at their workplaces.

<sup>643</sup> GPF4EI0657



Since the Kim Jong Un regime began in 2012, the discrimination against Chinese-origin individuals has worsened. My eldest son got married and later divorced because he didn't want to burden his own children with the status of being Chinese-origin individuals.”<sup>644</sup>

The North Korean authorities have been observed imposing several restrictions on visits made by Chinese-origin individuals to their relatives who live in China. Not only does it take a considerable amount of time to obtain passports or border entry permits (issued to residents of border areas), but there are also numerous restrictions on these visits.<sup>645</sup> Consequently, it has become challenging for Chinese-origin individuals to visit China, adding another layer of discrimination against them.<sup>646</sup>

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<sup>644</sup> W7ZAI10674

<sup>645</sup> 1XB2XP0186

<sup>646</sup> To apply for border entry permits or passports for visiting relatives in China, the general conditions are that the applicants must be of the eligible age for an elderly pension (60 for men, 55 for women) or older, and they must have children. It is also not possible for multiple family members to visit together. Additionally, several documents need to be submitted when applying, including a letter of invitation from a relative in China, a certificate of invitation, the relative's household registration card, and an identification card. The certificate of invitation should be signed and include the inviter's name, date of birth, address, phone number, workplace, and other personal information, as well as the purpose of the visit by the North Korean relatives and the cost of their stay. (80X2651147)





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## Economic, Social, and Cultural Rights

“My father, employed at a state-owned enterprise, received neither wages nor food rations. The absence of state-provided food rations forced my family to grow our own food on a small plot of land, called *bueopji*, and required my mother to engage in smuggling. Without resorting to such measures, we face starvation in North Korea.”

# 1. Right to Food

To enjoy a life worthy of a human being, a person must not only have the right to act freely but also be provided with an environment that ensures an adequate quality of life. The International Covenant on Economic, Social and Cultural Rights (ICESCR) mandates that States implement social security measures. Article 11 of the ICESCR upholds the right of all people to an adequate standard of living for themselves and their family, including adequate food, clothing, and housing, and requires that the States Parties recognize freedom from hunger as a fundamental right and take necessary measures either individually, or through international cooperation, to ensure the realization of the right to food.<sup>1</sup> In its General Comment No. 12, the UN Committee on Economic, Social, and Cultural Rights (CESCR) emphasizes that States should take all necessary measures to ensure that everyone is freed from hunger and enjoys the right to adequate food without delay.<sup>2</sup>

**Table V - 1** 「ICESCR」 and Right to Food

「ICESCR」		Right to Food (Related Content)
Article 11	1	<b>Right to Food</b>
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<sup>1</sup> International Covenant on Economic, Social, and Cultural Rights, Article 11(1).

<sup>2</sup> UN CESCR, General Comment No. 12: The right to adequate food, para. 21.

「ICESCR」		Right to Food (Related Content)
Article 11	2	Right to Food

Ensuring a stable food supply is the top priority for the North Korean regime, which suffers chronic food shortages, as it has prioritized food among all necessities of life. As the major concern, food security is closely linked to the regime’s stability, as evidenced by the efforts of all leaders from Kim Il Sung to Kim Jong Un promising to provide the people with “rice and meat soup.”<sup>3</sup> To date, North Korea has yet to overcome its food shortages.<sup>4</sup>

Since Kim Jong Un came to power, North Korea has been making efforts to increase its food production through the “Field (*pojeon*) Responsibility System,”<sup>5</sup> which aimed to encourage more active participation in food production. Nevertheless, due to a lack of fertilizer and pesticides, increased

<sup>3</sup> “The Supreme Leader Kim Il Sung and Great General Kim Jong Il’s lifelong wish was for all people to enjoy meals of white rice and meat soup, wear silk clothes, and live in nice houses. This vision represents the ideal and aim of the struggle for North Korean revolutionaries in building socialism. Today, for our Party, there is no more urgent revolutionary task than the economic development and improvement of the people’s living standards.” (In Kim Jong Un’s letter to the participants in the Second National Conference of Party Primary Information Workers titled, “Let Us Double the Motive Force of Our Revolution Through Fresh Information and Motivation Work.” Rodong Sinmun, March 9, 2019, p. 1)

<sup>4</sup> Ministry of Unification, “Report on North Korea’s Economy and Society as Perceived by 6,351 Defectors,” 2024, pp. 160-170.

<sup>5</sup> The Field (*pojeon*) Responsibility System is a farming method that operates on a family unit scale, which is reduced to four to five people by subdividing the *bonjo*, which is the lowest-level unit of a collective farms. Each family unit is responsible for the production and management of its assigned section, called a “*pojeon*.” Designed to grant autonomy in farming methods and surplus production to collective farms and farmers, this system has been widely implemented across North Korea since 2012. Initially, 70% of surplus production was distributed to farmers, with 30% going to the state. After the May 30 Measures in 2014, the ratio was rearranged to 60% for farmers and 40% for the authorities. (National Institute for Unification Education, Ministry of Unification, “North Korea Knowledge Dictionary,” 2022, pp. 830-834)

quota demands from the authorities, and corruption among officers, the practical effect of these efforts has been minimal. Moreover, the food rationing system, which deteriorated significantly since the Arduous March, has operated inconsistently across different regions. Consequently, ordinary residents have been left with no choice but to engage in private economic activities. In particular, the North Korean regime's emphasis on pooling resources for nuclear and missile development at the expense of its people's livelihood has failed to improve the food situation. Moreover, international sanctions, triggered by its weapons development, have weakened the North Korean economy. The authorities have also attempted to monopolize the grain supply, further jeopardizing food availability for its residents.

## A. Chronic Food Shortages

The ICESCR mandates that States must take actions, such as implementing concrete plans, to enhance the methods of food production, preservation, and distribution. For an extended period, North Korea has not fully guaranteed the residents' right to food. The Food and Agriculture Organization (FAO) of the United Nations has released estimates of North Korea's grain production, designating North Korea as a country "requiring external assistance for food" since 2007, with its shortages estimated to be 1.06 million tons. Its production, approximately 4.89 million tons, is 860,000 tons below the demand, which is about 5.95 million tons, even after including 200,000 tons of external aid.<sup>6</sup> The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) attributes North Korea's chronic food shortages to insufficient agricultural production and land, a lack of agricultural equipment and fuel, and poor infrastructure.<sup>7</sup>

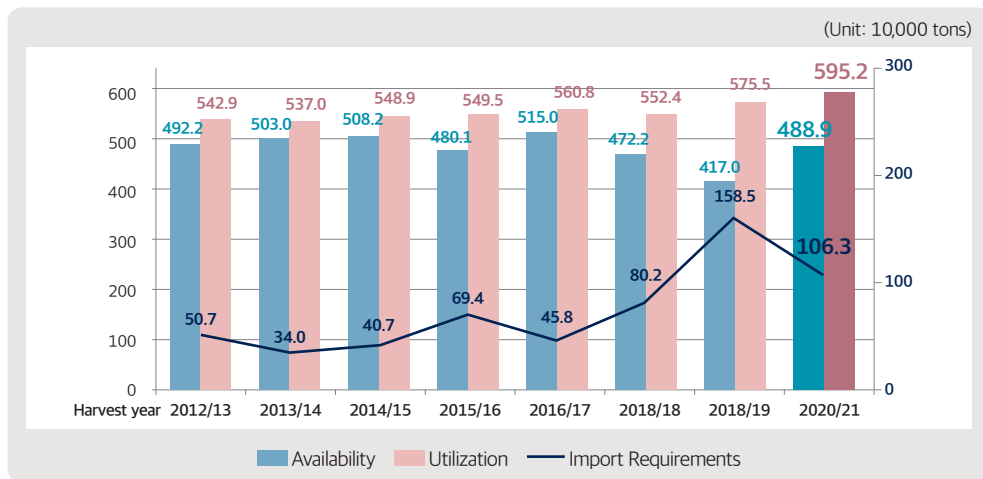
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<sup>6</sup> Food and Agriculture Organization of the United Nations (FAO) "The Democratic People's Republic of Korea Food Supply and Demand Outlook in 2020/21," (November/October)

<sup>7</sup> United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA), "DPR Korea Needs and

A chronic shortfall in the food supply and the regime's arbitrary distribution of food resources infringe upon the people's right to food. Nearly half of North Korea's population is found to suffer from nutritional deficiencies. The FAO has estimated that, between 2019 and 2021, 41.6% of North Korea's population was malnourished.<sup>8</sup> According to the Global Hunger Index (GHI) released by the FAO and UNICEF, North Korea is categorized as experiencing severe food insecurity, with 45.5% (11.8 million) of its population undernourished.<sup>9</sup>

**Figure V - 1** North Korea's Food Supply and Demand Outlook (FAO)



\* (Source) FAO, The Democratic People's Republic of Korea Food Supply and Demand Outlook, excluding non-announced years

In response to chronic food shortages, the North Korean authorities have implemented the Field (*pojeon*) Responsibility System,<sup>10</sup> a form of an

Priorities, 2020.

<sup>8</sup> Food and Agriculture Organization of the United Nations (FAO) "Regional Overview of Food Security and Nutrition Asia and the Pacific-urban Food Security and Nutrition," Bangkok, 2023

<sup>9</sup> The Global Hunger Index (GHI) serves as a tool to measure and monitor hunger levels worldwide, within specific regions, and in individual countries. Its purpose is to encourage international collaboration towards eradicating hunger. Initiated in 2006, this index is released by organizations such as the Irish NGO Concern Worldwide and the German NGO Welthungerhilfe. FAO · IFAD · UNICEF · WFP · WHO "2023 The State of Food Security and Nutrition in the World," table A1.1.

<sup>10</sup> The Field (*pojeon*) Responsibility System was introduced on a trial basis after the "July First Measures" were adopted. It initially did not yield successful outcomes and was suspended. After Kim Jong Un took power, it regained the regime's attention and was officially included in the amendments to the Farming Law



“autonomous cultivation system,” as a measure of its agricultural reform in 2012. This system allows farmers to freely dispose of the remainder of the harvest after contributing a certain portion of their harvest to the authorities. During the early years of its implementation, there was an increase in output on some farms.

Due to structural problems including a lack of fertilizer and pesticides, limited autonomy in crop production, and unrealistic yield targets combined with false reports from responsible institutions, farmers faced exacerbated burdens. These challenges have contributed to a lack of improvement in the food situation. Specifically, the authorities’ decision to raise the planned quotas to an unreasonable level, which increased the amount of food that farmers were required to provide to the state, appears to be the biggest cause of the unresolved food crisis.<sup>11</sup> A former farmer stated that the food received was insufficient for the year.<sup>12</sup> The quotas assigned to an individual’s harvest often exceeded the actual yield, forcing farmers to use grain from the farm’s communal fields to make up the difference. In addition, many farmers, unable to meet their quotas or cash contribution demands, resorted to raising pigs and chickens to compensate for the shortfall.<sup>13</sup>

“I worked on a collective farm in Hoeryong City, North Hamgyong Province, where I was responsible for a field, also referred to as *pojeon*. Since around 2012, the Field Responsibility System has required each farm worker to manage an area no smaller than 1,900m<sup>2</sup>. After fulfilling the national plans, farm workers are left with virtually nothing for themselves. With the Field Responsibility System’s implementation, many farm workers feel that food distribution has not improved but rather diminished.

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in 2015. Meanwhile, North Korea’s agricultural management saw continuous changes as highlighted by the “June 13 Policy” in 2012 and the “May 30 Measures” in 2014. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 831)

<sup>11</sup> ZDPTM41630

<sup>12</sup> XXTKPX1915

<sup>13</sup> UYYAWM0821, 07L3VK0328, 1XB2XP0186

Consequently, they had to find alternative means of subsistence, such as cultivating sloped land, participating in the private market, and growing herbs.”<sup>14</sup>

Despite difficulties in its actual implementation, false reports contributed to an increase in national plans. Defectors with experience in collective farms recounted that false reports by the People’s Committee claiming that the system was functioning well, production was rising, and producers were better off than before resulted in continuous increases in the state-planned quotas.<sup>15</sup> Setting overly ambitious production targets under this system had hindered both the improvement and reform of agricultural production. This issue was addressed with the enactment of the Exaggeration Prevention Law in 2022.<sup>16</sup>

“The Field Responsibility System has operated since around 2012. Within this system, groups are formed under *bunjo*, a sub-work team, often consisting of family members if both spouses are farm workers. Initially, I was motivated to work hard by the promise of receiving half of the harvest. However, when natural disasters or fertilizer shortages resulted in lower yields than expected, the state failed to adjust its expectations accordingly. Instead, I was still required to meet the authorities’ pre-determined quotas. This sometimes necessitated purchasing grain privately to fulfill my quota when the harvest was insufficient. With the implementation of the Field Responsibility System, many farm workers feel that food distribution has not improved but has actually decreased.”<sup>17</sup>

<sup>14</sup> XXTKPX1915

<sup>15</sup> MY7QIT0433, DDXNY61368

<sup>16</sup> 「Exaggeration Prevention Law」 (2022) Articles 12-20 specify provisions for preventing exaggeration in agricultural production. Articles 16-18 specify provisions related to estimating target yields by the Field Responsibility System, including preventing exaggeration in the assessment of expected crop yields, in the registration and reporting of agricultural production patterns, and in the execution of plans for the procurement of agricultural products. Articles 44-45 specify provisions for strict investigations by supervision and control institutions upon receiving reports of violations related to exaggerated actions. Articles 48-49 stipulate punishments including warnings, strict warnings, unpaid labor, *rodong-kyoyang*, demotion, dismissal, termination, and criminal liabilities.

<sup>17</sup> ME0IY1523

To address North Korea's worsening food crisis, the international community including South Korea provided food aid. However, it appears the distribution of this aid prioritized military and regime affiliates over the general population. The floods in the summer of 1995 led North Korea to seek humanitarian assistance from the international community. While South Korea and other actors in the international community provided food aid during natural disasters and other crises, the aid often did not reach ordinary North Korean residents, instead being allocated primarily to military bases, state and social security agencies, and ammunition factories.<sup>18</sup>

There have been instances of aid being distributed to residents only superficially, for the sake of appearances during inspections by international monitoring teams.<sup>19</sup> Residents were informed about these distributions only when a monitoring team was present, and after the distribution was completed and the team departed, the aid was retracted, leaving only a small portion for the supposed beneficiaries.<sup>20</sup> The military and special agencies, such as security services and munitions producers, were given priority in receiving food aid directly at ports of entry. They were instructed to conceal their military identification by removing military license plates and wearing civilian clothes when coming to the port.<sup>21</sup>

“In 2015, there was rice aid provided by the World Food Programme (WFP). Out of, for example, 10 tons of rice aid received, not all of it went directly to the residents. The authorities established distribution ratios that favored the military, with the remainder allocated to orphanages or preschools. Due to the presence of inspection teams from

<sup>18</sup> The ROK government(1995-2010) and the international community(1996-2020) offered humanitarian food aid to North Korea. ([www.hairo.unikorea.go.kr](http://www.hairo.unikorea.go.kr))

<sup>19</sup> Food distribution is planned by the Ministry of Food Procurement and Administration. The MFPA Bureau under the provincial People's Committee then prioritizes the distribution of food to the MFPA departments of cities, counties, and districts and finally to distribution centers in residential areas. In principle, those who did not receive their food rations must be prioritized.

<sup>20</sup> XI3TXG1978

<sup>21</sup> P3RFM51542

international organizations, approximately one out of the total 10 tons was set aside to demonstrate that ordinary residents were beneficiaries of the food aid. Typically, inspectors verified that this one ton of rice was stored properly but did not ensure that it actually reached the residents. At times, events were staged to give the appearance of distributing the donated food to the residents.”<sup>22</sup>

Given these policies, few residents actually benefited from the international food aid as intended. Meanwhile, numerous testimonies indicate awareness that the aid came from the international community, which arrived through various channels. Some learned about the aid from announcements made at state-owned enterprises and *inminban*.<sup>23</sup> Others observed rice packets marked with “ROK” or “USA” in *jangmadang*, indicating the source of the aid. North Korea portrayed this international assistance as a result of its own diplomatic efforts. For instance, one defector recounted learning in a lecture that China had supplied rice and fertilizer, which was presented as Kim Jong Un’s diplomatic success with China.

“During a lecture, I discovered that the United Nations and China had provided rice and fertilizer. It was presented as a result of Kim Jong Un’s visit to China, with China’s decision to supply these resources highlighted as one of his diplomatic achievements. As for food aid from South Korea, I first heard about it from other people. In the late 2000s, I recall seeing rice packets labeled with ‘ROK’ on them when I was in primary school.”<sup>24</sup>

## B. Discriminatory Rationing System

The state is obligated to ensure its people have the right to an adequate standard of living, including access to food. However, North Korea has

<sup>22</sup> XHQ3062395

<sup>23</sup> LXUIUC2307, 4NPX212298, PMYYOW2258

<sup>24</sup> LXUIUC2307

established a food rationing system that allocates food based on region and affiliated organizations. It has implemented a food rationing system since the 1950s,<sup>25</sup> but the widespread economic challenges beginning in the 1990s led to the suspension of food ration to the general population, with only certain privileged classes receiving rations after late 1995. After 2012, the Socialist Enterprise Responsibility Management System<sup>26</sup> was introduced with the aim of improving the economic situation, leading to modifications in the food rationing system. This resulted in two categories: “state rations” and “state-owned enterprise rations.” State rations were designated for those who were not employed, such as minors, housewives, university students, and retirees eligible for old-age benefits. Despite multiple testimonies indicating the absence of rations for ordinary residents, distributions did not cease entirely. Testimonies suggest that allocations continued for some groups, including the security apparatus and residents of Pyongyang.

“The allocation of rations by state-owned enterprises varies according to the enterprise’s situation. When an individual receives rations from an institution or state-owned enterprise, this is reported to the state ration office, and they are then excluded from the state’s ration list. Those who do not receive rations from state-owned enterprises, along with their dependents, are instead provided for by the state ration office. This arrangement exists because some enterprises that are unable

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**25** The distribution system is how the authorities regulate the distribution and consumption of goods (food) in limited supply by providing them according to specific criteria. North Korea has been supplying essential goods needed for food, clothing, and shelter to the people through its distribution system. North Korea’s food rationing system was stipulated by Cabinet Decision No. 56 in March 1952 and began operation in May of the same year. The distribution was implemented in full-scale after Cabinet Decision No. 102 in November 1957 was adopted. Residents receive their food ration coupons from the accounting department of their workplace and collect their rations from designated distribution centers on a specific date between the 1<sup>st</sup>-15<sup>th</sup> of each month. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 310)

**26** “The Socialist Enterprise Responsibility Management System (SERMS),” also referred to as the “December First Economic Management Improvement Measures,” was introduced in December 2012 under the leadership of then Premier Pak Pong-ju. This economic reformation in the industrial sector under Kim Jong Un’s leadership ensures the autonomy of state-owned enterprises in setting their production plans, carrying out production, and utilizing the profits. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 447)

to manage internal ration, rely on state rations, while financially stable firms opt to distribute internally. If household breadwinners are employed, they receive their portion directly at their workplace, while the rest of the family is catered to by the state ration office. It is commonly understood that rations are generally carried out in Pyongyang and Jagang Province, but other regions have encountered challenges with the rationing system, which has reportedly been discontinued in some areas.”<sup>27</sup>

It has emerged that eligibility for state-distributed food rations extends to members of the security sector, including the Workers’ Party and the military, whereas groups such as teachers and medical personnel have not been provided with state rations. Furthermore, defectors who had been associated with the Ministries of Social Security and State Security, the Prosecutor’s Office, and other special agencies stated that there was some form of state rations, though not held regularly. According to testimonies from a defector who served in the military in 2019, the military received rice distributions from December through March, and the rations for the remainder of the year was a 2:8 mix of rice to corn. Regardless of rank, the daily ration per soldier was 800g, with special provisions like rice cakes, pork, and seafood being distributed during holidays.<sup>28</sup> Another defector noted that an honorably discharged soldier,<sup>29</sup> who left the military in 2019 due to injuries, continued to receive monthly rations.<sup>30</sup>

Even for the security sector, the frequency and quantity of food did not always adhere to the stipulated guidelines by region and affiliation. In 2020, soldiers at a military base in North Hamgyong Province were supposed to receive 800g of cornmeal, salt, and soybean paste per meal, but instead, they

<sup>27</sup> 8B5CA02248

<sup>28</sup> HGJC251956

<sup>29</sup> An “honorably discharged soldier” refers to an individual who has been released from military service and receives national benefits due to injuries sustained during service. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1109)

<sup>30</sup> 8B5CA02248

were only given 100g of cornmeal, broth, and pickled radish.<sup>31</sup> A secondary school teacher received state rations in 2019, but only about 70% of the stipulated amount.<sup>32</sup> In the same year, a kindergarten teacher in Ryanggang Province was allotted 200kg of potatoes and 50kg of corn annually.

“I was employed at a kindergarten in Ryanggang Province until 2019. The distribution of rations occurred once annually in autumn, consisting 200kg of potatoes and 50kg of corn. The distribution was overseen by the kindergarten principal and a bookkeeper. However, this quantity was insufficient to last the entire year. After allocations were made to the military, the Workers’ Party, state and social security institutions, the prosecutor’s office, courts, schoolteachers, the Youth League Council, and medical personnel, there were no resources remaining for the rest of the population.”<sup>33</sup>

**Figure V - 2** North Korea’s Food Rationing and Grain Stores



\* (Sources) Ministry of Unification, KCNA (December 23, 2011), Rodong Sinmun (January 25, 2023)

There also seems to be a significant disparity in food ration allocations among institutions within the same sector. For instance, a defector who was employed at a people’s hospital in Ryanggang Province in 2018 noted receiving monthly rations consisting of 15kg of corn, potatoes, wheat, and

<sup>31</sup> OTP8Z62291

<sup>32</sup> OJ4A8E0883

<sup>33</sup> 53YQKD1785

barley.<sup>34</sup> In contrast, an employee at a general clinic in the same province in 2019 did not receive any food rations.

“I was employed at a general clinic in Ryanggang Province, which had a total staff of 35 to 40 employees, including myself and six other doctors. I did not receive any food rations or wages from the clinic. Consequently, I purchased a Chinese-brand 11-passenger van and earned my livelihood by working as a taxi driver.”<sup>35</sup>

Furthermore, there are notable disparities in the state food rationing system between Pyongyang and other provinces in North Korea, including differences in distribution frequency, quantity, and types of grain. In Pyongyang, the rationing system appears to function relatively well, with residents receiving rations from their *inminban* until the autumn of 2019. Occasionally, distributions were delayed by two to three months, during which corn, beans, and potatoes were supplied instead of rice.<sup>36</sup> Defectors from Ryanggang Province indicated that households received only 100kg of potatoes each in autumn, and there were no food rations until 2020.<sup>37</sup> Recently, testimony has been collected that ration coupons were distributed in South Hwanghae Province. The *inminban* distributed these coupons two to three times a year. Contrary to common expectations, these ration coupons do not represent free food ration but serve as a form of currency that can be used to purchase goods of similar value.

“In 2022, *inminban* in South Hwanghae Province distributed food two to three times a year. They issued ration coupons that could be used to purchase grains, requiring additional payment at the state ration office. Typically, a ration coupon covered

<sup>34</sup> CB1DGP0710

<sup>35</sup> 68JWC41434

<sup>36</sup> YNNL9N2323

<sup>37</sup> VPAR1A1430, 67MM9S2253



5kg of rice and 5kg of corn. Upon presenting the coupon at the distribution office, I was required to pay KPW 4,000 for each kilogram of rice and KPW 2,500 for each kilogram of corn.”<sup>38</sup>

Institutions and state-owned enterprises, excluding the security sector, were tasked with producing and distributing food to their employees under the Socialist Enterprise Responsibility Management System. Consequently, the amount, frequency, and types of grain distributed varied significantly across institutions, and the distributed quantities were often insufficient, not meeting the minimum requirements. A defector who had worked at a state-owned enterprise in Pyongyang in 2019 received a supply of corn only sufficient for three to five days each month, while another defector, employed by an organization affiliated with the People’s Committee in Ryanggang Province, received 30-40kg of corn annually.<sup>39</sup> A worker from an office affiliated with South Pyongan Province stated that he had not received any rations during his seven years of employment.<sup>40</sup> Discriminatory state rations and neglect by the authorities have left residents concerned about their immediate livelihood. Testimonies indicate that starvation deaths have occurred recently in certain regions.

“On April 22, 2021, I saw a man in his mid-30s die from starvation in a park in Hyesan City, Ryanggang Province. He was a member of the Samjiyon Shock Brigade. A social security officer took care of his corpse. Merchants told me that 15 people starved to death in the winter of 2021.”<sup>41</sup>

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<sup>38</sup> TEIEJA2400

<sup>39</sup> TMJBDT2280, C63MQK1441

<sup>40</sup> U47HAV2314

<sup>41</sup> UBWCTO2335

There have been testimonies of efficient food distribution at organizations with good earnings or those that earned foreign currency. A driver for a foreign currency-earning enterprise in Pyongyang in 2019 received monthly rations including rice, sugar, oil, vegetables, pork, and other foods.<sup>42</sup> Similarly, a defector working for a foreign currency-earning enterprise in Pyongyang mentioned receiving 15kg of rice each month around 2019, which was sufficient for her livelihood.<sup>43</sup> In addition, a worker at a provincial fishery office received 13.5kg of food every month, including corn, brown rice, and white rice.

“In 2022, I worked at a fishery office in South Hwanghae Province, which supplied fishery products to cadres of the Workers’ Party, ensuring a well-managed distribution system. We received our monthly food rations as promised, amounting to 13.5kg. The type of grains provided varied over time, including corn, brown rice, white rice, and sticky rice.”<sup>44</sup>

Some organizations and state-owned enterprises operated “Land No. 112” where employees were required to produce their own food. However, this approach reportedly had minimal impact on the food crisis. Land No. 112 refers to parcels of local farmland leased by an organization or state-owned enterprise for food production and providing the products to their employees. Testimonies have highlighted its ineffectiveness, citing reasons such as the infertility of the leased land, the financial burden on organizations to cover crop cultivation costs, and difficulties in paying rental fees.<sup>45</sup> As an alternative to receiving rations, an office worker in North Hamgyong Province was allocated a plot of land from a collective farm. Unfortunately, the land proved to be barren, and the worker was burdened

<sup>42</sup> 9F06UX2305

<sup>43</sup> ATUMYS2304

<sup>44</sup> XHQ3062407

<sup>45</sup> XI3TXG1978

with both the land rental fee and the agricultural expenses. Given the poor yield and financial costs, the worker opted to return the land the following year.<sup>46</sup>

“As a freight worker in Ryanggang Province in 2018, my food rations included 150kg of potatoes annually. The daily grain allowance was 700g for a worker, 400g for a housewife, and 300g for a child. Although ration coupons were distributed according to state guidelines, the actual food provided did not always match the coupon allocations. Our workplace would take these ration coupons to the farm, purchase food, and then distribute it among the workers. Unfortunately, these food rations were quite limited and typically lasted only about a month.”<sup>47</sup>

### C. Food Rationing System That Has Reached Its Limit and Residents’ Efforts to Secure Food

Due to the dysfunctional food rationing system in North Korea, many residents have been forced to find ways to secure their own food. The range of private economic activities varies by individuals’ affiliations and workplaces. According to testimonies, residents have found their own ways to secure food and earn a living by cultivating small plots of land, engaging in private market trade, smuggling goods, and performing paid errands.

“Since the age of 15, I had been working as a porter in a county within Ryanggang Province. My father, employed at a state-owned enterprise, received neither wages nor food rations. The absence of state-provided food rations forced my family to grow our own food on a *bueopji*, a small plot of land, and required my mother to engage in smuggling. Without resorting to such measures, we face starvation in North Korea.”<sup>48</sup>

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<sup>46</sup> OH7UDE0809

<sup>47</sup> JEVZ4X1261

<sup>48</sup> N4XFMT1979

In many cases, individuals who work on farms or live in rural areas collaborate to cultivate small plots of land.<sup>49</sup> Along with these side-work plots,<sup>50</sup> the cultivation of low hills and the use of slash-and-burn techniques have become necessary. However, such cultivation practices are subject to crackdowns under the Forest Law.<sup>51</sup> Due to the inadequacy of food provided by collective farms, a majority of farmers turn to cultivating and selling cleared land, and in some instances, they also raise goats and pigs. In mountainous areas, collecting medicinal herbs and vegetables has become a way to offset food shortages. A defector who used to work at a farm in Ryanggang Province in 2019 testified that he had around 9,920m<sup>2</sup> of land in the mountains and fields surrounding his farm so that he could cultivate the cleared mountain plots to secure his food.

“Farm workers employed at collective farms all cultivated small plots of land to grow crops. On these plots, situated in either mountainous regions or fields, they primarily grow corn and beans. A single family typically manages an area ranging from 990m<sup>2</sup> to 1ha. Their routine often involves working at the collective farm in the morning and cultivating their small plots in the afternoon. Although the land of collective farms is quite fertile, farmers tend to prioritize working on their small individual plots, resulting in minimal yields from the collective farm. While the authorities do not impose quotas on these small plots, farmers are required to pay an annual rent to the authorities, which varies between KPW 5,000 and KPW 10,000 per year.”<sup>52</sup>

<sup>49</sup> “Plot” refers to a specific parcel of land within a farm, defined by clear boundaries. A “plot of land” refers to a particularly small-sized piece of land. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 614)

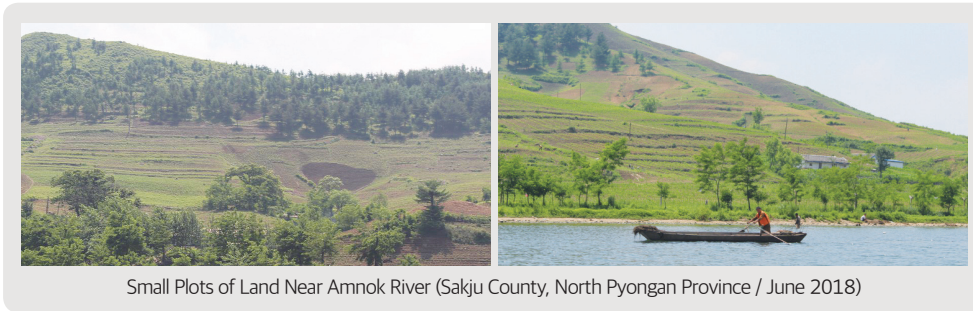
In North Korea, small plots of land refer to very small parcels of land. These can include kitchen gardens or supplementary plots belonging to farms, institutions, or enterprises, all of which are considered to be small-scale fields. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 264)

<sup>50</sup> “Side work” refers to extra tasks individuals undertake alongside their main job to increase their income. “Side-work plot” refers to a small piece of land cultivated by an individual to earn additional disposable income. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 2, 2017, p. 833)

<sup>51</sup> 『Forest Law』 (2021) Article 49, Article 53, and Article 65.

<sup>52</sup> BOBIYN2133

**Figure V - 3** Clearance of Mountainous Land in North Korea



\* (Source) Ministry of Unification

After Kim Jong Un took power, the North Korean authorities intensified their efforts at forest restoration policies, which may have affected residents' ability to clear and cultivate mountainous lands. Testimonies indicate that the Congress of Workers within the General Mobilization Campaign for Land Management in 2012 focused on reforestation and the management of forest protection, strengthening the monitoring on clearing mountainous areas. In the past, the authorities levied an annual tax of KPW 10,000 on residents instead of imposing restrictions on the cultivation of cleared lands. If the cultivators were unable to afford the tax, it was not mandatory for them to pay. However, as the enforcement of the forest restoration policies became more rigorous, there emerged a requirement for residents to plant trees at regular intervals. To circumvent this enforcement, residents resorted to repeatedly installing and removing tree saplings and seedlings in the cleared areas.

“Starting in the winter of 2015, the Workers’ Party implemented new policies on reforestation and forest protection. We were directed to plant corn every 4m around our mountain plots and to plant trees every meter within the plots. No supplies were provided, so we had to procure our own seedlings. Following these instructions meant planting trees at 1m-intervals, which significantly reduced the available space for cultivation. This restriction prompted me to consider escaping North Korea due to the limited opportunities for farming.”<sup>53</sup>

<sup>53</sup> Y05YNJ1861

A significant number of workers engaged in personal economic activities and paid a portion of the earnings to their workplace in exchange for not going to work. Due to the insufficiency of rations provided by state-owned enterprises, individuals have turned to various forms of income generation, including trade, service work, running errands for pay, and smuggling. In 2020, a worker of the People's Committee's affiliation of Hyesan City, Ryanggang Province, opted to make payments to avoid going to work, earning a livelihood through private tutoring of senior secondary or university students or by undertaking tasks for private commissions.<sup>54</sup>

Housewives and students have adopted diverse strategies to ensure their families' food security. Many housewives have supported their families by engaging in trade, smuggling goods, and running errands for pay, while some students have participated in retail businesses with their parents instead of attending school.<sup>55</sup> In 2019, a mother resorted to selling food in the marketplace, also known as the *jangmadang*, because her husband did not receive food rations at his workplace.<sup>56</sup> Additionally, another female defector earned money by selling marine products.

"In 2019, I was selling marine products at a fish market in Chongjin City, North Hamgyong Province. To secure my spot as a street vendor, I had to pay a commission of CNY 2,700 (approx. USD 400) and an additional monthly service fee of KPW 36,000 (approx. USD 5) to market inspectors. Despite periodic inspections, I managed to sustain my business. Eventually, I earned enough money to cover my expenses for about a month without needing to work."<sup>57</sup>

<sup>54</sup> U4G4Q32334

<sup>55</sup> CDZJG02349

<sup>56</sup> U47HAV2314

<sup>57</sup> K5ZJ5U1964

Despite residents' self-sufficient efforts to secure food, the authorities appear to monopolize the grain supply by operating stores that control food distribution. A defector testified that by around 2022, grain stores in North Korea were required to handle all grain sales. Following these measures, crackdowns on grain sales in local markets, known as *jangmadang*, intensified.

"In the county where I resided, selling rice at the *jangmadang* had been prohibited since 2022. I believe individuals in power established and operated these stores. Residents were required to purchase grains only from specific grain stores. I witnessed two such stores. In 2023, rice cost KPW 5,300 for purchase and KPW 5,000 for sale."<sup>58</sup>

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<sup>58</sup> UYSKRB2399

## 2. Right to Health

The right to health is the right to receive protection of one’s own and one’s family’s health by the state, and this right should not be violated on account of one’s gender, social class, or economic situation. Article 12, paragraph 1 of the ICESCR describes the right to health as “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.” Pursuant to Article 12, paragraph 2 of the ICESCR, States Parties have a duty to take the necessary measures to ensure the health of children, improve environmental and hygiene conditions, prevent and treat infectious diseases, and establish conditions that allow everyone to access medical care and nursing in the event of illness.

**Table V - 2** 「ICESCR」 and Right to Health

「ICESCR」		Right to Health (Related Contents)
Article 12	1	Right to Health
	2	

North Korea officially claims to have a free healthcare system. Its Socialist Constitution outlines a “comprehensive free medical treatment system,”<sup>59</sup>

<sup>59</sup> The “free medical treatment system” refers to an advanced healthcare system in which the authorities provide free prevention and treatment of diseases to the people. North Korea claims that “under the wise



“district doctor system,”<sup>60</sup> and “preventive medicine system,”<sup>61</sup> clearly defining its duty to promote people’s health.<sup>62</sup> However, many of North Korea’s medical institutions lack proper facilities, equipment, and medicines, forcing residents to pay out of pocket for medications and hospital services.

Moreover, medical services are often discriminatory, varying significantly based on residents’ area of residence, family background, and economic status. Private medical practices are also rampant throughout North Korean society. Furthermore, residents are exposed to widespread drug use, yet there are no official educational programs or treatment strategies to combat this issue. Additionally, North Koreans are not even guaranteed the basic human right of access to clean drinking water.

## A. Nominally Free Medical Treatment System

The free medical treatment system, whereby the state is responsible for disease prevention and treatment, has been touted by North Korea as part of its advanced health system, but the significance of such a system in North Korea has recently diminished. The system seems to have virtually collapsed in the mid-1990s amid a severe economic crisis along with the breakdown of the state rationing system. Although North Korea’s Socialist Constitution,

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leadership of Kim Il Sung, comprehensive free medical treatment has long been implemented.” (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 1, 2017, p. 250.)

<sup>60</sup> The “district doctor system” is one of North Korea’s healthcare policies, whereby specific areas are designated, and one doctor is responsible for the health of residents within that area. It was first implemented in 1963 and developed into the “household doctor system” in 1993. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 597.)

<sup>61</sup> “Preventive medicine” refers to a branch of medicine that identifies the causes of disease and develops measures to eliminate them, thereby contributing to the prevention of people from falling ill. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1542.)

<sup>62</sup> 『Socialist Constitution』 (2019) Article 56. The State shall protect the people’s lives and improve the working people’s health by consolidating and developing the system of universal free medical service, improving the district doctor system and the system of preventive medicine, and improving the provision of materials for public health purposes.

Medical Law, and People’s Public Health Law<sup>63</sup> all mandate a free medical treatment system, it has become nominal and provides limited benefits to only a select few residents.

North Korean residents have had to pay cash or in-kind to medical staff to receive diagnoses or treatments at medical institutions. Many defector testimonies have indicated that payments were made to medical staff during their time in North Korea.<sup>64</sup> Until the 1990s, treatment could be received for free, but as the economic situation deteriorated during the Arduous March period, the free medical treatment system collapsed, according to numerous testimonies.<sup>65</sup> After the 1990s, contrary to the principles of the free medical treatment system, the financial burdens of diagnosis fees, treatment costs, and hospitalization fees on patients gradually increased. Patients had to pay for medical services, meals during hospitalizations, and medications out of pocket.<sup>66</sup> One defector recounted paying medical staff KPW 5,000-10,000 in cash or with cigarettes for each outpatient treatment in Pyongyang around 2018.<sup>67</sup> Despite crackdowns and sanctions on these practices, the burden of costs for patient meals, medicines, and payments to medical staff is still taken for granted in North Korean society.<sup>68</sup>

<sup>63</sup> ‘People’s Public Health Law,’ (2012) Article 9 (Right to free medical treatment) The State shall give the benefits of complete free medical treatment to all citizens. All citizens including labourers, peasants, and working intellectuals have the entitlement to free medical care.

Article 10 (Content of free medical treatment) The content of free medical services is as follows.

1. Medicine given to patients by medical institutions, including to outpatients, shall all be free.
2. All labour for patient treatment shall be free, including diagnosis, medical tests, treatment, surgery, medical visits, admissions, and meals.
3. Nursing services for workers shall be free, and travel expenses for recovery shall be borne by the State or by social, cooperative organizations.
4. Childbirth services shall be free.
5. Preventive medical services such as health examinations, health consultations, and preventive vaccines shall be free.

<sup>64</sup> JQYD690967, 87YFN32212, EJRHJ2244, YKDSNY2213, QWVNRL2135, KJ7IFB2239, 1J9VEU1801, EO2TWG1095, WTNUL21649, HIGN3D0888, 5QJ9CE0679

<sup>65</sup> 1NR82V2474, 5CB1UV1055

<sup>66</sup> JQYD690967, R7KY7W2329, DGAE7C0806, TGCAEV2403, NT9FPV0827

<sup>67</sup> YNNL9N2323

<sup>68</sup> C7OC571623, RQU50U2001, G826H31621, 87YFN32212

“In 2015, I was hospitalized for eight days for uterine fibroid surgery at a hospital in Ryanggang Province. It was customary to give cigarettes or other items to doctors as payment, and I had to bear the cost of all the medicines needed for the surgery. Three years later, in 2018, prosecutors visited my house to inquire about my surgery history and whether I had paid for the medicines myself. They were cracking down on doctors who were selling the supplied medicines for profit, and I heard rumors that several doctors from the hospital were dismissed from their jobs and sent to *rodong-danryundae*.”<sup>69</sup>

Most North Korean residents have had to purchase necessary medicines from pharmacies, unofficial pharmacies, or markets and have been responsible for obtaining all medical supplies needed for hospitalization and treatment. Although free and paid medical goods both exist, many North Korean defectors testified that they preferred to buy medicines for a fee. This preference seems to be driven by complex factors, including the poor quality of medicines at North Korean medical institutions, as well as the efficacy and cost-effectiveness of unofficial medicines. Multiple testimonies have indicated that if a hospital prescribed medicines, people had to buy those medicines separately at pharmacies or visit privately operated unofficial pharmacies to purchase them.<sup>70</sup> One defector stated that while living in Pyongyang in 2018, he often bought medicines from private homes because they were cheaper there than at official pharmacies.<sup>71</sup> The mistrust of medicines provided by medical institutions was also a reason why North Korean residents felt compelled to procure their own medicines.

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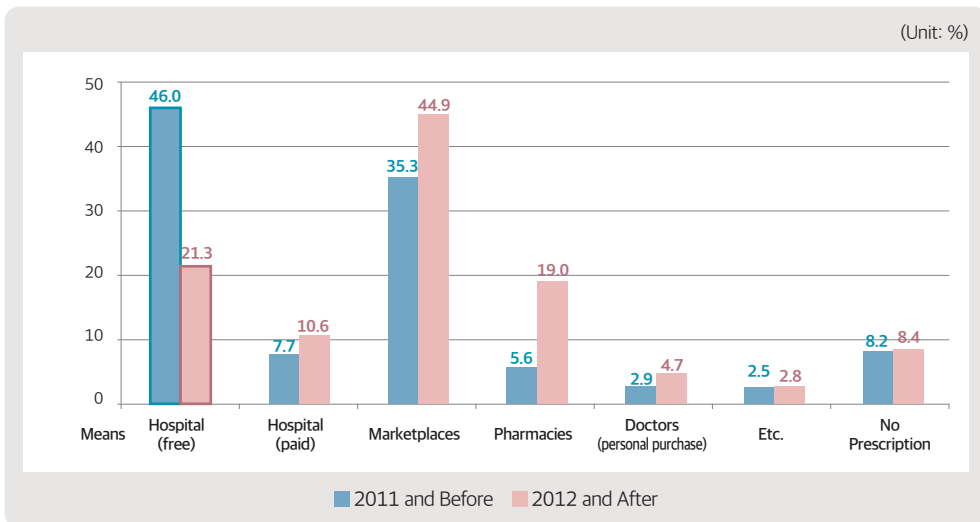
<sup>69</sup> G826H31621

<sup>70</sup> NHVN9E0241, 5VRQH72482, 00RIT62477, JUZ0TT2455, 8IUFR2452, XHQ3062444, 1BQ5TD2438, 1BQ5TD2412, ROD6PD2423

<sup>71</sup> YNNL9N2323

“(In South Hamgyong Province) Kowon County Hospital had a pharmacy, but it appears that people rarely used it. Residents typically preferred privately operated sources because the medicines from hospitals often had mold or were past their expiration date. My sister would procure medications like penicillin for me, and I would administer injections to myself in the buttocks. It is generally better to obtain medicines from private homes than from hospitals or pharmacies. Private homes store medicines in the refrigerator if necessary, ensuring their effectiveness, whereas hospital-supplied medicines are considered ineffective.”<sup>72</sup>

**Figure V - 4 Means of Obtaining Prescribed Medicine**



\* (Source) The Ministry of Unification, “Report on North Korea’s Economy and Society as Perceived by 6,351 Defectors,” 2024, p. 185 / multiple responses.

After Kim Jong Un took power, the free supply of medicines to North Korean residents significantly decreased. According to a survey by the Ministry of Unification on the “self-supply of medicines” among North Korean defectors, the proportion of free medicine supply dropped from 46.0% before Kim Jong Un’s regime to 21.3% afterward. On the other hand, the percentage of individuals purchasing prescribed medication for a fee through hospitals, markets, doctors, and pharmacies significantly increased

<sup>72</sup> F6ES8K2204

from 51.5% to 79.2%. This significant decline in the free supply of medicines after Kim Jong Un's ascension to power highlights the deteriorating state of North Korea's free medical treatment system.<sup>73</sup> The dependency on unofficial pharmacies among North Korean residents continues to grow, and the active trade of medicines in markets or privately operated pharmacies has been well-documented in various testimonies.

"People typically purchase medicines from private pharmacies. Even though a license is required to operate these pharmacies, ordinary residents have no means to verify their legitimacy, and often, these pharmacies are run illegally by unlicensed individuals. Additionally, people frequently buy medicines from markets. While there are state-run pharmacies, in practice, they are essentially privately operated by individuals who pay the state to run them."<sup>74</sup>

Recently, there have been testimonies indicating that the crackdowns and penalties for operating unofficial pharmacies have been intensified. North Korean defectors who have recently defected stated that obtaining medicines became more difficult after COVID-19 due to increased punishments, including *rodong-danryun* punishments, for individuals selling medicines illegally. One account noted that the crackdown on private home pharmacies has intensified under Kim Jong Un's regime.<sup>75</sup> Another defector testified that, despite the rising costs of medicines in March 2023, he was only able to purchase medicines from hospitals.

"The last time I received medical care was in March 2023. I went to a clinic to receive treatment for shingles. The medical facilities were extremely outdated. Previously, I

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<sup>73</sup> Ministry of Unification, "Report on North Korea's Economy and Society as Perceived by 6,351 Defectors," 2024, p. 185.

<sup>74</sup> DGAE7C0806

<sup>75</sup> 5VRQH72406, YNNL9N2323

would buy medicines from private homes, but after COVID-19, I could only purchase them from hospitals. I remember buying two types of medicine, which cost about KPW 10,000.”<sup>76</sup>

It has been revealed that some of the medicines provided by international organizations to address North Korea’s critical healthcare situation were not distributed freely to residents but were instead sold. These medicines, meant to be managed through medicine control offices and supplied to hospitals, were diverted with the hospital director’s approval and sold in markets.<sup>77</sup> Despite monitoring efforts by the UN health agency from 2017 to 2018 to ensure that patients received these medicines, the diversion of internationally supplied medicines continued.

“To my understanding, there is a medical control office in a certain Dong, City, and Province, which has a significant supply of medicines, including those provided by Pyongyang or the United Nations. These medicines are reportedly reserved exclusively for officials. The head of the medical control office is replaced annually due to the large amount of drugs being siphoned off. There are expensive medicines, such as high-priced nutritional supplements, antibiotics, heart medications, and deer antler extract, which would be costly for ordinary people to purchase. Medicines from the medical control office are not supplied to the general public. (Omitted) Pyongyang supplies the provincial medical control offices with medicine, and these provincial offices then distribute the medicines to city or county medical control offices. Many of these medicines are diverted to the black market for sale. (Omitted) In 2017–2018, I witnessed in a certain Dong, City, and Province that the United Nations Health Organization was verifying whether the UN medicines were actually being distributed to patients.”<sup>78</sup>

<sup>76</sup> XHQ3062407

<sup>77</sup> OJ26QT0233, V97A6P1188, 55IV3I2260, YDBRT41568, QWVNRL2135

<sup>78</sup> V97A6P1188

## B. Collapsed Preventive Medicine System

Article 12 of the ICESCR stipulates that State Parties must take the necessary measures for the treatment and control of diseases. In line with this, North Korea’s Socialist Constitution and the People’s Public Health Law<sup>79</sup> characterize the “preventive medicine system” as the cornerstone of “socialist medicine,” mandating state responsibility for protecting lives through preventive measures. Thus, North Korea’s health policy prioritizes prevention over treatment, embodied by its preventive medicine system. However, contrary to the principles of this system, North Korea’s preventive medicine infrastructure has not operated effectively.

### (1) Vaccination Situation

Although the North Korean authorities declare in their laws that the basis of socialist medicine is preventive medicine and that vaccinations are free,<sup>80</sup> the vaccination system does not operate as effectively as what is prescribed by law. Both “essential infant vaccinations” and “general vaccinations” for preventing infectious diseases have faced limitations, including a requirement for payments.

**Figure V - 5** North Korean Children’s Mandatory Vaccination Immunization



\* (Source) WHO ‘Evaluation of the Gavi Health Systems Strengthening Support to the Democratic People’s Republic of Korea,’ (March 2019).

<sup>79</sup> ‘People’s Public Health Law,’ (2012) Article 3 (Principle of consolidating and developing a system of preventive medicine) The foundation of socialist medicine is preventive medicine. The state shall consolidate and develop a system of preventive medicine that embodies theories of socialist medicine in people’s public health work.

<sup>80</sup> ‘People’s Public Health Law,’ (2012) Article 10 (Content of free medical treatment) The content of free medical services is as follows.

5. Preventive medical services such as health examinations, health consultations, and preventive vaccines shall be free.

First, it has been found that although essential infant vaccinations were administered for free, they did not cover all residents. There have been accounts of residents having to bring cash or firewood as administration fees, and some infants have never received their essential vaccinations.<sup>81</sup> There are also accounts of inadequate information about when and which vaccines to receive.

“In March 2023, I took my granddaughter to the clinic for her vaccination. We went because our *inminban* said it was time for us to do so, but I’m not sure which vaccine she received. While essential infant vaccinations are free, you have to pay for all the others.”<sup>82</sup>

This situation has been found to be similar for general vaccinations intended to prevent infectious diseases. Although the North Korean authorities claim to administer vaccinations and conduct hygiene promotion education about symptoms and prevention of infectious diseases, testimonies regarding vaccination initiatives vary. Some testimonies indicate that vaccinations were received for free, while others suggest that no preventive measures were in place for infectious disease vaccinations.<sup>83</sup>

“After enlisting in the military, I was mobilized for the construction of Ryomyong Street in Pyongyang until 2017. During this period, I contracted paratyphoid fever, an acute gastrointestinal infectious disease, and was hospitalized in a military hospital. Despite the infectious nature of the disease, no vaccinations were provided to the soldiers I lived with, and I was the only one hospitalized.”<sup>84</sup>

Additionally, in some cases, individuals were required to bear the cost of vaccinations themselves. One North Korean defector who had studied

<sup>81</sup> DTUY3F1449, T255EE2480, ROD6PD2466

<sup>82</sup> 5VRQH72406

<sup>83</sup> TGCAEV2403, 10058G2205, 8CWCD32231, YX61OJ1638

<sup>84</sup> 8CWCD32231



abroad stated that during a brief return in 2019, this individual was forcibly vaccinated against hepatitis at the airport medical office immediately upon arrival. At that time, only local residents were eligible to receive the vaccination for free, and the defector had to personally cover the cost of the vaccination himself.<sup>85</sup>

## **(2) Limitations in Infectious Disease Management**

Contrary to the authorities' claims, there has been a lack of continuous and systematic management of infectious diseases in North Korea. The authorities claim that they administer "hygiene promotion campaigns" and vaccinations to prevent infectious diseases and strictly manage patients with diseases. However, it appears that North Korea has failed to respond adequately when outbreaks of infectious diseases, such as tuberculosis, occur.

In particular, tuberculosis patients in North Korea have not received systematic management or proper medical services. The spread of tuberculosis, like other infectious diseases, can only be prevented if it is detected, treated, and fully managed by national health agencies. However, due to inadequate medical facilities and a poor patient management system, providing proper care to patients has been challenging in North Korea.<sup>86</sup> One defector mentioned that a soldier diagnosed with tuberculosis during military service was discharged uncured, with no subsequent management or treatment by the authorities.<sup>87</sup> Another defector stated that he had to manage his treatment at home without any support from the hospital or authorities.

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<sup>85</sup> YNNL9N2323

<sup>86</sup> YKDSNY2213, 5EXU5N2147

<sup>87</sup> 6Q84A61977

“My husband was diagnosed with latent tuberculosis at a hospital in Hyesan, Ryanggang Province. We heard that tuberculosis patients could get medicine for free, so we went to a clinic to receive it for two months. Each week, I collected a week’s worth of medicine, but because the clinic was a 30-minute walk away, I had to fetch it myself. Due to the distance, my husband did not receive any direct treatment at the clinic. After the two months, the clinic did not offer any further examination or suggest treatment methods. Since my husband’s condition was not severe, we initially chose not to return to the clinic. However, his condition worsened a month later, leading him to use opium for treatment purposes.”<sup>88</sup>

Proper treatment and management for hepatitis patients also appear to be lacking. The North Korean authorities operate medical facilities such as hepatitis wards and prevention centers, and it seems they register and manage hepatitis patients. However, testimonies indicate that even hepatitis patients had to pay for their necessary medications out of pocket.<sup>89</sup> (For a recent example of North Korea’s approach to managing infectious diseases, refer to II-4. COVID-19.)

“In Hyesan, Ryanggang Province, there is a hepatitis prevention center, housed in a three-story building, where only hepatitis patients receive professional treatment. Tuberculosis medications supplied by the UN are provided for free through tuberculosis sanatoriums and other facilities. However, patients must personally pay for hepatitis medications. Both tuberculosis and hepatitis patients are registered, allowing for the management of medicine distribution and tracking of patient numbers.”<sup>90</sup>

<sup>88</sup> O2RMI10404

<sup>89</sup> 8CWCD32231, 55IV3I2260, IGB68K1596, V97A6P1188

<sup>90</sup> V97A6P1188

### (3) Degraded District Doctor System

The district doctor system, which is a key component of North Korea's health policy along with the preventive medicine system,<sup>91</sup> is not being properly implemented. The district doctor system, also known as the "household-doctor system," assigns a doctor to oversee the health of all residents in a designated area, including providing them with preventive treatments.<sup>92</sup> Household doctors appear to typically engage in hygiene promotion, vaccinations, and issuing medical certificates and transfer documents.<sup>93</sup> However, the effectiveness of this system is compromised by outdated medical facilities, a shortage of medicines, and the frequent absence of medical staff due to their private economic activities. Recent testimony from March 2023 further highlights the obsolescence of clinics and the limitations in the system's operation.

Household doctors often fail to perform their duties adequately due to their involvement in private economic activities for the sake of their own livelihoods. Generally, these doctors received private payments for medical practices or earned income through other jobs, such as taxi driving.<sup>94</sup> A defector stated that she paid a bribe to a household doctor to receive an electrocardiogram and ultrasound examination at home.<sup>95</sup> Another defector, who worked as a household doctor at a clinic in 2019, recounted buying a

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<sup>91</sup> "People's Public Health Law," (2012) Article 28 (District doctor system) The State shall consolidate and develop a district doctor system that is an advanced medical services system for doctors to be responsible for a designated residential district and to always go out to the district over which they have responsibility to look after the health state of residents and do preventive treatment work.

<sup>92</sup> The district doctor system means that household doctors are responsible for the health of the residents in their area. They are responsible for providing outpatient care and continually overseeing hygiene and public health-related activities, vaccinations, and physical examinations within the area they are assigned to. It is known that one doctor at a clinic typically oversees the health of approximately 200 to 300 residents, and in rural areas, this number can reach around 500 residents. (National Institute for Unification Education, Ministry of Unification, "North Korea Knowledge Dictionary," 2022, p. 598.)

<sup>93</sup> YX610J1638, 9DX9W90357, V97A6P1188, VZV8V11352, YNZ1CJ2226, 030VQT1021, QWVNRL2135, VQJ71O1118, VQJ71O1118

<sup>94</sup> 5OR5F62241, 5QG11E2237

<sup>95</sup> YOVOE51471

used 11-seater car and maintaining her livelihood through a taxi business due to the absence of a salary or rations for her.<sup>96</sup>

Additionally, many testimonies have been collected from individuals who state that they have never even met a household doctor, let alone received treatment at a clinic. Most respondents were also unaware that the system even existed.<sup>97</sup> This contradicts North Korea's claim that it protects residents' health with an advanced district doctor system. According to a survey by the Ministry of Unification on North Korean defectors' awareness of the district doctor system, 70.6% of respondents were unaware of the system, significantly more than the 29.4% who were. This low level of awareness demonstrates that the effectiveness of the district doctor system, which North Korea has long boasted about, is not highly effective.<sup>98</sup>

## C. Deterioration and Discrimination in Medical Services

According to investigations by the Center, medical equipment and facilities in North Korea are severely inadequate, and medical institutions are under-equipped. Accessibility to medical services and institutions varies significantly based on one's social class and economic situation. Moreover, there is a marked disparity in the level of medical services between Pyongyang and the provinces.

### (1) Outdated Medical Facilities and Growing Disparities

There is a significant disparity in the quality and quantity of medical facilities between Pyongyang, where major medical institutions are

<sup>96</sup> 68JWC41434

<sup>97</sup> DFFYXV2475, 00RIT62454, T255EE2480, 1BQ5TD2438, ROD6PD2411, 1BQ5TD2424, REUFYK2391, 1NR82V2378, 4C6RDC2348, V941TT2313, FG7EKF2277

<sup>98</sup> Ministry of Unification, "Report on North Korea's Economy and Society as Perceived by 6,351 Defectors," 2024, p. 182.

concentrated, and the provinces. This inequality in medical accessibility for residents appears to have worsened since Kim Jong Un came to power. In Pyongyang, where the privileged and core classes live, medical infrastructure has expanded since Kim Jong Un came to power, with the establishment of Okryu Children’s Hospital (2013), Ryugyong Dental Hospital (2013), and Ryugyong Ophthalmology Hospital (2016). Although the completion of Pyongyang General Hospital, ordered by Kim Jong Un, has been delayed, it is expected to further deepen the disparities between Pyongyang and the other provinces.

“I was able to continue receiving hospital care in Pyongyang until 2018. There was a hospital within a 20-30 minute drive from my home. Located in a superior facility in central Pyongyang, it always had a stable electricity supply, and the medical amenities were quite satisfactory. I consistently received emergency care, and the medical staff were highly competent. During treatments, my parents would give a pack of cigarettes to lower-ranking staff and money to the higher-ranking ones. There also appears to be a hospital exclusively for cadres that ordinary people cannot access. I never experienced any discrimination in medical services based on economic power or connections.”<sup>99</sup>

On the other hand, medical institutions in the provinces have lacked basic facilities, and most of the equipment remains outdated. Testimonies indicate that these provincial institutions only possess simple medical devices such as abdominal ultrasound machines, X-rays, gastroscopes, and electrocardiographs. Moreover, the available medical devices were very old and prone to malfunction.<sup>100</sup> One account from the Hoeryong First People’s Hospital in North Hamgyong Province in 2017 highlighted a shortage of medicines and medical tools, thereby compelling those receiving inpatient

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<sup>99</sup> DFM95V2357

<sup>100</sup> DFM95V2357, RQU50U2001

care to supply their own medicines, cotton, and other necessities. Disposable medical supplies such as syringes, gauze, and bandages were frequently reused, and ambulances were predominantly reserved for high-ranking officials.

“Until 2017, I worked at Hoeryong First People’s Hospital. The sanitary conditions during my medical treatments were appalling. Not only were disposable syringes reused, but gauze and bandages were also washed in soapy water, boiled for about an hour, and then reused. Alcohol was not used for disinfection. Although there was one ambulance available, it was seldom used for emergency patients. Instead, it was primarily used by hospital officials, including the head of the hospital and Party secretaries, for personal purposes, such as attending meetings.”<sup>101</sup>

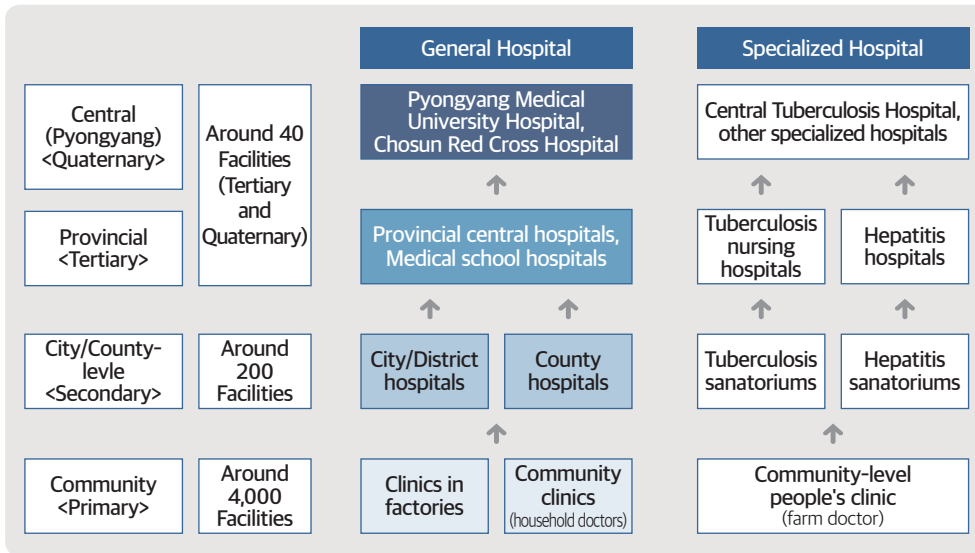
In clinics that were the most accessible to residents, only basic emergency treatment tools and essential medicines were available. The medical tools at these clinics included stethoscopes, blood pressure monitors, cotton, bandages, adhesive bandages, disposable syringes, and first aid kits. The only medicines available were cold remedies, saline solutions, disinfectants, sedatives, and multivitamins.<sup>102</sup> Testimonies have indicated that even these supplies were often insufficient. One account from 2018 described witnessing disposable syringes being disinfected and reused two to three times at a clinic.<sup>103</sup>

<sup>101</sup> YDBRT41568

<sup>102</sup> 68JWC41434

<sup>103</sup> DTUY3F1449

**Figure V - 6** North Korea's Healthcare Delivery System



\* (Source) "Inter-Korean Health and Medical Cooperation and Integration" 2017, Seoul National University, Shin Hee-young et al.

North Korea's inadequate electricity supply also significantly hampers medical services. Even in the outer areas of Pyongyang, there were preparations in place to deal with power shortages. In 2018, a resident from the Sungyo district mentioned that hospitals were equipped with generators and solar panels to cope with frequent power outages.<sup>104</sup> In rural areas, the limited electricity supply severely disrupts normal medical operations. The lack of reliable power makes it challenging to refrigerate medications or operate medical equipment, forcing healthcare providers to use solar power or even candles for lighting during medical examinations.<sup>105</sup>

"In early 2020, I received medical treatment at the First People's Hospital in Hyesan, Ryanggang Province. The state of the medical facilities, including the electricity, water supply, heating, and sanitation, was abysmal. Electricity was only sporadically available. It might have been supplied during surgeries, but generally, it was not provided on a regular basis."<sup>106</sup>

<sup>104</sup> YNNL9N2323

<sup>105</sup> YDBRT41568, 3RNTQV2332

<sup>106</sup> 3RNTQV2332

## (2) Discriminatory Access to Medical Services

In North Korea, it has been found that there is discrimination in the use of medical facilities, higher-level medical institutions, and routine medical treatments based on one's region and *songbun*. For example, a stark disparity between the medical facilities in Pyongyang and those in rural areas leads to significant gaps in both the availability and quality of medical services available to individuals. North Korean residents have faced discrimination in accessing medical services based on their place of residence, *songbun*, and economic power.

To receive treatment at a higher-level hospital, patients must obtain a medical certificate and referral from a lower-level hospital, and the process often requires connections and bribes. The issuance of these documents is not solely at the discretion of the attending physician but also requires approval through meetings of the relevant department, complicating the process and making the issuance of the documents challenging. Consequently, it is commonly recognized by North Korean defectors that having the right connections and offering bribes are often necessary to access medical treatment at provincial hospitals or specialized and central hospitals in Pyongyang.<sup>107</sup>

"I worked as a doctor at the People's Hospital in South Hamgyong Province during my time in North Korea. Normally, to be referred to a provincial hospital, one would need to go through clinics and city or county hospitals. However, even those without a referral could receive treatment if they offered bribes. Doctors did not hesitate to take on more patients because doing so meant more opportunities to receive bribes. If a patient could not be treated at the provincial hospital, the patient would be referred to Kim Man Yu Hospital, the Red Cross Hospital, or Pyongyang Medical University Hospital in Pyongyang. During such referrals, a medical transfer record detailing the treatment and diagnosis would be sent along with the patient."<sup>108</sup>

<sup>107</sup> YNZ1CJ2226, YDBRT41568, NZTG8R0537

<sup>108</sup> RQU50U2001



Additionally, it has been revealed that North Korea has medical facilities and departments exclusively for the privileged classes. According to testimonies, for officials of a certain rank and their families, there is a medical department known as the “*jinryo* department.”<sup>109</sup> According to testimonies, the *jinryo* department was available only to cadres,<sup>110</sup> those who had met Kim Il Sung or Kim Jong Il, revolutionary martyrs,<sup>111</sup> and patriotic martyrs<sup>112</sup> recognized as national heroes by North Korea, and their families.<sup>113</sup> When these individuals used the *jinryo* department, all of their costs, including the price of their hospitalization, were fully covered by the relevant budget and were free of charge. Additionally, users of the *jinryo* department were given priority when transferred to higher-level hospitals. Furthermore, high-cost medicines supplied by the Pharmaceutical Management Office were reserved for cadres, and even ambulances were often used more for the convenience of cadres than for transporting patients.<sup>114</sup> There were testimonies mentioning the “Bonghwa Clinic” in Pyongyang, accessible only to Central Party cadres and their families, as a typical privileged-class hospital.<sup>115</sup>

It appears that recently, social status and economic power have significantly influenced people’s access to healthcare, as higher-level medical services can be obtained through connections or bribery. Treatment at superior hospitals can be arranged if one has the necessary money and

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**109** 13PN7Y2325, 31ZJ9K2121, RTDQ1Q1167, 8B5CA02248, YDBRT41568, O987B01536

**110** Officials who are eligible to use the “*jinryo*-department” include provincial secretaries, provincial people’s committee chairpersons, major heads of provincial agencies, city and county secretaries, and city/county people’s committee chairpersons.

**111** A “revolutionary martyr” refers to heroes who sacrificed themselves or ended their illustrious life after dedicating themselves to the struggle for the independence and prosperity of the people. (Reference: (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 131.)

**112** A “patriotic martyr” refers to heroes who sacrificed themselves heroically in the struggle against enemies for the sake of the homeland and the people. (Reference: (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1506.)

**113** 31ZJ9K2121, YNZ1CJ2226, 5OR5F62241, QWVNRL2135, WTNUL21649, DQSGDT0863

**114** YDBRT41568, V97A6P1188, DQSGDT0863, NZTG8R0537

**115** O987B01536, Z0WWJD2245, BW8MUL2358

connections, as the need for a medical certificate and referral can effectively be bypassed. Similarly, treatment at specialized hospitals in Pyongyang is also readily accessible to those with enough money. One defector, who lived in Pyongyang in 2018, stated that with sufficient payment, one could receive special treatment with advanced medical equipment.<sup>116</sup>

“In April and September 2019, I visited the ‘Ryugyong Ophthalmic Hospital’ in Pyongyang. This facility is accessible if you have money. The examination and treatment cost is approximately USD 20, which I paid directly to the doctor. Without money, it is difficult to access the hospital. While emergency care is provided in life-threatening situations, the costs required for recovery must be borne by the individual.”<sup>117</sup>

## D. Prevalence of Private Medical Practices

North Korea’s Criminal Law and Administrative Penalty Law prescribe penalties for illegal medical practices, including unofficial medical practices by medical professionals and medical activities by retired or unqualified individuals.<sup>118</sup> Despite these regulations, private medical practices by medical professionals are common in North Korea.

The low salaries provided by the authorities were found to be a key reason why doctors and nurses often engage in private medical practices.<sup>119</sup> To make a living, they frequently visited patients privately, earning income

<sup>116</sup> YNNL9N2323

<sup>117</sup> QWVNRL2135

<sup>118</sup> ‘Criminal Law,’ (2022) Article 222 (Illegal medical acts) Those who engage in illegal medical practices and result in serious consequences shall be sentenced to a term of *rodong-danryun* punishment of less than one year. In cases where illegal medical practices lead to particularly serious consequences, individuals shall be sentenced to a term of *rodong-kyohwa* punishment of less than five years.

‘Administrative Penalty Law,’ (2021) Article 214 (Illegal medical acts) A person who performed illegal medical acts shall receive a penalty of a warning, serious warning, or less than three months of unpaid labor or *rodong-kyoyang* penalty. In grave circumstances, a punishment of more than three months of unpaid labor or *rodong-kyoyang* penalty, or demotion, dismissal, or termination shall be imposed.

<sup>119</sup> JQYD690967, U4G4Q32334, 5Q8LRL2333, TEIEJA2400, 1CHLPG2211, QWVNRL2135, YDBRT41568

by administering injections and other medical services upon request.<sup>120</sup>

North Korean residents have often relied on the medical expertise of individual professionals rather than on hospitals, due to the poor facilities and equipment at official medical institutions. Testimonies indicate that it has been common for people to seek out renowned medical professionals operating privately.<sup>121</sup>

“I did not go to the hospital. Instead, I received private treatment from a former medical professional. It was more effective to receive treatment from an experienced former doctor than from a hospital. While South Korea has many medical devices, North Korea lacks such equipment and relies on the medical knowledge and skills of individuals. Therefore, it is common to seek out doctors who are known for their experience and expertise.”<sup>122</sup>

Despite being illegal, private medical practices seem to be preferred by North Korean residents, and there have been no active crackdowns on these illegal practices by the authorities. One account described an incident where a patient died from an overdose while receiving treatment from a private medical practice, yet the doctor involved continued his practice without any specific punishment.<sup>123</sup>

Additionally, there have been instances of shamans performing medical treatments as part of their divinations.<sup>124</sup> According to testimonies, there are many so-called “*Mokdong* doctors” in North Korea who treat people without formal medical training or qualifications. One North Korean defector testified that these practitioners, who perform traditional Korean medicine

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<sup>120</sup> O30VQT1021, YDBRT41568

<sup>121</sup> NT9FPV0827, H6QLNW2100, O987B01536, 8CWCD32231

<sup>122</sup> JQYD690967

<sup>123</sup> 4NK2T91071

<sup>124</sup> XTDWPE1659

treatments, often possess skills that surpass those of officially educated doctors, and she had personally witnessed their effectiveness.

“Doctors who engage in illegal medical practices are supposed to be punished if they are caught, but economic necessity often makes this inevitable. A more significant concern, however, involves the ‘*mokdong* doctors.’ These individuals treat people without having professional education and qualifications. Although there are many who receive medical education in North Korea, their skills are often inadequate. Crackdowns on *mokdong* doctors do take place, but they are not effectively enforced. *Mokdong* doctors often practice traditional Korean medicine. I have personally received acupuncture from a *mokdong* doctor and found it to be effective.”<sup>125</sup>

## E. Rampant Narcotics Use

The widespread use of narcotics in North Korea not only infringes on residents’ right to health but also poses a significant threat to North Korean society. While North Korea’s Narcotics Control Law aims to regulate the production, supply, storage, use, import, and export of narcotics, the enforcement of this law and its associated punishments have been notably lax. Residents often use narcotics for medical purposes due to a lack of effective medications and misinformation about health, but the authorities have made no substantial or proactive efforts to address these issues.

North Korea specifies in the Narcotics Control Law that narcotics production is allowed only under the authorities’ central planning, and the usage of narcotics is restricted to prescriptions from licensed medical institutions.<sup>126</sup> Only authorized institutions, state-owned enterprises, and

<sup>125</sup> 34AC201555

<sup>126</sup> ‘Narcotics Control Law,’ (2005) Article 3 (Principles of narcotics production and supply) The production and supply of narcotics represent the initial phase of narcotics control. The state ensures the planned production and supply of narcotics required for medical treatment, education, and scientific research. Article 41 (Use of narcotics for disease treatment) Citizens are permitted to use narcotics for disease treatment based on diagnosis and prescription from medical institutions. The use of narcotics can take

organizations can produce narcotics (Articles 8-9), and only qualified pharmacists or veterinary pharmacists are allowed to manufacture them (Article 17). Narcotics must be sold exclusively through institutions related to drug and veterinary medicines (Article 21). The law also prohibits ordinary citizens from storing or smuggling narcotics (Article 58). Despite these regulations, the use of narcotics by North Korean residents is on the rise, and effective addiction prevention education and treatment systems have not been established by the authorities.

### (1) Routinization of the Use of Narcotics

Narcotics have been commonly viewed by North Korean residents as substitutes for medicines and have been used routinely, with even medical professionals indiscriminately prescribing them. In many North Korean households, narcotics are kept as essential medicines.<sup>127</sup> Particularly, opium and methamphetamines (“ice”)<sup>128</sup> have been reported to be easily accessible and widespread according to numerous accounts.<sup>129</sup> Residents have used these narcotics for a variety of ailments, ranging from colds and inflammation to bronchitis, sinusitis, neuralgia, thrombosis, back pain, typhoid, arthritis, general pain, gout, stroke, and genital disorders.<sup>130</sup> Testimonies also indicate that former medical professionals have prescribed methamphetamines, or “ice,” and unofficial pharmacies often sell narcotics

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place in medical prevention institutions or under their guidance at home.

<sup>127</sup> ROD6PD2423, P5VXUG1939, 5QG11E2237, LIQM962136

<sup>128</sup> “Ice,” also known as “*bingdu*,” is a variant of the drug commonly referred to as “*philopon*,” which belongs to the methamphetamine family. Noted for its intense euphoria, high addictive potential, and associated adverse effects, the manufacture, sale, and use of *philopon* are outlawed in numerous countries. The term *bingdu* originates from the Chinese pronunciation of *bingdok*, meaning “ice-like drug.” In North Korea, it is also known as “ice.”

<sup>129</sup> U4G4Q32334, 00RIT62460, RI853J1867, BASL0U1798, 34D0XH1158, NKZT071387, YDJC4S0027

<sup>130</sup> EA5LI51114, NHVN9E0241, 5OR5F62241, JOYD690967, YOBKN51365, 4XWTJ12249, 67MM9S2253, 51IH842267, KNCI462328, S02DOL2356, DGAE7C0806, YOBKN51365, 1ND60Q2408, VKSV8S0237, TGCAEV2403, 00RIT62460, RU1F6F2209, 18DQYU1382, XRAX2R0506, 59ZNIV1159, GTD1301923, 24CWW80155, 1CHLPG2211, YDJC4S0027, LHB9941636, DA992K1308, 3E7GSG2222, P3RFM51542, DQ8HZ20573, DIQ6CZ1310, RI853J1867, 6AGHRJ0812

alongside regular medicines.<sup>131</sup> In another case from 2023, divers in coastal regions used “ice” to treat decompression sickness. These testimonies indicate that “ice” has become a pervasive element in the daily lives of many North Korean residents.

“In 2023, residents of South Hwanghae Province would use ‘ice’ instead of medications in emergencies. I also heard that divers would use ‘ice’ to treat decompression sickness. Specifically, it was said that a small amount of ‘ice’ could awaken someone who was in shock.”<sup>132</sup>

The indiscriminate use of narcotics in North Korean society spans all genders, ages, and social classes for various purposes. Recently, narcotics have been used not only for medical reasons but also for stimulation, stress relief, socializing, and to satisfy one’s curiosity.<sup>133</sup> The stimulating effects of ‘ice’ can lead to insomnia, and there have been instances where some students used it to enhance their study sessions.<sup>134</sup> Some individuals became addicted through secondhand exposure when their friends or parents used narcotics.

The widespread use of narcotics in North Korean society is primarily due to the authorities’ involvement in narcotics production for export, with domestic production steadily increasing over time. Initially, “ice” produced in North Korea in the mid-2000s was aimed at generating foreign currency.<sup>135</sup> The production and trade of narcotics for export were overseen by Central Party Office 39, and the narcotics were sold to countries like China.<sup>136</sup>

<sup>131</sup> U4G4Q32334, F6ES8K2204, RU1F6F2209, F6ES8K2204

<sup>132</sup> TGCAEV2403

<sup>133</sup> UYYAWM0821, VKSV8S0237, OJ26QT0233, DGAE7C0806, 5CB1UV1055, Q0MV8C2262, 5OR5F62241, 1BQ5TD2458, 1CHLPG2211

<sup>134</sup> BASLOU1798

<sup>135</sup> “In around 2005, in response to instructions from Kim Jong Il to generate revenue for the state treasury, the production of narcotics commenced at the Changsaeng Joint Venture Company located in Pyongyang, originally designated for manufacturing health supplements.” (5CB1UV1055)

<sup>136</sup> YNZICJ2226

However, around 2007, the existence of a pharmaceutical factory near Pyongyang, which North Korea had secretly been operating as a narcotics production base, was revealed to the outside world. Consequently, the North Korean authorities publicly destroyed the narcotics production facility. Afterward, the authorities reassigned the technicians who had worked at the factory to positions as university professors in areas such as Hamhung in South Hamgyong Province. This action laid the groundwork for narcotics production across North Korea, particularly in Hamhung, from the early 2010s, leading to an explosive increase in users of narcotics within North Korea.<sup>137</sup> Testimonies indicate that recently, large quantities of narcotics intended for export are being produced at the Hungnam Pharmaceutical Factory in Hamhung, while narcotics for domestic distribution are being produced in private homes or mobile facilities.<sup>138</sup>

“In North Korea, narcotics are commonly used. Before I defected in 2017, there was a saying in Hamhung that ‘everyone with a nose uses ice.’ Although opium cultivation is illegal, it’s widely done in secret. I cultivated it myself. Getting caught could lead to being sent to a *kyohwaso*, but arrangements regarding bribes were usually made with law enforcement officers after the harvest. People often plant a row of opium next to a row of corn to conceal it. The opium produced is usually sold in private transactions. One gram of opium is equivalent in value to about 10kg of rice. The extracted juice is dried and dissolved in water to be used as an injection, which is effective for treating food poisoning among other ailments. Recently, it appears that 80–90% of North Koreans, including urban youths, have experienced using narcotics.”<sup>139</sup>

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<sup>137</sup> OJ26QT0233, 6MVIBL0286, F6ES8K2204

<sup>138</sup> LHB9941636, UYYAWM0821, EA5LI51114, OORIT62445

<sup>139</sup> DGAE7C0806

**Figure V - 7** North Korea's Narcotics (Opium and *Bingdu*)



\* (Sources) Amnesty International Korea website, Yonhap News Agency

The awareness of the dangers of narcotics among North Korean residents was notably low, and there appeared to be almost no efforts by the authorities to improve awareness or provide treatment. Testimonies indicate that many North Koreans misinterpret the stimulating effects of narcotics as therapeutic, not realizing that they cause addiction and without awareness of their severity.<sup>140</sup> Some even regard occasional narcotics use as medicinal. Despite these grave circumstances, the authorities have not implemented any programs or public education initiatives for the prevention of addiction to narcotics.<sup>141</sup> One account stated that in 2018, a narcotics addict received treatment not at a specialized facility but at a tuberculosis hospital.<sup>142</sup> Despite the widespread use of narcotics, there seem to be no established drug addiction treatment programs or specialized facilities available.<sup>143</sup>

“In 2017, North Korean residents resorted to using opium and ice (methamphetamines) to treat all sorts of diseases due to the difficulty in obtaining medications. Many believed that while frequent use of these substances was harmful, occasional use could be considered medicinal. There was no education on the harmful effects of narcotics, nor were there any known facilities for treating addiction.”<sup>144</sup>

<sup>140</sup> EA5LI51114, 6MVIBL0286, JOQUB82117, NJGAO40397, 18DQYU1382, 6AGHRJ0812

<sup>141</sup> UYYAWM0821, EA5LI51114, 59ZNIV1159, 7I3QFQ0395

<sup>142</sup> OJ26QT0233

<sup>143</sup> BASLOU1798, LHB9941636, 6MVIBL0286, UYYAWM0821, XRAX2R0506, 7I3QFQ0395

<sup>144</sup> GTDI3O1923



## (2) North Korean Authorities' Response to Narcotics

North Korea has implemented strict laws governing the manufacture, distribution, and illegal use of narcotics. The Narcotics Control Law mandates that institutions, state-owned enterprises, and organizations report any drug-related accidents to social security agencies, medical prevention institutions, and veterinary epidemic prevention institutions, while taking all necessary actions to respond (Article 46). The Criminal Law imposes severe penalties for illegal opium collection (Article 234), illegal narcotics manufacture (Article 235), and narcotics smuggling and trading (Article 237). Additionally, the Law on the Prevention of Drug-Related Crimes, enacted in July 2021, is designed to combat drug-related crimes. It allows for severe penalties, including the death penalty, for the illegal collection, manufacture, and trade of narcotics, as well as the illegal disposal of property related to drug crimes.<sup>145</sup>

**Table V - 3** Criminal Punishments Related to Narcotics Crimes

Article	Crime	Criminal Acts	Criminal Punishment
233	<b>Illegal opium cultivation</b>	<ul style="list-style-type: none"> <li>Those who illegally cultivate opium poppies.</li> <li>Cases of illicit cultivation of large quantities of opium poppies.</li> </ul>	<ul style="list-style-type: none"> <li><i>Rodong-danryun</i></li> <li><i>Rodong-kyohwa</i> for up to 5 years</li> </ul>
234	<b>Illegal opium collection</b>	<ul style="list-style-type: none"> <li>Those who illegally collect opium.</li> <li>Cases of illegally collecting large quantities of opium.</li> <li>Cases of illegally collecting particularly large quantities of opium.</li> <li>Cases of illegally collecting extremely large quantities of opium.</li> </ul>	<ul style="list-style-type: none"> <li><i>Rodong-kyohwa</i> for up to 5 years</li> <li><i>Rodong-kyohwa</i> for 5-10 years</li> <li><i>Rodong-kyohwa</i> for 10 years or more</li> <li><i>Rodong-kyohwa</i> for an indefinite period or the death penalty and confiscation of property</li> </ul>

<sup>145</sup> The 「Law on the Prevention of Drug-Related Crimes」 (2021) stipulates the legal responsibility for narcotics crimes in Chapter 3 (Articles 20-41). In particular, illegal collection of opium (Article 23), illegal collection of narcotics (Article 24), smuggling or trading of narcotics (Article 28), and illegal disposal of seized or confiscated property related to narcotics crimes (Article 39) can incur the maximum penalty of “capital punishment and confiscation of property.”

Article	Crime	Criminal Acts	Criminal Punishment
235	<b>Illegal narcotics manufacture</b>	<ul style="list-style-type: none"> <li>Those who illegally manufacture narcotics.</li> <li>Those who illegally manufacture large quantities of narcotics.</li> <li>Those who illegally manufacture particularly large quantities of narcotics.</li> <li>Those who illegally manufacture extremely large quantities of narcotics.</li> </ul>	<ul style="list-style-type: none"> <li><i>Rodong-kyohwa</i> for up to 5 years</li> <li><i>Rodong-kyohwa</i> for 5-10 years</li> <li><i>Rodong-kyohwa</i> for 10 years or more</li> <li><i>Rodong-kyohwa</i> for an indefinite period or the death penalty and confiscation of property</li> </ul>
236	<b>Illegal narcotics possession</b>	<ul style="list-style-type: none"> <li>Those who illegally possess narcotics.</li> <li>Those who illegally possess large quantities of narcotics.</li> <li>Cases involving aggravated circumstances.</li> </ul>	<ul style="list-style-type: none"> <li><i>Rodong-danryun</i></li> <li><i>Rodong-kyohwa</i> for up to 5 years</li> <li><i>Rodong-kyohwa</i> for 5-10 years</li> </ul>
237	<b>Narcotics smuggling or trading</b>	<ul style="list-style-type: none"> <li>Those who are illegally involved in smuggling or trading narcotics.</li> <li>Cases involving large quantities of smuggled or traded narcotics.</li> <li>Particularly significant cases of large-scale smuggling or trading of narcotics.</li> <li>Extremely significant cases of trafficking and trading vast quantities of narcotics.</li> </ul>	<ul style="list-style-type: none"> <li><i>Rodong-kyohwa</i> for up to 5 years</li> <li><i>Rodong-kyohwa</i> for 5-10 years</li> <li><i>Rodong-kyohwa</i> for 10 years or more</li> <li><i>Rodong-kyohwa</i> for an indefinite period or the death penalty and confiscation of property</li> </ul>
238	<b>Illegal narcotics use</b>	<ul style="list-style-type: none"> <li>Those who illegally used narcotics.</li> <li>Cases of severe illegal narcotics use.</li> </ul>	<ul style="list-style-type: none"> <li><i>Rodong-danryun</i> punishment</li> <li><i>Rodong-kyohwa</i> for up to 5 years</li> </ul>

As the problem of narcotics use among residents intensified, the North Korean authorities began implementing strict measures around 2010. These included public criticisms during public disclosure gatherings and ideological struggles. In more severe cases, such as in 2010, five narcotics manufacturers were publicly executed in Hamhung City, South Hamgyong Province.<sup>146</sup> Public criticisms were also directed at narcotics users during public disclosure gatherings held in 2014, 2015, 2016, and 2019.<sup>147</sup> Moreover, between 2014 and 2015, individuals involved in buying or selling narcotics were publicly executed in North Pyongan, Ryanggang, and Gangwon Provinces. In particular, testimonies have commonly indicated that during this period, several public executions related to narcotics trafficking and distribution

<sup>146</sup> VKS8S0237

<sup>147</sup> UBWCTO2335, 5VRQH72406, 1F0LEV2294, 59ZNIV1159, DA992K1308

occurred in Ryanggang Province.<sup>148</sup>

Despite these measures, systematic crackdowns and punishments have not been effectively enforced, and bribery has often led to the release of those caught using narcotics. Many testimonies suggest that most narcotics-related cases in North Korea could be settled with bribes, thus turning narcotics enforcement into a source of income for some officials.<sup>149</sup> In certain instances, even the officers tasked with narcotics enforcement were found using narcotics.<sup>150</sup> In light of these conditions, the authorities have not severely penalized residents who use narcotics for medical purposes.<sup>151</sup> One account stated that residents often grew opium at home, using it as a remedy for ailments such as facial paralysis, low blood pressure, and stomach pain. This suggests that using opium for medical reasons or cultivating it on a small scale, typically no more than five plants, has not been severely punished by the authorities.<sup>152</sup>

“The authorities seem committed to enforcing the law, yet many officers are implicated in using narcotics themselves. Although public executions for drug-related crimes do occur, they represent only a portion of the enforcement efforts. Officers not only accept bribes in USD but also frequently in the form of ice (methamphetamines), with many preferring narcotics over money. Given the addictive nature of these substances, eradicating their use through law enforcement alone remains a formidable challenge.”<sup>153</sup>

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<sup>148</sup> KYS94N0794, YD9Z4Z1038, IRI20T0980, OIEVIM1548, NMFS550238, U6HF3O0538

<sup>149</sup> LHB9941636, XRAX2R0506, 1CXFZI1876, WTNUL21649, 7KBVQ81381, RU1F6F2209

<sup>150</sup> 6AGHRJ0812

<sup>151</sup> OTP8Z62291, KNCI462328, AMXQ5Y1532

<sup>152</sup> KNCI462328, 1ND60Q2408, DGAE7C0806

<sup>153</sup> 6AGHRJ0812

## F. Inadequate Water Supply

North Korean residents face shortages not only in their daily water supply but also in drinking water. North Korea's Public Health Law acknowledges the right of residents to clean water and the authorities' responsibility to provide it.<sup>154</sup> However, testimonies indicate that the drinking water situation in North Korea is dire, and that efforts by the authorities to ensure safe drinking water are falling short.<sup>155</sup>

A third of the homes in North Korea lack a proper water supply system, and the overall infrastructure for water remains subpar. Investigations by the Center found that 33.7% of defector respondents reported that their homes did not have water pipes.<sup>156</sup> Moreover, a survey by the Ministry of Unification regarding the types of drinking water supplies in residents' homes showed that only 41.4% of defectors surveyed had a water supply system, while 30.8% still relied on wells.<sup>157</sup> These figures highlight that access to clean drinking water is far from guaranteed. In areas without water systems, residents fetch water from village or private wells, or even collect river water for drinking and other domestic needs.<sup>158</sup> A resident from South Hwanghae Province mentioned that until 2023, her household used groundwater for

<sup>154</sup> 'Public Hygiene Law' (2014) Article 7 (Ensuring water quality standards) Water is categorized into drinking water, household water, etc., according to its purpose, and its quality standards are ensured. The Cabinet determines the standards for water quality. Article 8 (Water hygiene facilities) Urban management agencies, as well as relevant agencies, state-owned enterprises, and organizations, must establish facilities to manage drinking water and household water hygienically. Upon establishment or maintenance of water hygiene facilities, inspection by hygiene and sanitation agencies is required.

<sup>155</sup> North Korea acknowledged in its 2021 Voluntary National Review (VNR) report that it is making efforts to ensure safe drinking water and clean hygiene but admitted to slow progress. The report highlighted water quality improvement and sufficient water supply as challenges, noting that 60.9% of the population has access to safe drinking water. Disparities between urban and rural areas were evident, with 71.3% in urban areas and 44.5% in rural areas reported to have access to safe drinking water.

<sup>156</sup> From 2020 to 2023, among the 629 individuals surveyed by the Center, 212 respondents reported that their homes did not have installed water pipes.

<sup>157</sup> Ministry of Unification, 'Report on North Korea's Economy and Society as Perceived by 6,351 Defectors', 2024, pp. 175-176.

<sup>158</sup> 5VRQH72406, YX610J1638, 1CHLPG2211, S7UIML2223, 100S8G2205, 5QG11E2237, UOATQY0886

both drinking and everyday use because she lacked a water supply system.

“My house, located in a county in South Hwanghae Province, is a single-story building without a water supply system. Like others in the area, we relied on groundwater. There were no electric pumps, and thus we either drew water from a well using a traditional bucket or extracted groundwater using a hand-operated pump.”<sup>159</sup>

**Figure V - 8** Water Usage Circumstances of North Korean Residents



\* (Source) UNICEF Website (2017-2018)

Even in homes with water pipes, many residents have still had trouble using the water properly. Many defectors mentioned that tap water was available for only two to three hours a day due to the intermittent electricity supply.<sup>160</sup> A resident from Pyongyang recalled that around 2019, the apartment’s water supply was inadequate because it was situated lower than the pumping station, requiring residents to collect water from the station at specific times.<sup>161</sup> More recently, in 2023, residents of Haeju City in South Hwanghae Province resorted to digging a well in front of their apartment and used a pulley system to draw water because of electricity shortages.<sup>162</sup> Despite efforts by the North Korean authorities to improve the state of

<sup>159</sup> TGCAEV2403

<sup>160</sup> EJRHLJ2244, 8B5CA02248, FH87SC2243, KJ7IFB2239, YNZ1CJ2226, 5OR5F62241

<sup>161</sup> YNNL9N2323

<sup>162</sup> 5VRQH72406, N2XFFG1377

electricity and water infrastructure, the water supply remains limited.<sup>163</sup>

“Water supply was typically limited and often unclear. When tap water was unavailable, I had to go to the Amnok River early in the morning to fetch water. The availability of tap water varied by household. It was frequently accessible in areas with good water infrastructure, but rarely at my house. Whenever the water was on, we had to fill up everything we could and keep an eye on our supply. Each household should have a 200L water tank, but typically, the stored tap water was only used for drinking, while laundry was done at the Amnok River.”<sup>164</sup>

Numerous testimonies indicate that the water supplied through pipes was often contaminated. In 2013, the Imhung Reservoir under the Water Management Bureau, located upstream in Pyongyang’s Taedong River District, faced a shortage of chemicals necessary for water filtration. Consequently, salt was used as a makeshift solution in the final stage of water quality management.<sup>165</sup> By 2017, contaminated tap water in Ryanggang Province led to typhoid outbreaks. The head of the *inminban* instructed each household to boil its water and collected CNY 10 per household to clean the tank of the water supply station responsible for the contamination.<sup>166</sup> In 2018, Ryanggang Province again faced a health crises, with typhoid and hemorrhagic fever outbreaks linked to unclear tap water. To deal with the problem, the *inminban* distributed disinfectant tablets to purify the drinking water.<sup>167</sup> In 2019, in North Hamgyong Province, sewage leakage into groundwater from old pipes resulted in water contamination, causing widespread diarrhea among the residents who consumed this water.<sup>168</sup>

<sup>163</sup> TGCAEV2403

<sup>164</sup> UOATQY0886

<sup>165</sup> EJRHLJ2244

<sup>166</sup> UOATQY0886

<sup>167</sup> 3ICFLH1212, N2XFFG1377

<sup>168</sup> BNPVOT1347

“Electricity was supplied to our homes for only about two to four hours a day, so we took advantage of that time to store water in tanks. However, the frequent lack of electricity meant that the water often sat stagnant in the pipes, allowing foreign materials to accumulate and bacteria to grow. Consequently, we had to boil the water before drinking it. Unfortunately, some residents who didn’t boil the water suffered from colitis from the contaminated tap water.”<sup>169</sup>

Due to ongoing issues with water supply and quality, some residents have recently started buying bottled water for drinking. After the North Korean authorities opened a spring water supply station in 2016, purchasing bottled water became an option. The trend of buying bottled water accelerated following a typhoid outbreak in 2017, particularly in Pyongyang.<sup>170</sup> Testimonies indicate that since then, there has been an increase in the purchase of bottled water that is verified by the North Korean authorities in Pyongyang.<sup>171</sup> One resident, who lived in Pyongyang until 2019, noted that he began drinking bottled water around 2017, which coincided with an increase in the number of stores selling it. However, this shift appears to have been mostly confined to the Pyongyang area, raising concerns about growing disparities in water access across North Korea.

“I used to drink tap water, but starting in 2017, I switched to buying bottled spring water. It cost KPW 400 for 20L. Around the same time, advertisements began frequently promoting spring water as the preferred choice for drinking, leading to an increase in the number of stores selling it.”<sup>172</sup>

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<sup>169</sup> EJRHLJ2244

<sup>170</sup> TDNZXJ1480, CA7ZOA0437, P767JN1271

<sup>171</sup> NEBFG20887

<sup>172</sup> YNNL9N2323

### 3. Right to Work

Individuals should have the freedom to choose their job and pursue self-realization, with the right to earn a sufficient income to support themselves through work. In addition, they deserve a basic standard of living that includes adequate rest. Article 23 of the Universal Declaration of Human Rights states that everyone has the right to work, to free choice of employment, to just and favorable conditions of work, to protection against unemployment, to equal pay for equal work, and to form and join trade unions. Article 24 states that everyone has the right to rest and leisure, including reasonable limits on working hours. The ICESCR also stipulates several rights, including the right for all people to the opportunity to earn a living through work that they freely choose or accept (Article 6), the right to just and favorable working conditions (Article 7), and the right to form and join trade unions of their choice (Article 8).<sup>173</sup>

**Table V - 4** 「ICESCR」 and Right to Work

「ICESCR」		Right to Work (Related Content)
Article 6	1	Right to Work
	2	

<sup>173</sup> International Covenant on Economic, Social, and Cultural Rights, Article 6-7.



「ICESCR」		Right to Work (Related Content)
Article 7	The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:	<b>Right to Work</b>
	(a) Remuneration which provides all workers, as a minimum, with: (i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant	<b>B</b> <b>Vulnerability of Working Conditions</b>
	(b) Safe and healthy working conditions	
	(c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence	<b>A</b> <b>Restrictions on Freedom of Occupational Choice</b>
	(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays	<b>B</b> <b>Vulnerability of Working Conditions</b>
Article 8	(a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others	<b>C</b> <b>Restrictions on the Three Primary Labor Rights</b>
	(b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations	
	(c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others	
	(d) The right to strike, provided that it is exercised in conformity with the laws of the particular country	

For North Korean residents, the right to choose a job, the right not to be forced into employment, and the three primary rights of labor, including the right to independent association, collective bargaining, and collective action,

are not properly guaranteed. Often, workers' wages are insufficient to sustain a living, it is not always possible to use vacations as stipulated, and working conditions are known to be very poor. Particularly in shock brigades, known as *dolgyeokdae*, where large numbers of residents are mobilized for construction projects, there are various human rights violations, including the right to work.

## A. Restrictions on Freedom of Occupational Choice

The ICESCR mandates that State Parties take appropriate measures to safeguard the right of individuals to the opportunity to make a living by work which they freely choose or accept.<sup>174</sup> Nevertheless, North Korean residents cannot freely choose their jobs, as their rights to select jobs and workplaces are limited by plans set by the North Korean authorities. Their career paths are determined by their personal background, known as *songbun*, and their economic capabilities, often demonstrated through bribery. They are assigned to workplaces by the authorities, which mandates their obligation to work. Their wages are insufficient to cover basic living expenses, forcing them to pay their companies for permission to skip work and engage in private economic activities instead.

### (1) Work Placement and Group Placement

North Korean residents are assigned to workplaces regardless of their will or capacity to perform the work there. North Korea's Socialist Labor Law mandates work obligations,<sup>175</sup> requiring everyone to be affiliated with a specific workplace from the age of 17, except for retirees, full-time

<sup>174</sup> 「International Covenant on Economic, Social and Cultural Rights」, Article 6.

<sup>175</sup> 「Socialist Labor Law」 (2015) Article 4 stipulates that under socialism, people bear a duty to participate in labor. All of those who are competent for labor in North Korea shall participate in societal labor according to their ability.

housewives, and those whose health prevents them from working.<sup>176</sup> Upon completing senior secondary school,<sup>177</sup> which is mandatory in North Korea, all individuals obligated to work are assigned to a workplace. The labor department under the labor bureau of the People's Committee places all senior secondary school graduates in state-owned enterprises, excluding those expected to enter college or the military, who are similarly assigned to workplaces around the time of their graduation and discharge.

Numerous testimonies commonly highlight that *songbun*, the background of a North Korean resident, greatly impacts one's work placement. Typically, workers' children are assigned to state-owned enterprises, and farm workers' children are assigned to work at farms, regardless of their preferences. Testimonies have especially confirmed that farm workers' children cannot become workers of state-owned enterprises. For example, a former farm worker mentioned that a neighboring household who were also farm workers, attempted to change their children's future status to workers by enrolling them in a senior secondary school related to a state-owned enterprise. However, their children ended up being assigned to farms.<sup>178</sup> A family's background also seems to influence job placement. One defector, selected by the Supreme Guard Command, a major unit of the North Korean military, was subsequently denied enlistment in the military because his mother was missing, which led him to be assigned

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<sup>176</sup> 「Socialist Labor Law」 (2015) Articles 15, 73, and 74 stipulate that individuals excluded from workforce participation include children under the age of 16, those who have temporarily or permanently lost their capacity to work due to labor accidents and diseases, men aged 60 or older, and women aged 55 or older. Furthermore, Article 31 of the same law advocates for ensuring that female workers with children are able to participate in social labor, indicating an acknowledgment of a culture where women are often unable to engage in social work due to childbirth and parenting responsibilities after marriage.

<sup>177</sup> In 2012, North Korea reformed its education system to introduce a 12-year mandatory program. This program comprises one year of kindergarten, five years of primary school, three years of junior secondary school, and three years of senior secondary school. Prior to this, from 1972 to 2011, the junior and senior secondary schools were merged into a single six-year secondary school, often referred to simply as "secondary school" or "senior secondary school." (Ministry of Unification, National Institute for Unification Education, 「Understanding North Korea」, 2023, pp. 320-321)

<sup>178</sup> 8IUFL2422

to a shock brigade unit instead.<sup>179</sup>

Along with one's family background, connections and bribes are employed for job placements, leading to unfairness based on one's family's financial status. These methods are used to avoid being placed in an undesirable workplace or to secure a desired position. A person who was unemployed after graduating from senior secondary school used her father's connection to secure a job at a company under the provincial People's Committee.<sup>180</sup> Another individual, initially assigned to a clothing factory after graduating from a technical school, was reassigned to a clinic after bribing the school principal.<sup>181</sup> On the other hand, those who are not financially well-off tend to be designated to unwanted workplaces and suffer from difficult lives.

North Korea also enforces group placements, assigning groups of residents to work in challenging or undesirable locations such as farms and mines. Graduates from senior secondary schools, technical schools, and orphanages' secondary schools (facilities providing protection and education for minors without guardians) are collectively assigned to various demanding workplaces. There was a case where technical school graduates, who were automatically enrolled if they did not enlist in the military after senior secondary school, were assigned to the Samjiyon City Construction Youth Shock Brigade after completing a one-year program.<sup>182</sup> Additionally, a defector who was a doctor in North Korea stated that medical school graduates were assigned as a group to a hospital in Samjiyon City.<sup>183</sup> Graduates from orphanages' secondary schools were placed in shock brigades annually.<sup>184</sup> It was widely believed that removing one's name from a

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<sup>179</sup> F1IZC41525

<sup>180</sup> A49XIM0889

<sup>181</sup> OWTG6L2284

<sup>182</sup> N4XFMT1979

<sup>183</sup> NMD65O0832

<sup>184</sup> PWDEAD1982

list was necessary to avoid group assignments, which required connections and bribes.

“I graduated from a senior secondary school in 2018 and was assigned in a group to a state-owned enterprise, a placement not desired by many. I, too, did not wish to join that company. State security officers, social security officers, Party secretary, Youth League secretary, and workers’ officer all visited my house, making a fuss and threatening me. They warned me that if I refused to comply with the group placement, I would be sent to a *rodong-danryundae*. While the thought of being sent to a *rodong-danryundae* didn’t scare me, the intense pressure and commotion they caused led me to just accept my assignment, feeling as though I was making way for a madman and a bull.”<sup>185</sup>

Even when changing occupations, *songbun* was the crucial factor, followed by connections and bribes, which facilitated such transitions. For an average worker, switching jobs without paying a bribe was extremely difficult. A defector who moved from a state-owned enterprise to a hospital had to provide the hospital with needed supplies as part of the arrangement.<sup>186</sup> A former worker at a state-owned enterprise affiliated with a municipality managed to change his occupation twice in 2020. He testified that transferring within the same city or county required KPW 300,000, while relocating to a completely different region demanded USD 300 (equivalent to KPW 1,400,000).<sup>187</sup>

## (2) Crackdowns on Joblessness and Absenteeism

North Korean residents without a designated occupation or those absent from work without authorization are subject to punishment. In its General

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<sup>185</sup> XHQ3062407

<sup>186</sup> Z3VAXR0446

<sup>187</sup> TEIEJA2400

Comment No. 18, the UN CESCR asserts that everyone has the right not to be forced to work and states must protect the right to freely choose one's occupation.<sup>188</sup> Nevertheless, unemployment and unauthorized absenteeism in North Korea are subject to crackdowns and punishment, as mandated by its Administrative Penalty Law, which imposes *rodong-kyoyang* penalty.<sup>189</sup>

The authorities consistently enforce these rules against joblessness and absenteeism, subjecting residents to penalties or disadvantages. Social security officers, typically stationed at residences or workplaces, carry out these crackdowns. However, there seems to be a unified command, known as a *sangmu*, specifically tasked with addressing unemployment. The head of an *inminban* or a bookkeeper of a state-owned enterprise compiles a list of residents who fail to attend work and submits it to the local social security officer, who then takes action. To avoid these crackdowns, people often resort to using connections and bribes.<sup>190</sup> One defector mentioned that, with the help of relatives, he avoided reporting to his assigned workplace and managed to clear three instances of crackdowns through bribes.<sup>191</sup> Recent testimonies have revealed that the authorities have been sending unemployed residents caught in these crackdowns to shock brigades instead of imposing punishment. A defector from Ryanggang Province who was caught during an unemployment crackdown in 2019 was forced to be mobilized in a shock brigade for construction work.

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<sup>188</sup> UN CESCR, General comment No. 18: The right to work, para. 6.

<sup>189</sup> 「Administrative Penalty Law」 (2021) Article 119 (Joblessness and unauthorized absenteeism) Individuals absent from work without authorization will be fined or subjected to a *rodong-kyoyang* penalty for up to three months. If the offense is considered severe, the punishment will extend to a *rodong-kyoyang* penalty of no less than three months.

<sup>190</sup> OFSIEN1966

<sup>191</sup> FIIZC41525

“After graduating from junior secondary school, I was assigned to work with the Red Youth Guard in Pochon County, Ryanggang Province, in December 2018. I worked there for a month but then stopped attending by paying CNY 40 monthly. During a crackdown in Pochon County, I was caught by the Youth League. Subsequently, I was forced to join the Samjiyon Construction Shock Brigade for a month, from which I escaped after 10 days.”<sup>192</sup>

To circumvent crackdowns on unemployment and absenteeism, workers often paid a certain amount of money monthly to their state-owned enterprises to become “8.3 workers.” These workers engage in side businesses or activities in the market to earn a living. By paying a specified monthly fee to the manager, the bookkeeper of state-owned enterprises, and the Party secretary, 8.3 workers are exempt from reporting to work. Separate registration or certification procedure for such cases were not required.<sup>193</sup> A defector from North Hamgyong Province observed that in 2019, out of approximately 120 workers at his state-owned enterprise, 40 were classified as 8.3 workers.<sup>194</sup> A former doctor at a municipal people's hospital noted that about 30% of the total medical staff in 2019 were 8.3 workers.<sup>195</sup> Following policies from the Party around 2018 to restrict the number of 8.3 workers, inspections began on the status of these workers, the payment of money, and the residents’ involvement in private economic activities.<sup>196</sup>

“We refer to individuals who are allowed to skip official work at a state-owned enterprise by paying a certain amount of money as ‘8.3 workers.’ Since 2017, I also had worked as an 8.3 worker at a collective farm, paying CNY 1,000 annually. This payment freed up

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<sup>192</sup> GTD1301923

<sup>193</sup> AWQ1RI1386

<sup>194</sup> 2M0Y811346

<sup>195</sup> POI5E82146

<sup>196</sup> XCRUIS0885

my time to earn money, as no one demanded anything from me once I paid for the entire year. There is no separate requirement for registration.”<sup>197</sup>

### (3) Private Economic Activities for Sustaining Livelihoods

Since the 1990s, the failure of North Korean economic system including factories, state-owned enterprises, and the rationing system to function normally has compelled workers to engage in private economic activities outside of their designated workplaces to make a living. The authorities forcibly assigned individuals to workplaces and mandated their employment, depriving them of the freedom to choose their job and workplace based on their own will or capabilities. However, as sustaining one’s livelihood became challenging, some undertook these private economic activities outside of their official working hours, while others did so even during their work hours by paying additional absentee fees. A variety of economic activities have emerged, including wholesale and retail, services, and private wage labor. While paying money to the assigned company, one defector was involved in a fishing business as an 8.3 worker in 2019, and another individual earned “fast money” by charging interest to support her living while paying fees to cover her absences from work in 2018.<sup>198</sup> There was testimony of an individual who leased forest land from the municipal or county People’s Committee, cultivating pine nuts and mushrooms.<sup>199</sup> In addition, some have grown food on a side-plot as part of an arrangement to skip their official work duties by paying a fee.

<sup>197</sup> 1NR82V2372

<sup>198</sup> 00IAFO1948, 6LN EVB0551

<sup>199</sup> EL2PVO2035



“From mid-2018 to October 2019, right before I defected, I paid a sum of money monthly to the state-owned enterprise I was affiliated with. I had to pay either KPW 70,000 monthly or USD 100 annually. During this period when I wasn’t reporting to the company, I cleared and cultivated a plot of land measuring 6,600m<sup>2</sup>, growing corn, beans, and vegetables for food. I also raised two pigs and five chickens.”<sup>200</sup>

## B. Vulnerability of Working Conditions

All workers have the right to fair wages and equal compensation for work of equal value, as stated by the ICESCR.<sup>201</sup> General Comment No. 18 of the UN CESCR emphasizes that decent work must provide an income sufficient to support the worker and the worker’s family.<sup>202</sup> In North Korea, residents have not received adequate compensation for their work and have not even been guaranteed rest and safety while working.

### (1) Unreasonable and Unclear Remuneration System

North Korea claims to guarantee employment for all workers, purportedly providing them with a livelihood. However, the income remuneration is so unreasonable that it fails to sustain workers’ livelihood. North Korean residents are not only saddled with obligations under the law but do not receive adequate compensation for their labor.<sup>203</sup> According to North Korea’s Socialist Labor Law, workers’ incomes are classified as living expenses, based on the principle of “equal pay for equal work.”<sup>204</sup> Despite this,

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<sup>200</sup> BSAJ9E2030

<sup>201</sup> ‘International Covenant on Economic, Social, and Cultural Rights’, Article 7.

<sup>202</sup> UN CESCR, General comment No. 23 on the right to just and favorable conditions of work, para. 18.

<sup>203</sup> In North Korea, “labor compensation” includes food rations, housing, education, health services, and other social services, in addition to living expenses paid directly by their workplace. As a result, the “cost of living” compensation does not cover the full cost of labor.

<sup>204</sup> ‘Socialist Labor Law’ (2015) Article 37 stipulates that distribution by relying upon the volume and quality of labor is a socialist economic law and distribution according to labor is a powerful means of raising the production will and technical ability level of workers and fostering the development of productive

the income labeled as “living expenses” or “wages” falls short of supporting a family for even a month. The situation worsened after North Korea’s fifth currency reform in 2009, which reduced income levels to those of 2002 and triggered an inflation spike.<sup>205</sup>

It is rare for residents to receive the full amount of their stipulated living allowance. After deducting various contributions or payments, such as social insurance premiums, workers are left with very little. Those employed in institutions or state-owned enterprises often lack a detailed understanding of how their living expenses are classified or how the cost of living is calculated. A defector from Ryanggang Province, who was unaware of the average income levels while in North Korea, stated that workers received one or two months’ salary once a year in 2019, which was KPW 2,800, not enough to buy a pack of cigarettes.<sup>206</sup>

Instances of workers not receiving any payment at all are not uncommon. A defector who had worked for an institution under the local People’s Committee stated that he had never received remuneration for over a decade of service.<sup>207</sup> According to a worker at an urban construction enterprise in 2019, workers were never paid any living allowances.<sup>208</sup>

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capacity. The state shall ceaselessly raise the political and ideological consciousness of workers and shall thoroughly attain the Socialist Law of Distribution according to the volume and quality of labor. Workers shall receive the same remuneration for the same labor regardless of gender, age, or race.

Article 38 stipulates that the state shall compensate workers for the physical and mental strength they spend in the labor process and shall determine a living expenses rating system from the principle of guaranteeing their standard of life. State organs, enterprises, and social, cooperative organizations shall correctly pay the living expenses of laborers, clerks, and cooperative members grounded upon the living expenses rating system instituted by the state and the principle of payment of living expenses.

<sup>205</sup> North Korea has implemented a total of five currency reforms between 1947 and 2009. The 2009 currency reform involved a redenomination at a rate of 100:1 for cash and 10:1 for bank deposits, effectively resetting values to those of July 1, 2002. Wages from factories and state-owned enterprises were paid in the new currency. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022. pp. 866-869)

<sup>206</sup> C63MQK1441

<sup>207</sup> WDEAD1982

<sup>208</sup> U47HAV2314

“I worked at a factory in Ryanggang Province until 2017. Throughout my years of service, I received a payment of KPW 1,000 only once, around 2011, and never again after that. This payment was intended to be my living expenses, but it wasn’t enough to buy even two pieces of bread at the time. Later, when I served as a manager at a state-owned enterprise in 2020, I also did not receive any income.”<sup>209</sup>

Economic disparity in North Korea appears to be widening as wage levels differ significantly across state-owned enterprises, and the wage gaps among companies continue to increase. Income levels for foreign currency-earning companies and joint ventures are considerably higher than those for ordinary institutions and state-owned enterprises. These high-income institutions offer additional wages on top of workers’ basic wages provided as living expenses. These extra payments are known as “piece rates.”<sup>210</sup> A former bookkeeper at a factory under the People’s Committee earned approximately KPW 12,000-13,000 a month, which included a flat monthly wage of KPW 2,600 and production-based piece rates, amounting to KPW 10,000 until 2019.<sup>211</sup> A female defector who worked at a state-owned enterprise in Pyongyang in 2019 received KPW 100,000 every three months, in addition to rations.<sup>212</sup> A former worker at a China-North Korea joint venture company in 2020 received wages based on performance. A skilled worker was compensated with CNY 350, equivalent to KPW 400,000, which was enough to buy 100kg of rice, while a novice received CNY 170.<sup>213</sup>

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<sup>209</sup> 67MM9S2253

<sup>210</sup> 「Socialist Labor Law」 (2015) Article 39 stipulates that the basic forms of pay for labor workers, office workers, and cooperative farmers are piece rates and fixed rates. The supplementary forms of pay are an extra allowance and bonus system. State institutions, state-owned enterprises, and social cooperative organizations must correctly implement these forms of living expense payments to enhance the production motivation of workers and actively promote their innovation and initiative.

<sup>211</sup> CZEPGU2138

<sup>212</sup> 9F06UX2305

<sup>213</sup> HNTCJ42201

**Figure V - 9** North Korean Workers and Farmers



\* (Sources) Rodong Sinmun (August 27, 2021/ October 2, 2021/ January 13, 2022)

Testimonies indicate that an updated economic management system has been adopted since Kim Jong Un came to power, adjusting income levels to reflect the current price situations. A person who worked at a foreign currency earning company until 2016 experienced a 100-fold increase in wages, in line with the policy to reflect the reality. Initially stipulated to receive KPW 1,600 a month, the individual's salary was adjusted to KPW 160,000 a month after 2012.<sup>214</sup> However, this instance was rare, and another case where wages were not received until recently suggests that this policy has not been applied universally across all enterprises.

## **(2) Excessive Working Hours and Lack of Guaranteed Rest**

The working hours of North Korean employees vary depending on the operational status of their enterprise. They are often required to work beyond the officially mandated hours<sup>215</sup> and even on holidays. A former worker at a state-owned enterprise under the provincial trade bureau reported working over 10 hours a day, from 7:30 to 20:00, every day in 2019.<sup>216</sup> Similarly, an individual employed at a China-North Korea joint

<sup>214</sup> KNCI462328

<sup>215</sup> 「Socialist Labor Law」 (2015) Article 16 and Article 62 stipulate that the daily working hours of workers is eight hours, and Article 65 stipulates that they are given 14 days of ordinary leave every year and between seven and 21 days of supplementary leave depending on their occupation.

<sup>216</sup> EL2PVO2035

venture company in 2019 worked 12 hours a day, from 7:00 to 21:00, without any holidays.<sup>217</sup>

While North Korea's statutory leave ranges from 14 to 35 days,<sup>218</sup> it is difficult to utilize in practice, except in specific cases. A female defector from a machinery factory in South Hamgyong Province mentioned that taking leave, other than on national holidays, was often very challenging. Although in theory every Thursday is designated as a holiday, in practice, workers could only take time off for family celebrations or funerals. The concept of a weekend does not exist, preventing residents from enjoying rest during weekends. Some defectors were not even aware of the concept of a leave.

"I worked in road renovation construction in a county of North Hamgyong Province. Although I was aware of the concept of vacation time, I never had the opportunity to take any vacations. There was no concept of weekends, so I had to work on Saturdays and Sundays. On rare occasions, such as the anniversary of the Workers' Party, we were granted time off. However, this time was often spent watching propaganda films that highlighted the accomplishments of Kim Il Sung, preventing us from truly enjoying our break."<sup>219</sup>

However, some testimonies mentioned the use of leave time as stipulated. A former worker at a factory under the People's Committee and another worker at a mine under the provincial trade bureau stated that they were entitled to use 15 days of leave a year.<sup>220</sup>

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<sup>217</sup> 6TENWW1929

<sup>218</sup> 「Socialist Labor Law」 (2015) Article 65 stipulates that laborers, clerks, and members of cooperative farms are entitled to 14 days of ordinary leave every year, in addition to between seven and 21 days of supplementary leave, depending on their occupation.

<sup>219</sup> H4WM1J2315

<sup>220</sup> CZEPGU2138, EL2PVO2035

### (3) Working Environments That Do Not Guarantee Safety

North Korea's working environments do not sufficiently prevent disasters or prioritize workers' safety. Regulations concerning safety education, the installation and maintenance of safety facilities, the provision of safety equipment, and the deployment of safety supervisors at worksites have been frequently neglected. Workers in need of safety equipment have not received it promptly. For instance, in 2019, at a construction site in Samjiyon, Ryanggang Province, workers were not provided with essential safety gear, and there was no separate safety training for workers.<sup>221</sup>

There is also a lack of adequate safety training and oversight by the authorities. Even in situations where safety supervision seemed relatively effective, it was only conducted as required. A defector who worked at a mine until 2019 received no education on how to prevent safety accidents.<sup>222</sup> Similarly, another individual, who was initially assigned to be a mechanic and later became a fisherman, testified that the only safety training he received was when he first became a mechanic.

"I worked as a mechanic at a municipal information and communications bureau in North Hamgyong Province until 2015, before becoming a fisherman for a state-owned enterprise until 2019. I only received one safety training session when I first started working, but it was not specifically tailored to mechanics. Instead, it was designed for all employees of the bureau."<sup>223</sup>

## C. Restrictions on the Three Primary Labor Rights

Article 8 of the ICESCR mandates that States Parties to the Covenant

<sup>221</sup> 93VI9U2476

<sup>222</sup> BSAJ9E2030

<sup>223</sup> 13PN7Y2325

guarantee workers the freedom to form and join trade unions, as well as the right to strike. Despite this, North Korea lacks any organization that advocates for the rights and benefits of workers. The General Federation of Trade Unions of North Korea (referred to as the Trade Unions) is officially a workers' organization but operates under the Workers' Party, focusing primarily on managing, controlling, and educating workers. Under North Korea's labor law system, the three fundamental labor rights, including the right to organize, engage in collective bargaining, and take collective action, are absent. This leaves residents in a challenging position with little protection of their labor rights. The Center observed that North Korean defectors who participated in the investigation lacked a proper understanding of these three labor rights, and no testimonies were found on this matter. (Refer to IV-10. Right to Freedom of Assembly and Association.)

## D. Shock Brigades: A Blindspot in Labor and Human Rights

North Korea mobilizes its residents into groups known as *dolgyeokdae*, or shock brigades, to accelerate the completion of large-scale construction projects within short periods of time.<sup>224</sup> Shock brigades impose heavy work demands on their members with the goal of swift completion yet fail to provide adequate wages amid challenging labor conditions. These brigades consist of personnel from various regions and state-owned enterprises who are assigned to construction sites for extended periods. However, they

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<sup>224</sup> Shock Brigades are special units primarily organized to undertake construction and other significant projects. They include "Youth Shock Brigades" and "Speed Campaign Shock Brigades," aimed at tackling the most difficult and challenging aspects of construction and various other projects. (National Institute for Unification Education, Ministry of Unification, "North Korea Knowledge Dictionary," 2022, p. 258) Shock Brigades, also known as *dolgyeokdae*, are military-style organizations structured into regiments, battalions, companies, and platoons. Depending on the workforce size, the unit would be classified as either a company or a battalion. The overall size of the Shock Brigade structure is not precisely known. For instance, the "Division No. 216," tasked with building Samjiyon City, included the Samjiyon Construction Shock Brigade and a railroad shock brigade, with an expected workforce of 100,000 people between 2018 and 2019. Additionally, there have been numerous smaller shock brigades focused on local urban renewal projects, consisting of as few as 150 people.

receive no safety education, supervision, or equipment. Despite several benefits for shock brigade members, such as Workers' Party membership and college admission opportunities, voluntary enlistment in them appears to be declining, and some members often flee before their work period concludes.

### (1) Forced Mobilization

Shock brigades in North Korea are mobilized in one of two ways: voluntary enlistment and forced mobilization. However, due to poor working conditions, the rate of voluntary enlistment has declined, while forced mobilization has become more common. Voluntary enlistment involves individuals applying to join a shock brigade, viewing the service experience as a potential advantage. Forced mobilization, on the other hand, happens through job assignments or direct recruitment by workplaces. Until the early 1990s, many women volunteered for shock brigades with the hope of joining the Party. Others joined hoping that their service would help them gain college admission after fulfilling certain service requirements. However, as long-term service did not guarantee college admission or Party membership and the poor working conditions became evident, voluntary enlistment began to decrease. With more members running away and escaping, the North Korean authorities have responded by intensifying surveillance and increasing the service period, using Party membership as an incentive.

“My colleague, who was in his late 30s, joined a shock brigade to gain entry into the Workers' Party and successfully obtained Party membership after five years. However, once they became a Party member, the shock brigade they belonged refused to approve their resignation. They have been working with the shock brigade for the past 10 years and have been unable to get married due to the communal living conditions. The frequency of people running away has led to officers monitoring members closely, even following them to the bathroom, with guards stationed everywhere to prevent escapes.”<sup>225</sup>

<sup>225</sup> IUI8Q90421



Forced recruitment into shock brigades violates the rights of North Korean residents to choose their jobs freely. Forced mobilization occurred in various ways, including job assignments or forcible recruitment by workplaces or *inminban* and mobilization for being unemployed or traveling without a permit. While the service period before mobilization from workplaces or *inminban* was noted to be relatively short, some were forced to work in shock brigades for extended periods under certain circumstances. In workplaces with fewer people, turns for mobilization came around more quickly, and sometimes the same individual could be mobilized multiple times. A defector who was employed by the Ministry of People’s Security (now renamed the Ministry of Social Security) testified that he was forced into a shock brigade four times over five years, working a total of two years and four months.

“When I was working at the Ministry of People’s Security, I was mobilized to join construction shock brigades in 2014, 2016, and 2018. I was mobilized into these brigades because it was my turn to do so.”<sup>226</sup>

To evade assignments in shock brigades, residents have often resorted to hiring substitutes. In the past, these substitutes, stepping in for those assigned by their workplace or *inminban*, received monetary compensation for their short-term service. Recently, there are individuals who professionally enlist in brigades for a fixed fee. They are referred to as a “service person,” North Korean slang referring to someone acting as a replacement for those assigned to a shock brigade. In 2017, a defector worked as a substitute for a fisherman in a brigade for CNY 100 a month, and another defector served as a service person for two factory workers, receiving CNY 300 a month in 2019.<sup>227</sup> Individuals who avoid reporting to the company by paying money were also

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<sup>226</sup> 1T6JQA2112

<sup>227</sup> PNPVJ41087, C7OC571623

included in a rotation list for dispatchment to shock brigades. As a result, these individuals must compensate not only the service person but also the company during the period they are assigned to work in a brigade.<sup>228</sup>

**Figure V - 10** Shock Brigades in North Korea



Shock Brigade at a Disaster Relief in North Hamgyong Province

Shock Brigade at a Construction Site in Hwangju County, North Hwanghae Province

Members of Baekdusan Hero Youth Shock Brigade in Rason City

\* (Sources) Rodong Sinmun (September 12, 2016 / June 29, 2021 / April 23, 2023)

Testimonies have highlighted the mobilization of children, with the authorities failing to implement measures to protect minors from forced recruitment into brigades. The age verification of workers substituting for others in brigades has not been strictly enforced. Punishing underage children caught in various crackdowns by mobilizing them in brigades has also been a forced recruitment practice. For instance, in 2017, a 14-year-old caught by a Youth League official for being outside the residential area without a travel permit and a birth certificate was sent to a shock brigade.<sup>229</sup> There was also a case where Youth League members in a district rounded up homeless children at markets and sent them to brigades under the district party committee's direction to increase the numbers of those in brigades.

“In February 2019, a district party committee tasked Youth League members with bolstering construction efforts in Samjiyon. They apprehended 17 underage minors, aged 15 to 17, in the market and sent them to a bus carrying supplies for the Samjiyon

<sup>228</sup> POI5E82146

<sup>229</sup> PNPVJ41087

construction project the following day, without notifying their parents.”<sup>230</sup>

## (2) Excessive Work Time

Shock brigades, tasked with large-scale construction projects, face extremely long daily work hours due to the urgent need to complete tasks. These brigades typically handle major civil engineering projects such as building apartment complexes, roads, and dams. However, the low level of mechanization in North Korea has resulted in slow progress rates. Consequently, manpower has become the primary resource for brigade members to complete their tasks. The dire working conditions have led to an increase in the number of people fleeing, forcing the remaining members to sacrifice sleep to meet daily quotas.

Workdays in shock brigades often exceed 10 hours to fulfill the assigned workload, with some tasks demanding more than 15 hours a day. A former worker in the Samjiyon City Construction Shock Brigade in 2019 was mobilized for overnight work for 10 days, requiring workers to work from 5:00 to 23:00.<sup>231</sup> Another defector, who worked in the Wonsan-Kalma Construction Shock Brigade in 2019, mentioned how working from 5:00 to late at night and sometimes until 2:00 the next morning, would result in severe sleep deprivation.<sup>232</sup>

“In 2018, I was mobilized in turns for the housing construction project in Samjiyon and was assigned to work in a mine, where my task was to carry sand packets. Each group was assigned a daily workload. If I failed to complete my quota, other members had to cover for me, compelling me to put in extra effort. I managed to get only four hours of

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<sup>230</sup> 1SDLL22137

<sup>231</sup> GTD1301923

<sup>232</sup> 1T6JQA2112

sleep per day and worked for 19 hours, excluding a 20-minute meal break.”<sup>233</sup>

### (3) Enforcement of Unpaid Labor

Compensation for shock brigade workers has varied depending on their mode of mobilization, but the majority of them have been compelled to work without pay. When individuals were assigned to a shock brigade instead of being mobilized from their original workplace, they did not receive regular wages, only food and accommodation. Meanwhile, individuals sent from state-owned enterprises continued to receive their wages or benefits. One defector who joined a shock brigade after secondary school was paid KPW 1,200 just once over three years.<sup>234</sup> Another defector, mobilized to a school construction brigade for traveling without a permit, received no compensation.<sup>235</sup>

Living expenses and rations were sometimes supplied by the workers’ original employers. Those dispatched from workplace on a rotational basis to a brigade received 10kg of rice, 2kg of cooking oil, laundry soap, and condiments. Workers from collective farms were given KPW 100,000 when entering a brigade by the head of the management committee.<sup>236</sup>

### (4) Insufficient Safety Supervision and Management

Shock brigade members, engaged in large-scale construction projects, are at high risk for safety incidents. Safety supervision and management often exist in name only, leading to frequent accidents. There have been numerous cases where individuals with construction experience, rather than the official

<sup>233</sup> IND60Q2377

<sup>234</sup> PWDEAD1982

<sup>235</sup> 1FOLEV2294

<sup>236</sup> 97RFI90805, 1TYCN61586

authorities, provided safety training and oversight. Some brigades had a “Supervision Division,” but thorough education was lacking, and accidents were common.<sup>237</sup>

The safety equipment available was scarce and given mostly to officials in charge of supervision rather than the members. Equipment, limited to helmets and gloves, has often been allocated to supervisory officials rather than the workers performing the construction tasks. Testimonies include statements that workers or their original affiliated organizations bore the cost of all necessary safety gear.<sup>238</sup> Safety supervision is conducted only superficially and insufficient equipment provided by the authorities increases the risk of accidents, serving as both a direct and indirect cause of incidents.

“I was part of a housing construction brigade in Wiyon District of Hyesan City, Ryanggang Province, until September 2018. All the equipment needed for the work had to be provided by the workers themselves or their respective state-owned enterprises. Despite safety supervision efforts by the provincial People’s Committee, there were still instances of injuries and fatalities. In January 2017, a female member suffered a back injury due to a fall from the first floor of the construction complex. In 2018, I witnessed an incident where a brigade member was struck on the head by the tip of a crane after its cable snapped from the sixth floor, resulting in the member’s death.”<sup>239</sup>

## (5) Harsh Working Environments

The working environments of brigade members, including meals, lodging, and health management, have been found to be very substandard. The quality of meals differed based on the brigade and the members’

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<sup>237</sup> 8H9OLK0142, GN6H1Z0507

<sup>238</sup> GN6H1Z0507, 97RFI90805

<sup>239</sup> 97RFI90805

positions. The only meal provided to members of the Baekdusan Hero Youth Shock Brigade consisted of barley rice, soybean paste, salt, and seaweed soup, leading to malnutrition for many within a month of joining.<sup>240</sup> A former worker at the Samjiyon Construction Shock Brigade recounted how a provincial unit received white rice, soup, meat, and seasoned vegetables, while a county-level unit got steamed corn rice, mountain herbs, and seaweed soup.<sup>241</sup> A disparity also exists between the meals of general brigade members and those who were clerks or supervisors. General members of the Samjiyon City Construction Shock Brigade received 600g of steamed corn rice, salted cabbage soup, salted fish, and artificial meat. However, Party cadres would spend the equivalent of 30-40 workers' meals on a single meal for themselves.<sup>242</sup>

"In our shock brigade, meals consisted of merely seven spoons of cooked barley seasoned with salt or soybean paste. Occasionally, we were served seaweed soup, albeit with scant seaweed. Due to the inadequate quantity of food provided for excessive tasks, many of us became malnourished within a month and were sent back home."<sup>243</sup>

The consensus among individuals with shock brigade experience is that living conditions in them were inadequate. The shock brigades primarily worked on construction sites, and sleeping quarters were cramped, often built by the workers themselves. Some testimonies revealed that up to 15 members shared a room,<sup>244</sup> resulting in overcrowded sleeping spaces where individuals had no room to lay comfortably. During winter, workers relied on

<sup>240</sup> PNPVJ41087

<sup>241</sup> C7OC571623

<sup>242</sup> 1SDLL22137

<sup>243</sup> PNPVJ41087

<sup>244</sup> 1TYCN61586

wood-burning stoves for heating.<sup>245</sup>

Poor meals and intense work frequently led to malnutrition. However, medical treatment within the brigades was often insufficient. In brigades with a military doctor, patients could receive treatment, but this was typically limited to administering injections that members had to purchase themselves or treating minor injuries.<sup>246</sup>

Many members of shock brigades ran away due to the poor working conditions, demanding workload, and long hours. A defector who was assigned to a shock brigade as part of workplace rotations stated that most members fled after enduring one or two months of strenuous labor, sleep deprivation, and inadequate meals.

“I used to wake up at 5:00 in the morning and work until 2:00 the following day. Enduring such harsh conditions with little sleep, my meals consisted of 200g of steamed corn rice and a small amount of vegetable side dish, with no meat. Often members of the brigade would work for one or two months before fleeing. During my time with the 618 Construction Shock Brigade, I had to escape midway through because I could not bear the conditions any longer. With many people attempting to escape, officers would confiscate our belongings and store them in a secure area, which no one could enter until the work was completed.”<sup>247</sup>

Numerous cases are documented of brigade members being assaulted by officers after being caught attempting to flee. One defector who tried to escape from the Baekdusan Hero Youth Shock Brigade was caught at the guard post and beaten by the battalion commander upon his return.<sup>248</sup> A female member who was also caught while fleeing was struck dozens of

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<sup>245</sup> TFHDP41618

<sup>246</sup> PWDEAD1982, TFHDP41618

<sup>247</sup> 1T6JQA2112

<sup>248</sup> PNPVJ41087

times on her legs and torso by a brigade leader and a male member with a shovel.

“In 2017, I tried to escape from the Samjiyon Construction Shock Brigade in Ryanggang Province. Unfortunately, I was apprehended and subjected to physical assault by two men. One was a brigade leader, and the other was a fellow member. The fellow member restrained me while the leader repeatedly struck me on my legs and body with a shovel. I sustained bruises all over my body, and it took 10 days for them to heal. No medical treatment was offered to me.”<sup>249</sup>

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<sup>249</sup> 3U0COF0984



## 4. Right to Education

The right to education ensures that everyone, not only children but people of all ages, can access fair education. Article 26 of the Universal Declaration of Human Rights states that “everyone has the right to education.” It further declares that education should aim to respect human rights and fundamental freedoms, embrace all groups of people, and maintain world peace. The ICESCR states that everyone has the right to education and that State Parties should ensure that education is directed toward the full development of the human personality and the sense of its dignity. According to the ICSECR, State Parties have the obligation to provide free and compulsory primary education to all individuals, and they should respect the freedom to ensure religious and moral education according to one’s beliefs.

**Table V - 5** 「ICESCR」 and Right to Education

「ICESCR」		Right to Education (Related Contents)
Article 13	1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.	<b>Right to Education</b>

「ICESCR」		Right to Education (Related Contents)	
Article 13	2	<p>The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:</p> <p>(a) Primary education shall be compulsory and available free to all;</p> <p>(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;</p> <p>(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.</p>	<p><b>A</b></p> <p><b>The Illusion of the Free Compulsory Education System</b></p> <p><b>B</b></p> <p><b>Discriminatory Provision of Educational Opportunities</b></p> <p><b>C</b></p> <p><b>Poor Educational Conditions</b></p>
	3	<p>The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.</p>	<p><b>D</b></p> <p><b>Education Distorted as a Tool for Regime Propaganda</b></p>
	4	<p>No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.</p>	

North Korea, as a State Party to the ICESCR, has the obligation to realize the right to education. Article 73 of the Socialist Constitution states, “People have the right to education. This right is guaranteed by an advanced education system and the state’s people-oriented education policies.” Based on this, North Korea has enacted various laws, including the Education

Law, Common Education Law, Higher Education Law, Teachers' Law, and Education Directive Implementation Law. These educational laws have been enacted or revised since 2015, with the Distance Education Law established in 2020. In 2023, the Talented Education Law and the Education Support Law were enacted.

North Korea claims to provide free compulsory education for all residents, yet in reality, students and parents bear the costs, including the operational expenses of educational facilities. Students are also required to perform economically assigned tasks at school, while their parents take responsibility to support the teachers' livelihoods. Moreover, North Korean students face discrimination in educational opportunities based on their family background and economic power, and the quality of education provided varies significantly across different regions and social statuses. The poor treatment of teachers leads to various malpractices, and the lack of adequate infrastructure further hinders the education system. Additionally, the North Korean authorities exploit education for ideological indoctrination to maintain the regime and idolize the leader, and also force students to participate in military training.

## **A. The Illusion of the Free Compulsory Education System**

Although the constitution and laws of North Korea stipulate that the state covers all necessary costs for education, in practice, the authorities have not implemented these provisions, forcing students to bear various financial burdens under various pretexts.

North Korea institutionalized compulsory education in the 1950s,<sup>250</sup> and in 2012, it codified the universal 12-year compulsory education

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<sup>250</sup> National Institute for Unification Education, Ministry of Unification, 『Understanding North Korea』, 2023, pp. 320-321.

system through laws like the Education Law and Common Education Law.<sup>251</sup> Additionally, North Korean laws require the state or state-affiliated organizations to fund the operational costs of educational institutions and ensure that textbooks and educational materials are systematically produced and supplied.<sup>252</sup> However, despite these legal guarantees, North Korean students have still had to bear the costs of the school's operating expenses, textbook purchases, and various tasks. Schools have forcibly collected money or goods for various reasons, burdening students with the costs of learning, school operation, and economic assignments, known as "*kkoma gyehoek*."

Even essential textbooks for school classes have not been sufficiently provided to students. According to multiple testimonies, only a few were distributed, often forcing many students to share, and it was common for worn textbooks to be circulated.<sup>253</sup> After completing the year of school, the textbooks would be passed down to juniors and reused, with no new textbooks being issued, leading to a constant shortage. Due to this shortage, priority was given to students who excelled in major subjects.<sup>254</sup> Testimonies also indicated that certain textbook fees had to be paid to receive textbooks from the school.<sup>255</sup> Textbooks not received from school had to be purchased in the market, and one defector said that buying textbooks at school was actually more expensive than buying them in the market.<sup>256</sup>

Students and parents have also been required to cover the costs of school

<sup>251</sup> On September 25, 2012, during the 6<sup>th</sup> session of the 12<sup>th</sup> Supreme People's Assembly since Kim Jong Un's ascension to power, North Korea announced a decree on the enforcement of the universal 12-year compulsory education system, transitioning from the previous 11-year system. 「Socialist Constitution」 (2019) Article 45 and 47; 「Education Law」 (2015) Article 16.

<sup>252</sup> 「Education Law」 (2015) Article 23; 「Common Education Law」 (2015) Article 16; 「Education Directive Implementation Law」 (2016) Article 38.

<sup>253</sup> B5SCU31584, DFM95V2357, ROD6PD2411, REUFYK2389, ROD6PD2423, 1BQ5TD2424, 93VI9U2383, BGHI542085, 5VRQH72482, 93VI9U2478, JUZ0TT2459, JUZ0TT2455, OORIT62460, 1BQ5TD2464

<sup>254</sup> BGHI542085, 1NR82V2442, B5SCU31584, JUZ0TT2459, 5VRQH72482, 1BQ5TD2458, 93VI9U2478

<sup>255</sup> VEEWX80198, DFM95V2357, 5VRQH72482

<sup>256</sup> 8WHPWX2397, 1BQ5TD2424

uniforms and excursion expenses. According to collected testimonies, only students with sufficient economic means could participate in excursions, and school uniforms had to be either inherited or purchased at state-set or market prices.<sup>257</sup> Additionally, schools demanded fees for participation in field trips included in the curriculum. One defector from Ryanggang Province recounted that during his junior secondary school days in 2019, he went on a school trip to Pyongyang. The basic participation fee was CNY 200 (KPW 240,000), which made the cost prohibitive, and as a result, only a few students could attend.<sup>258</sup>

**Figure V - 11** Primary School Students in the North Korean Media



\*(Source) Rodong Sinmun (April 2, 2022/ September 25, 2022 (right))

Additionally, it has been revealed that in North Korea, the costs of the maintenance and repair of school facilities are passed on to students under the guise of “decoration.” Many defectors stated that during their time in North Korea, schools required cash or in-kind contributions for things like “principal’s office decorations,” “classroom decorations,” “laboratory decorations,” “computer room decorations,” and “building painting.”<sup>259</sup> Recently, with the so-called “modernization of classrooms” underway, the

<sup>257</sup> VEEWX80198, TMW8DT2181, DFM95V2357, KRV1AU2326, JQYD690967

<sup>258</sup> ETRLM22255

<sup>259</sup> IUCTX40230, 4NJV4R1405, 18QU5P1660, 2K3MCU1868, XXTKPX1915, JQYD690967, KRV1AU2326, DFM95V2357, 93VI9U2383, DFFYXV2451, 1NR82V2442, ROD6PD2411, VEEWX80198 93VI9U2478, JUZ0TT2455, 0ORIT62460, 1BQ5TD2464, DEJ6ST2342, 5SVTLUI585, CUKQSL2289

financial burden on students for these school decorations has increased. One defector who worked as an accountant at a secondary school mentioned that modernizing classrooms required providing televisions, laptops, and solar panels, but since there was no budgetary support from the authorities, students were forced to cover these costs themselves.<sup>260</sup> Additionally, the responsibility for winter heating costs largely fell on the students.<sup>261</sup> The situation in Pyongyang was no different. Around 2014, students were required to contribute USD 30 each for painting desks and chairs as part of the school's modernization efforts.

"I graduated from a secondary school in Daesong District, Pyongyang. Every year, I remember paying KPW 5,000 for what were known as 'support projects' during my secondary school years. In my third year of junior secondary school, we had to pay USD 30 each for a project that involved painting desks and chairs, installing televisions, and replacing blackboards with white boards. It was tough on the kids."<sup>262</sup>

Moreover, North Korean students have been saddled with the obligation to contribute various kinds of support funds and in-kind contributions represented by the *kkoma gyehoek*, which has also become a burden for their parents. Students from primary schools to senior secondary schools have been subjected to various types of *kkoma gyehoek*.<sup>263</sup> North Korean students have had to submit scrap iron, paper, used plastic, human feces, rabbit pelts, bracken, and other in-kind contributions according to the specified *kkoma gyehoek*, and they have also had to pay support funds for military units, shock brigades (*dolgyeokdae*), and various construction

<sup>260</sup> BGHI542085

<sup>261</sup> ROD6PD2411, JUZOTT2455, IUKTX40230

<sup>262</sup> 9F06UX2305

<sup>263</sup> TMW8DT2181, 1BQ5TD2424, 1BQ5TD2412, XXTKPX1915, R0D6PD2423, B5SCU31584 93VI9U2383, DFM95V2357, KRV1AU2326, 2K3MCU1868, VEEWX80198, 93VI9U2478, 1BQ5TD2464, DFFYXV2475, M7SJZX1839

projects.<sup>264</sup> One defector from Chongjin City, North Hamgyong Province, received a rabbit pelt assignment while attending primary school. Since he lived in the city and could not obtain rabbit pelts directly, he had to pay the corresponding amount to the school.<sup>265</sup> In some cases, the class president's mother paid the amount for the rabbit pelts to the school first and later collected the assigned amounts for each student from the other parents.<sup>266</sup> Another defector had an economic assignment to submit a certain amount of bracken, and since it was difficult for young students to collect the required amount, they had to pay in cash.<sup>267</sup> Many defectors recalled that various economic assignments were frequently imposed, and since the tasks were not something students could submit by themselves, they often led to a burden on the parents.<sup>268</sup>

“The school told us we needed to contribute money for firewood for heating, which they claimed was part of the school's operating costs. It was the most burdensome expense I can remember. Additionally, there were always ‘*kkoma* assignments.’ I remember being required to submit scrap iron and rabbit pelts.”<sup>269</sup>

At school, students have been compelled to complete various tasks, with failure often resulting in public criticism or other disadvantages. Many defectors mentioned that teachers publicly punished or shamed students who did not fulfill their *kkoma gyehoek* assignments, sometimes sending them home to fetch the required items.<sup>270</sup> One defector recalled how her

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<sup>264</sup> 1NR82V2442, XWLLIS2413, IUKTX40230, CUKQSL2289

<sup>265</sup> J54YER2352

<sup>266</sup> AZLN4W1646

<sup>267</sup> 93VI9U2478, 1BQ5TD2458

<sup>268</sup> 8WHPWX2397, 93VI9U2478, 1BQ5TD2458

<sup>269</sup> 1NR82V2378

<sup>270</sup> OTP8Z62291, KRV1AU2326, 93VI9U2383, R0D6PD2423, JUZ0TT2435, XXTKPX1915, 1BQ5TD2412, XWLLIS2413, 18QU5P1660, VEEWX80198, JUZ0TT2455, 2K3MCU1868, IUKTX40230

homeroom teacher repeatedly called out her name, pressuring her in front of her classmates about when she would make her payment. Her name was not erased from the classroom blackboard until she had paid the amount demanded by the school.<sup>271</sup> Additionally, there was an account of a student who was publicly reprimanded by the homeroom teacher in front of the other students for sitting near the stove, simply because she had not paid the heating costs.<sup>272</sup>

“We had to cover costs for the school’s modernization and even gave money to teachers during national holidays. At the end of 2010, the school required students to contribute financially under the pretext of installing computers in the computer room. Each student was expected to contribute about USD 5. Since we were about to graduate, we felt it was unfair to bear this cost as we wouldn’t benefit from the new computers. We would have worked harder if they had asked us to pay in exchange for receiving the education. But despite being supposedly free, this required payment made us feel even more discriminated against. It was very common for students who couldn’t pay to be publicly shamed during class.”<sup>273</sup>

The rising demands for tasks and financial contributions imposed by schools are severely infringing on the right to education, especially for vulnerable students. The economic burdens placed on students have rendered the free education system meaningless and led to long-term absences and dropouts among those struggling financially. Many defectors recalled that various assignments and required support funds were a significant burden. Additionally, if students cannot fulfill a task or make a required payment, the responsibility often shifts to their peers, leading to many students dropping out due to such pressure.<sup>274</sup>

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<sup>271</sup> 4NJV4R1405

<sup>272</sup> JUZ0TT2455

<sup>273</sup> DEJ6ST2342

<sup>274</sup> JUZ0TT2435, 8WHPWX2397, OTP8Z62291, VEEWX80198



Despite these circumstances, the North Korean authorities and schools did not take active measures to reduce the burdens on students and parents.<sup>275</sup> Typically, if students were absent, classmates or the homeroom teacher would visit them to encourage their attendance, but no substantial measures were taken.<sup>276</sup> There were even testimonies that students who continued to miss school were labeled as “non-attending” and removed from the roster.<sup>277</sup>

“From primary school through to secondary school graduation, I was required to submit economic assignments like rabbit pelts, scrap paper, and scrap iron to the school more than once a week. Additionally, starting in secondary school, I also had to contribute money for firewood during the winter season and cover other school operating costs. Teachers in both primary and secondary schools shamed students who were unable to meet the school’s demands. In front of other students, they would say, ‘Why didn’t you bring that when everyone else did? You don’t deserve to be here, so you should do all the cleaning.’ This shaming led many students, including myself, to not want to attend school at all. I often skipped school due to economic burdens.”<sup>278</sup>

## B. Discriminatory Provision of Educational Opportunities

The UN Committee on Economic, Social and Cultural Rights states that everyone in a State Party should have non-discriminatory access to educational institutions and programs.<sup>279</sup> However, in North Korea, students do not enjoy equal educational opportunities. Instead, their family background (*songbun*) and economic status significantly influence their educational prospects. Admission to higher education and participation in competitions are often determined by family background rather than

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<sup>275</sup> B5SCU31584, 2K3MCU1868, VEEWX80198

<sup>276</sup> JQYD690967, VEEWX80198, A3DT2L1549

<sup>277</sup> CW14HP2075

<sup>278</sup> JUZ0TT2459

<sup>279</sup> UN CESCR, General Comment No. 13, The Right to Education, para. 6.

individual ability. Furthermore, the quality and level of education available to students can vary greatly depending on their family's financial situation and the region where they live.

### **(1) Discrimination Based on Family Background, *Songbun***

In North Korea, discrimination in college admissions and compulsory education based on family background has been well-documented. One defector, who graduated from a senior secondary school in 2019, stated that she was unable to attend college due to her family background.<sup>280</sup> Another defector, aiming for medical school in 2018, abandoned his plans after an educational director informed him during an interview that his chances were slim because his mother was missing.<sup>281</sup> Testimonies have also revealed that children of farm workers were ineligible for general colleges or technical schools after graduating secondary school.<sup>282</sup> It also appears that children of detainees in political prison camps did not receive regular education. Although there were primary and secondary schools in the political prison camps, unlike regular schools, students arrived carrying A-frame packs instead of backpacks and were primarily taught farming.<sup>283</sup>

Discrimination based on family background has also permeated various selection processes. In 2018, one defector initially selected for the “Student Children’s Palace” ski department was later removed from the nomination list by the sports director due to his unfavorable family background.<sup>284</sup> In selections for overseas authority-sponsored students, family background has been a crucial criterion. According to a defector with experience studying

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<sup>280</sup> P4ILM91470

<sup>281</sup> 9PQ5S71540

<sup>282</sup> DFFYXV2365

<sup>283</sup> 3BKBFW1632

<sup>284</sup> SOKAIT1086

abroad, to qualify as an overseas authority-sponsored student, one needed to come from a well-regarded family, not be from a divorced family, and have no criminal record, either personally or among one's family members.<sup>285</sup>

"My sister experienced discrimination due to our family background. Before being discharged from military service, she was initially recommended for college, but that recommendation was revoked because she was the child of farm workers. In 2018, as she was preparing for her discharge, she was supposed to receive a recommendation for a special program at a commercial college in Pyongyang. However, she was informed that she could not be recommended because our parents were farmers. As a result, upon completing her service, she was assigned to work on the farm where our parents were employed."<sup>286</sup>

## (2) Discrimination Based on Economic Status

In North Korean schools, discrimination based on economic status is widespread, yet the authorities appear to not take any action to alleviate these inequalities. Many testimonies have stated that students who could not fulfill economic assignments faced discrimination at school.<sup>287</sup> Students who paid well and supported teachers financially were hailed as "honor students" and were exempted from various mobilization efforts.<sup>288</sup> One testifier stated that significant financial contributions were necessary to attain leadership roles, such as class president, and there was severe discrimination between student leaders and regular students.<sup>289</sup> Despite teachers openly discriminating against economically disadvantaged students, neither school nor governmental authorities took any action to rectify the situation.

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<sup>285</sup> KJ7IFB2239, YNNL9N2323

<sup>286</sup> 1CHLPG2211

<sup>287</sup> BERYD80822, O15I6J2346, DBZIQP2152, 1NR82V2465, OTP8Z62291, 2K3MCU1868

<sup>288</sup> 2M6K2I1904, FZCYTK1540

<sup>289</sup> DBZIQP2152

**Figure V - 12** Disparity in Living Standards Between Students in Pyongyang and Those in Rural Areas



\* (Sources) KCNA; Prof. Kang Dong Wan (Dong-A Univ.), (right)

Economic disparities among regions have also resulted in significant gaps in education levels and facilities, leading to noticeable differences in the quality of education. Testimonies have revealed that schools in wealthier areas could upgrade their facilities with parental support, whereas those in less affluent areas inevitably fell behind. Many testimonies have stated that there was a considerable gap in facilities between urban and rural schools. The costs for repairing and maintaining school facilities had to be borne by students and their parents. In rural schools, since they lacked the means to cover these costs, the facilities were often outdated.<sup>290</sup>

### C. Poor Educational Conditions

Students in North Korea are educated in challenging environments, and teachers endure such poor treatment that making a living as a teacher is nearly impossible. According to the UN Committee on Economic, Social, and Cultural Rights, State Parties are required to provide the necessary resources to guarantee the right to education, including maintaining well-functioning educational institutions and ensuring access to safe drinking water and sanitation in schools.<sup>291</sup> Furthermore, Article 13, Paragraph 2 of the ICESCR

<sup>290</sup> 93VI9U2383, 93VI9U2367, 2G5GFH2345, 1NR82V2457, I00Y2Z1546

<sup>291</sup> UN CESCR, General Comment No. 13, The Right to Education, para. 6.

obliges State Parties to improve the material conditions of teachers to prevent these conditions from impeding educational success. Despite these standards, North Korea's educational system remains outdated and rife with challenges.

### **(1) Outdated Educational Facilities**

Recently, North Korea has attempted to enhance its educational settings by initiating a “modernization project” for school facilities, including classrooms. Despite these efforts, the overall quality of educational facilities remains subpar. In particular, educational facilities outside of Pyongyang are in very poor condition. Multiple testimonies have revealed that most schools lack properly functioning water facilities. Even in schools undergoing modernization, essential amenities such as infirmaries, libraries, drinking water, and sanitation facilities are often absent.<sup>292</sup> One defector recalled that during her primary school years, students were required to contribute money for modernization efforts. Despite this, the toilets remained outdated, and as late as 2019, they were still using traditional outdoor facilities.<sup>293</sup> Another defector, who attended school in Ryanggang Province at the same time, reported that his school had no water facilities, forcing students to use a nearby well.

“I attended a senior secondary school in Kimhyongjik County, Ryanggang Province, until 2019. My school was about 4km away from my house, and I would either walk for an hour to get there or ride my bicycle. For lunch, I either packed a meal or brought money to buy food. The school lacked a computer room and science lab, had no electricity, and had no water pipeline, with only a well available.”<sup>294</sup>

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<sup>292</sup> CLZ81Q0824, 2K3MCU1868, A3DT2L1549

<sup>293</sup> 4ACOW11614

<sup>294</sup> ETRLM22255

While many testimonies spoke of progress in school facility modernization projects, their effectiveness was limited by the lack of infrastructure, such as electricity, and insufficient operational funds. Even at schools where modernization projects were relatively successful, it was challenging for students to fully utilize the improved facilities. Many testified that despite collecting money from students to build computer rooms, these rooms remained unused during the actual classes due to electrical issues.<sup>295</sup>

“From primary school onward, schools announced modernization plans and collected money from students. However, it was not practical to use the computer room. Due to the lack of electricity, schools primarily held classes during the day. If classes were scheduled in the evening, students were asked to bring batteries. The school building was old, and the toilets were traditional and located outside. The desks and chairs were repainted every year.”<sup>296</sup>

## (2) Poor Treatment of Teachers

Despite legal provisions mandating preferential treatment for teachers, those who teach in North Korea do not receive adequate economic compensation. Article 5 of North Korea’s Teachers’ Law stipulates that the People’s Committee at all levels, along with relevant institutions, must ensure preferential treatment and secure living conditions for teachers.<sup>297</sup> However, the reality is far from this, with teachers not only lacking preferential treatment but also not receiving fair economic compensation.

Financial difficulties faced by teachers, due to inadequate support from

<sup>295</sup> CLZ81Q0824, FZCYTK1540, 4ACOW11614, JUZ0TT2459

<sup>296</sup> 4ACOW11614

<sup>297</sup> 「Teachers’ Law」 (2015) Article 42 (Requirements for favoring teachers) Providing support for teachers is crucial for them to feel proud and honored in their roles, allowing them to dedicate themselves fully to education. People’s Committees at all levels and relevant institutions are required to ensure teachers receive this support and that their working and living conditions are adequately secured.

the North Korean authorities, often fall on parents to resolve. Numerous testimonies have been collected indicating that teachers' salaries are not guaranteed, forcing parents to cover the teachers' living expenses.<sup>298</sup> A witness mentioned that due to the insufficient salary and food rations provided by the authorities, teachers were compelled to informally charge for lessons or resort to illegal tutoring to make ends meet.<sup>299</sup>

The system where parents increasingly shoulder the responsibility for teachers' livelihoods has become normalized due to neglect from the authorities. One defector noted that parents understand teachers would face significant hardships without their assistance, and teachers have come to take this parental support for granted.<sup>300</sup> One former primary school teacher shared that most teachers received unofficial tuition payments through parent representatives or sought material support from wealthier parents to sustain their livelihoods.<sup>301</sup> Since their salaries and food rations are insufficient for survival, some teachers have been compelled to request additional funds from parents when seeking contributions for *kkoma gyehoek* or operational costs.

“Teachers’ salaries are determined by their level within the educational system, but even so, the compensation they receive is so low that it’s barely enough to purchase 500g of rice. Each teacher receives a six-month ration of potatoes between late September and early October, sourced from farms supported by student rural aid programs. However, the provided salaries and rations are insufficient for a livable income. To make ends meet, teachers often find themselves needing to request financial assistance directly from the parents of students who hold leadership positions like class president.”<sup>302</sup>

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<sup>298</sup> DFM95V2357, 1NR82V2442, XWLLIS2413, ROD6PD2469, 93VI9U2478, 2YUED91276

<sup>299</sup> REUFYK2389

<sup>300</sup> AXNPOZ0474

<sup>301</sup> BGHI542085

<sup>302</sup> BGHI542085

Recently, some teachers have openly pursued personal gain, such as offering guarantees of college admission in exchange for favors. There have also been instances where teachers, citing their need to make a living, have coerced students into working on their personal small fields.<sup>303</sup> This widespread issue of teachers exploiting student labor for personal gain led to a notice in 2019 from a principal, instructing teachers not to use students for personal benefit.<sup>304</sup> Nevertheless, some teachers continue to extract rice, oil, and other essentials or substantial sums of cash from students, particularly those aiming for university admission.

“Not all students are required to support their teachers’ living expenses, but there is a common expectation among those aiming for university that they should financially support their teachers. While some reputable teachers may not be very demanding, the less ethical ones overtly request items like rice and oil, or even money for their home renovations. These demands are sometimes made directly to students or their parents. In extreme cases, teachers have demanded up to USD 100 immediately for their personal home renovation expenses.”<sup>305</sup>

## D. Education Distorted as a Tool for Regime Propaganda

North Korea places a high priority on political ideological education, using it as a tool for regime defense and idolization. Additionally, it has implemented military training for children. Article 13, Paragraph 1 of the ICESCR outlines that education should foster respect for human rights and freedoms, encourage participation in a free society, and promote understanding, tolerance, and friendship among all nations and all racial or religious groups. The UN Committee on Economic, Social and Cultural Rights

<sup>303</sup> 1NR82V2442, 93VI9U2383, KRVI1AU2326, B5SCU31584, XXTKPX1915, FZCYTK1540, IUCTX40230

<sup>304</sup> P4ILM91470

<sup>305</sup> 5VRQH72482



further considers any public education that imposes a particular religion or belief on students to be in conflict with these educational objectives.<sup>306</sup>

However, North Korea places a greater emphasis on political ideology education than on general education, specifying this in its laws such as the Common Education Law and the Education Directive Implementation Law.<sup>307</sup> Additionally, North Korea includes military training in the regular school curriculum and mandates student participation.

### (1) Idolization Education

North Korea's curriculum heavily emphasizes ideological indoctrination.<sup>308</sup> Throughout their schooling, North Korean students study political ideologies centered around Kim Il Sung, Kim Jong Il, Kim Jong Un, and Kim Jong Suk (Kim Il Sung's wife). In primary school, the focus is on their childhoods; in junior secondary school, it shifts to their "revolutionary activities;" and in senior secondary school, students delve into their "revolutionary histories."<sup>309</sup> Testimonies indicate that these subjects related to political ideology are prioritized over general education subjects across all academic programs, with strict management of attendance and exams.<sup>310</sup> One North Korean defector noted that students could not achieve the highest honors without scoring well in these political ideology subjects, regardless of their

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<sup>306</sup> UN CESCR, General Comment No. 13, The Right to Education, para. 28.

<sup>307</sup> 「Common Education Law」 (2015) Article 40 (Political ideology education, general knowledge education, sport, and artistic talent education) General education institutions shall prioritize political ideological education so that students can have sound ideology and morals, multidimensional and deep knowledge, solid stamina, and rich emotions. They must also correctly combine education on general subjects such as language and literature, history, and geography; foundational scientific and technical subjects including mathematics, physics, chemistry, biology, and computing; and education in foreign languages, art, and sports; 「Education Directive Implementation Law」 (2016) Article 8 (Requirements and content for curriculum development) Educational institutions must develop practical curricula that prioritize political ideological education and strengthen science and technology education.

<sup>308</sup> ROD6PD2411, 93VI9U2383, DFFYXV2475, A3DT2L1549

<sup>309</sup> DFM95V2357, TMW8DT2181, XXTKPX1915, 2K3MCU1868, 18QU5P1660, 8WHPWX2397, A3DT2L1549

<sup>310</sup> 1BQ5TD2412, 2K3MCU1868, 18QU5P1660

performance in other areas.<sup>311</sup>

**Table V - 6** North Korea's Primary School Curriculum

Subject	Intensive Teaching Hours per Week						Type
	Grade1	Grade2	Grade3	Grade4	Grade5	Grade6	
The Great Suryung Kim Il Sung's Childhood	1	1	1	1	1	1	Idolization Education
The Great Leader Kim Jong Il's Childhood	1	1	1	1	1	1	
The Heroic Anti-Japanese Female Revolutionary Kim Jong Suk's Childhood	1						
The Respected Marshal Kim Jong Un's Childhood	1	1	1	1	1	1	
Socialist Morals	1	1	1	1	1	1	General Education
Mathematics	4	5	5	5	5	5	
Korean	7	7	7	7	7	7	
Physics	1 week	1 week	2	2	2	2	
Music, Dance	2	2	2	2	2	2	
Sports	2	2	2	2	2	2	
Art	2	2	2	2	2	2	
English					2	2	
Information Technology (Computing)				1 week	1 week		

\* (Source) Ministry of Unification, National Unification Education Institute, "Understanding North Korea 2023," p. 331 ("Reconstruction of the first Universal 12-year Compulsory Education Guidelines")

\* North Korea's educational curriculum specifies both regular teaching hours per week and intensive teaching hours (indicated on a weekly basis). The "1 week" in the above table refers to intensive teaching hours.

Additionally, North Korean students are exposed to ideological indoctrination in their daily lives, which includes collective mobilization for major political events. Upon reaching a certain age, students are mandated to join organizations like the Children's Union and the Socialist Patriotic Youth League, where they are expected to learn and internalize ideology outside of class hours. Upon reaching their third year of primary school, students are enlisted in the Children's Union, identifiable by their red neckties, and pledge loyalty to the leader (*Suryung*), thus beginning their lifelong dedication to

311 8CWCD32231

organizational activity. One North Korean defector recounted that during her time in the Children’s Union, there was a principle of reverently maintaining and thoroughly safeguarding portraits and badges of Kim Il Sung and Kim Jong Il. Additionally, she had to learn and frequently sing songs praising the three generations of leaders during these organizational activities.<sup>312</sup>

**Figure V - 13** Activities of North Korean Students in the Children’s Union



\* (Sources) KCNA (June 6, 2016 / June 7, 2019), Rodong Sinmun (February 12, 2022)

## (2) Military Training as Part of the Educational Curriculum

The North Korean secondary school curriculum includes military training.<sup>313</sup> The UN Committee on Economic, Social and Cultural Rights views the inclusion of religious or belief-based lessons in public education as a violation of Article 13 of the ICESCR unless alternatives were provided to accommodate the preferences of parents or guardians.<sup>314</sup> However, in North Korea, it appears that students cannot refuse the military training included in the curriculum based on their personal beliefs.

North Korea has integrated military training into the curriculum of its senior secondary schools, equivalent to our high schools, and mandates

<sup>312</sup> 4XIK2K0784

<sup>313</sup> The Optional Protocol on the Involvement of Children in Armed Conflict (2000) stipulates that State Parties must take all feasible measures to ensure that members of the armed forces under the age of 18 do not directly take part in hostilities and must ensure that individuals under the age of 18 are not compulsorily recruited into their armed forces. North Korea has not signed this protocol.

<sup>314</sup> UN CESCR, General Comment No. 13, The Right to Education, para. 28.

participation in it. North Korean senior secondary school students are required to undergo basic military training as part of the “Red Youth Guard” (a military organization within senior secondary schools), with the goal of developing combat-ready units.<sup>315</sup> According to testimonies from those who have experienced Red Youth Guard training, all senior secondary school students must attend this training, which takes place over 7 to 10 days at a camp. The training includes disassembling and assembling weapons, aiming exercises, running while wearing gas masks, and other military drills. Notably, on the last day of training, students must complete shooting training with live ammunition, firing three rounds each.<sup>316</sup>

“In July 2008, when I was in my fifth year of secondary school (currently equivalent to the second year of senior secondary school), I participated in the Red Youth Guard training. We spent seven nights and eight days in Jonchon County, Jagang Province, for the training. In the summer, the training ground is used by the Red Guards (currently the Worker-Peasant Red Guards, similar to our reserve forces), and at other times, it is used by students. The training program includes professional military training starting with combat drills, followed by weapon disassembly, shooting practice, theoretical knowledge about firearms, and maintenance. It is an educational program that teaches students in advance what they need to know when they join the military. On the last day, we fired three live rounds.”<sup>317</sup>

<sup>315</sup> North Korea’s educational curriculum includes activities beyond regular classes, such as one week of field trips, one week of “Red Youth Guard” training, three weeks of tree planting, and nine weeks of production labor. (National Institute for Unification Education, Ministry of Unification, “Understanding North Korea,” 2023, p. 114, 336.)

<sup>316</sup> X21B8H0457, B5SCU31584, DL4ZFYQ2303, 1FND2R1476, XXTKPX1915, 2K3MCU1868, 18QU5P1660, DFFYXV2475

<sup>317</sup> KRVI1AU2326

## 5. Right to Social Security

Every individual must sustain a basic quality of life as a human being in spite of unemployment, illness, disability, and old age. Article 22 of the Universal Declaration of Human Rights declares that “everyone has the right to social security as a member of society,” and Article 25 states that “everyone has the right to social security in the event of a lack of livelihood due to unemployment, sickness, disability, widowhood, old age, etc.” Article 9 of the ICESCR states that “the States Parties to the Covenant recognize that everyone has the right to social security, including social insurance.”

**Table V - 7** ‘ICESCR’ and Right to Social Security

‘ICESCR’		Right to Social Security (Related Content)
Article 9	The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.	<b>Right to Social Security</b>
Article 10	1 The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.	
	2 Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.	
	3 Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.	

North Korea has established various legal provisions on social security,

promoting its efforts for upholding the right. Its law stipulates such systems, including old-age pensions, pensions for loss of the capacity to work, pensions for surviving families, and other subsidies. Despite these provisions, gaps exist between the system and its practical application. There is a certain social security framework in terms of laws and systems, which does not fully support the rights of its people. North Korea's social security system is not properly operated, and the residents do not fully benefit from it.

Recently, North Korea rearranged its existing laws and newly enacted the Law on Social Insurance and Social Security in March 2021 and the Law on Providing Living Conditions for Discharged Officers in April 2020. Meanwhile, several provisions in the previous laws regarding the payment of subsidies and pensions are excluded in the new laws. The Center focused on North Korea's social security system concerning old-age pensions, pensions for loss of the capacity to work, and pensions for surviving families, among other social security systems.

**Table V - 8** North Korean Laws Covering Social Security

Social Security Coverage	Related Laws	Others
Social Security in General	「Law on Social Insurance and Social Security」	<ul style="list-style-type: none"> <li>· Serves as a basic law for social security and was recently enacted in March 2021.</li> <li>· In addition to the previous Social Insurance Law and Social Security Law, light labor, special treatment for merited individuals, and social security money are added.</li> </ul>
Health Management	「Law on Public Sanitation」, 「Law on Foodstuff Hygiene」, 「Law on Emergency Anti-Epidemic Work」	<ul style="list-style-type: none"> <li>· Law on Emergency Anti-Epidemic Work revised in August 2020.</li> </ul>
Illness	「Public Health Law」, 「Law on Medical Care」, 「Medicine Control Law」	
Old Age (Elderly)	「Law on the Protection of the Elderly」	

Social Security Coverage	Related Laws	Others
Unemployment/ Industrial Accident	「Socialist Labor Law」, 「Labor Protection Law」, 「Law on Providing Living Conditions for Discharged Officers」	<ul style="list-style-type: none"> <li>· Law on Providing Living Conditions for Discharged Officers enacted in April 2020.</li> <li>· Labor Protection Law revised in October 2021.</li> </ul>
Family, Child/ Maternity Protection	「Law on the Nursing and Upbringing of Children」, 「Law on the Protection of the Rights of the Child」, 「Law on the Protection of the Rights of Women」	
Disabilities	「Law on the Protection of Persons with Disabilities」, 「Law on Ensuring the Rights of the Disabled」	
Surviving Family, Orphans	「Law on Social Insurance and Social Security」	

## A. Nominal Pension System

### (1) Old-Age Pensions

North Korea offers old-age pensions to residents who have surpassed their working years, but these pensions often fail to provide adequate retirement security. According to the Law on the Protection of the Elderly, individuals are eligible for an old-age pension if they have worked for at least 25 years and are at least 60 years old for men or 55 for women. Pensions are mainly disbursed in cash or in kind through local district or county offices.<sup>318</sup> However, the amount of these pensions, which is determined by income, has

<sup>318</sup> 「Law on the Protection of the Elderly」 (2012) Article 2 (Age of the elderly, subjects of protection) The elderly of North Korea are male and female people aged 60 and older. People who have finished their working life, or men of the age of 60 years and older and women of the age of 55 years and older who are currently working shall receive the protection of this law.

Article 14 (Guarantee of pensions and subsidies) The elderly shall receive a senior pension and different forms of subsidies from the state. The financial banking institutions and authorities concerned must correctly give out designated pensions and subsidies to the elderly. The work of determining the subjects and standards of pensions and subsidies shall be done by the central labor administration guidance institution.

「Socialist Labor Law」 (2015) Article 74 stipulates that the state shall provide a senior pension to workers who have reached 60 years for men and 55 years for women in cases where they have undergone a term of constant continuous labor.

not reflected price fluctuations and societal changes. Specifically, women are less likely to receive old-age pensions due to the difficulties in meeting the required number of working years, often because of childcare and domestic responsibilities.<sup>319</sup>

“In North Korea, eligibility for a pension requires individuals to be at least 55 years old and to have accumulated at least 25 years of work. Despite surpassing the minimum age requirement at 57, I was ineligible for a pension due to not meeting the 25-year work criteria. Consequently, many women fail to qualify for old-age pensions. In 2019, the pension amount was set at KPW 700, insufficient to purchase even 1kg of rice.”<sup>320</sup>

It appears that North Korean residents receive approximately KPW 1,000 for old-age pensions, which does not significantly aid their livelihoods. Testimonies reveal that the pension amount has stagnated at the KPW 1,000 level for two decades since the mid-2000s.<sup>321</sup> The old-age pension, failing to account for inflation, serves merely as a symbolic gesture by the authorities. Defectors commonly assert that the pensions provided by the authorities are inadequate for survival, contrary to the authorities’ claims that the pensions were enough to buy 1kg of rice in the early 1990s.<sup>322</sup> In some instances, pensions were provided in kind rather than in cash, but only amounted to as little as 600g of rice.<sup>323</sup> Most witnesses stated that the value of old-age pensions barely covered the cost of a single piece of candy.

<sup>319</sup> L99N7A2142, XF42ZV0591

<sup>320</sup> L99N7A2142

<sup>321</sup> 3RNTQV2332, UY2OY52324, BW8MUL2358, K6JGAA2321, HLYRUJ2290, 5U19X52263, R2PF4V0713, XF42ZV0591

<sup>322</sup> R2PF4V0713

<sup>323</sup> EJRHLJ2244



**Table V - 9 Old-Age Pensions While in North Korea (Based on the Center’s Investigations)**

(Unit : Year, KPW)

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
KPW 1500											1500				
KPW 1000			1000												
									800		800		700- 800		700- 800
	700														
KPW 500					500										

Pension payments were sometimes delayed or not made at all. This is due to the local district or country offices, which are responsible for disbursing pensions, deducting operational fees and commissions for district projects before making the payments. Multiple testimonies indicate that defectors did not receive their old-age pensions, or the payments were overdue while they were in North Korea.<sup>324</sup>

Given the unrealistic pension amounts and the mismanagement of the pension system in North Korea, residents who are beyond their working age face serious livelihood concerns. Despite their old age, they were engaged in personal economic activities, cultivating small plots of land, or being financially supported by their family members.<sup>325</sup>

<sup>324</sup> 5Q8LRL2333, 3RNTQV2332, 00RIT62440

<sup>325</sup> QBLB242355, 4C6RDC2348, DFM95V2357, BW8MUL2358, DFFYXV2365, ROD6PD2386, 1ND60Q2377, TEIEJA2400, ROD6PD2427, UY2OY52324, K6JGAA2321, 3RNTQV2332, YNZ1CJ2226, HLYRUJ2290, 5OR5F62241, 1ZCVGZ2215, K4HHNQ2264, L99N7A2142, 4NPX212298, R2PF4V0713, XF42ZV0591, 2L81UU1609, SHS6WT0708

“In North Korea, men must be 60 and women be 55 to be eligible for old age pensions. However, the amounts are so minimal that they border on the absurd. Consequently, elderly individuals often become dependent on their sons. In these situations, it’s not uncommon for daughters-in-law to despise their fathers-in-law. While young women can sustain themselves by participating in private economic activities, the elderly are left with no viable means of support. It’s a truly regrettable situation.”<sup>326</sup>

## (2) Incapacity Pensions

As an additional means of social security, North Korea guarantees pensions for the loss of the capacity to work, which, as with old-age pensions, fail to provide practical help in real life. North Korea’s Socialist Labor Law stipulates that the state shall provide a subsidy for those incapacitated from work due to an illness or disaster, as well as an incapacity pension if the period of incapacity from work due to a labor accident, illness, or injury exceeds six months.<sup>327</sup> North Korean residents refer to this as “receiving social security” and use the opportunity to be relieved from labor obligations as a means to sustain their livelihood. Many of these residents who are officially released from their work obligation engaged in private economic activities.

The amount of pension paid to those declared incapacitated in North Korea is reportedly very small, with payments sometimes even delayed. One defector stated that her father, who had paralysis from the waist down, received KPW 3,000-4,000 per month from 1999 to 2011. This amount remained unchanged for 12 years, was often delayed, and was subject to deductions for various

<sup>326</sup> L99N7A2142

<sup>327</sup> 「Socialist Labor Law」(2015) Article 73 stipulates that the state shall provide workers a temporary subsidy under the state social insurance system if they have temporarily lost their capacity to work due to a labor disaster, illness, or injury, and if that period exceeds six months, a labor capacity loss pension shall be provided to them under the state social security system.

reasons.<sup>328</sup> Another defector indicated that pension payments did not adjust for inflation and were insufficient for a basic livelihood.<sup>329</sup>

“My father was enrolled in what is known as ‘social security.’ In North Korea, recipients of social security receive approximately KPW 3,000 per month. Until reaching 60, North Korean men are required to report to a factory or a state-owned enterprise, regardless of whether those places are functioning. Failure to attend work necessitates paying the ‘8.3 profit’ fee. However, those on social security are exempt from this requirement. They are not forced into *rodong-danryundae* if unemployed. Nevertheless, they must undergo medical check-ups every six months. These exams assess whether the individual is genuinely ill or has seen an improvement in their health, thus allowing the state to monitor their condition.”<sup>330</sup>

Multiple testimonies also suggest that defectors never received these incapacity pensions when they were unable to work. These pension payments were made until the mid-1990s, though the amounts were very small, continued to decline, and in some areas were completely discontinued.<sup>331</sup> A former soldier injured during service, despite being a social security beneficiary, received no pension or economic support.<sup>332</sup> Similarly, an individual who lost an arm in an industrial accident received no support and had to fend for herself.<sup>333</sup>

In another case, social security was only granted through bribery, even though the individual was proven to have lost the capacity to work. This case demonstrates the ineffectiveness of the system’s protections and practical social security for those who have lost their capacity to work in North Korea.

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<sup>328</sup> 1BQ5TD2458

<sup>329</sup> SHS6WT0708, JQYD690967, 2XW8W01528, ROD6PD2427

<sup>330</sup> V2FXOT0757

<sup>331</sup> MPTG4U1080, 6O2UJZ1587, V2FXOT0757, P5F78O1131, 4902BC0526, BW8MUL2358

<sup>332</sup> 1ZD32O1572

<sup>333</sup> CVOP781260

“In North Korea, having a physical disability, such as missing one or two fingers or having a leg impairment, does not change the work tasks assigned to you compared to those without disabilities. Although you can receive a diagnosis from a hospital that qualifies you for ‘social security,’ obtaining the necessary certificate typically requires a bribe.”<sup>334</sup>

### (3) Pensions for Surviving Family Members

North Korea’s laws formally state that pensions should be provided for the families of deceased workers, yet testimonies of such cases have not been collected. North Korea’s Socialist Labor Law specifies that the state shall provide a survivor pension to dependents if a worker dies from a labor accident, illness, or injury.<sup>335</sup> However, until recently, North Korean defector testimonies have rarely mentioned survivor pensions from the authorities. The most recent case regarding pensions for surviving family members occurred in 2012, in which two workers in a shock brigade died in a tunnel-building accident, yet their families received no compensation.<sup>336</sup> In addition, various statements suggest that accidents resulting in worker fatalities often did not lead to any survivor pensions.<sup>337</sup>

Industrial accidents leading to fatalities have predominantly occurred under poor working conditions, such as those found on collective farms, in shock brigades, and in mines, and in vulnerable regions. Despite the legal requirements, the North Korean authorities have failed to ensure the provision of survivor pensions. For example, in a tragic incident at a

<sup>334</sup> 1NR82V2372

<sup>335</sup> ‘Socialist Labor Law,’ (2015) Article 77 stipulates that if workers have died because of things such as a labor disaster, illness, or injury, the state shall give bereaved family pensions to the dependent family who was being supported by them, and the state shall take and raise children who have no people to look after them.

<sup>336</sup> 2HVKPM0388

<sup>337</sup> T1OKYP2242, Q5RDF42251, 6PXT8W2210, 1AFWVV1139, ROY7EQ1080, AQPOKB0225, XTAWM22178, F6ES8K2204, XTA8SU1537, Z2FLAU0630, UTXEYM0779

collective farm in South Hamgyong Province, a farmer was killed instantly when his head was caught in a threshing machine, but his family received no compensation.<sup>338</sup> In addition, six workers were killed in a workplace explosion at a factory in Sakju County, North Pyongan Province, but again, no compensation was provided to the families.<sup>339</sup>

There have been rare instances where the families of deceased workers from industrial accidents received some form of support, but it was merely a one-time payment or compensation provided by individual state-owned enterprises rather than a pension. Various testimonies include compensation of KPW 200 equivalent in value to 1kg of rice being provided, 20kg of rice being offered as compensation, a workplace being designated for a surviving family member, and home appliances being offered. These were all instances of one-time compensations that did not involve pension-type payments.<sup>340</sup>

Moreover, families of soldiers who died during military service received no compensation.<sup>341</sup> Instead, they were given “death certificates” with no further compensation.<sup>342</sup> Without disclosing the exact cause of death or providing any compensation, the authorities informed the families that the deceased “died during training.”<sup>343</sup> Furthermore, the families neither were paid pensions nor received the remains of the deceased, which was a common occurrence for both officers and soldiers.<sup>344</sup>

“In 2015, an officer ordered a soldier, who had broken rules by drinking alcohol off of the base, to consume 5L of alcohol all at once as a punishment. The soldier, drinking

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<sup>338</sup> EORONA0141

<sup>339</sup> ROY7EQ1080

<sup>340</sup> Q5RDF42251, AQPOKB0225, T1OKYP2242, FH87SC2243, 8Z3PNK0541, ROY7EQ1080, IWKAT01409

<sup>341</sup> MLPOED0839

<sup>342</sup> E8T1N91517

<sup>343</sup> 50MCF02132

<sup>344</sup> BUCOWN1526, SPZ0A62151

quickly, ended up choking to death. The military withheld the true cause of his death from his family, claiming instead that he died during training. The soldier's body was not returned to his family. Instead, it was buried within the base. Consequently, the family received no compensation."<sup>345</sup>

When a North Korean worker dispatched overseas dies while working abroad, the company offers condolence money, but the authorities fail to provide pension support. The amount of condolence money given varies depending on the time and the company's situation. A former lumberjack working in Russia in the mid-2000s stated that when an overseas worker dies abroad, the family receives "patriot certificates" from the authorities and USD 2,000 as condolence money from the local North Korean company.<sup>346</sup> In the early 2010s, the condolence money provided ranged from USD 2,000-4,000.<sup>347</sup> In 2016, after a worker's death at a construction site in Russia, the local company provided USD 4,000-5,000 as condolence money, and an additional USD 4,000 was collected voluntarily from fellow workers and delivered to the family, along with the deceased's body.

"Until 2017, I was employed by a construction company in Russia where, on average, seven to eight workers died annually due to accidents. In cases of fatal falls, the company compensated the deceased worker's family with USD 8,000, split equally between the company and the workplace. The deceased was cremated, and the ashes, accompanied by the condolence money, were returned to North Korea. However, no additional compensation was provided to the surviving family members by the authorities."<sup>348</sup>

<sup>345</sup> 50MCF02132

<sup>346</sup> BVPE3D1429

<sup>347</sup> NZ8IAT0878, 50R5F62241

<sup>348</sup> 5W2TE10975

## B. Unpaid Subsidies

### (1) Temporary Incapacity Benefit

Workers who temporarily lose their capacity to work require support from the state. Despite the provisions in its laws, North Korea fails to provide adequate compensation. Article 73 of the North Korean Socialist Labor Law states that temporary subsidies should be paid for incapacities lasting less than six months. However, contrary to this stipulation, these subsidies often seem to be insufficient, with only exemptions from labor obligations being granted. In principle, subsidies must be delivered upon submission of a medical diagnosis certificate that confirms an individual's incapacity to work.<sup>349</sup> Nevertheless, in practice, actual payments are rarely made for various reasons.<sup>350</sup> In other words, the only social security benefit given to North Korean workers who have lost their capacity to work due to disaster, illness, or injury is exemption from labor obligations.

Factory workers and farmers are susceptible to industrial accidents. However, workers are not compensated for workplace injuries. Multiple testimonies were collected indicating that there was no support or subsidies from the authorities for medical treatment and living expenses.<sup>351</sup> A former farmer who had a miscarriage while working on a farm received no compensation.<sup>352</sup> In one case, an injured worker, out of fear of possible disadvantages for taking time off from work when injured, avoided seeking

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<sup>349</sup> To be recognized for "temporary loss of work capacity," submission of a medical assessment report every three months to a district office is required. The report is prepared through consultations among the heads of various departments in the hospital and the medical examiner, based on the results of the hospital's examination. The submission of the report to the district office completes the application process.

<sup>350</sup> 5Q8LRL2333

<sup>351</sup> 67MM9S2253, 32CICV2337, 13PN7Y2325, BW8MUL2358, ATSBNB1148, CVOP781260, 17DJ3T1369, QT8EMEO129, D280Z70942, 1AFWVV1139, SUSDBG1315, 9UVVS61410, GURQNU0362, OIU10D0101, BW8MUL2358

<sup>352</sup> HJ981F1307

medical treatment, leading to worsening conditions.<sup>353</sup> There was testimony of a company covering medical expenses for an industrial accident, but no broader support or subsidies were provided by the authorities.

“In 2016, I was working as the head of a warehouse at a factory in Nampo City when I experienced an accident that resulted in my right hand getting stuck in a cutting machine. While the factory covered the treatment expenses, I never received any incapacity pension. It appears that very few cases actually lead to the payment of incapacity pensions, and I was no exception.”<sup>354</sup>

In instances where overseas workers are involved in accidents and sustain injuries, no compensation is provided. One individual, who had worked in a logging operation in Russia, shared testimony of being injured in a work-related accident and subsequently hospitalized for two months. However, he received no support beyond the company’s basic treatment. This basic care consisted merely of temporary measures, such as stitches and penicillin shots to prevent infection. The worker was responsible for covering for his own additional medical expenses.<sup>355</sup>

## (2) Subsidies for Raising Multiple Children

North Korea’s laws, including the Law on the Nursing and Upbringing of Children<sup>356</sup> and the Law on the Protection of the Rights of Women,<sup>357</sup> have

<sup>353</sup> HNXH101380

<sup>354</sup> 32CICV2337

<sup>355</sup> TSNCRP0367

<sup>356</sup> ‘Law on the Nursing and Upbringing of Children,’ (2013) Article 21 (Protection on mothers raising multiple children and her children) The state shall give special benefits to mothers who give birth to and raise many children at a time and to their children. Mothers who give birth to and raise more than two children at once shall be given additional paid post-birth maternity leave for a continuous period. In cases where triplets or more children have been born at one time, items like clothing, baby mattresses, and milk products shall be supplied without cost for a continuous period, a childcare subsidy shall be provided until they reach the age to go to school, and medical workers shall be provided to the children and mother to responsibly look after their health.

<sup>357</sup> ‘Law on the Protection of the Rights of Women,’ (2015) Article 50 (Freedom of childbirth) Women have



aimed to provide special benefits and subsidies for women raising three or more children. Despite these legal provisions, the support for families with multiple children often falls short of what is needed. North Korea, where the fertility rate has declined recently, emphasizes that it highly regards women with multiple children.<sup>358</sup> In addition, subsidies for mothers raising multiple children since the early 2000s appear to have aligned with North Korea's policy to increase the fertility rate. Unlike incapacity pensions, there have been several cases of subsidies for mothers with multiple children. However, these subsidies have not been substantial enough to significantly support their livelihoods.

Unlike other pensions or subsidies, payments and benefits for raising multiple children appear to have increased, yet the frequency of these payments is inconsistent, and the amounts are inadequate for raising children. A woman who had her fourth child in 2001 mentioned a policy that promised rice subsidies for families with four or more children. Despite receiving a ration coupon labeled "white rice," she never actually received any rice.<sup>359</sup> From that time, the subsidy for a household with three or more children appears to have been KPW 200-300 per child.<sup>360</sup> This amount increased to KPW 500 in 2005, and then to KPW 5,000 where it has remained since the mid-2010s.<sup>361</sup> Despite these continuous increases, defectors have commonly stated that the subsidies did little to help in raising multiple children.

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the right to give birth or not give birth to children. The state shall encourage women to give birth to many children and raise them. A woman who gives birth to and raises triplets and other children of multiple births, along with her children, shall have an attending physician and must be provided with special benefits to supply them with excellent homes, medication, food, and household goods without cost.

<sup>358</sup> Changes in the total fertility rate in North Korea are as follows: 2.35(1990) → 1.97(2000) → 1.81(2010) → 1.79(2023) (Statistics Korea, Korean Statistical Information Service)

<sup>359</sup> LVXJKW2259

<sup>360</sup> IWKAT01409, VN6QYA0869, UODMTP1307

<sup>361</sup> ISU41R1335

“I grew up in a family with several younger siblings. In households with three or more children, there was a policy to provide KPW 5,000 monthly for each child until they graduated from senior secondary school. Therefore, our family was eligible to receive KPW 15,000 every month, which was supposed to be distributed by the head of the district office. However, instead of receiving this amount monthly, we got KPW 45,000 all at once every three months. In North Korea, KPW 15,000 is insufficient to purchase even 4kg of rice, making the subsidy too meager to support the upbringing of three children. The only real advantage of having multiple children was exemption from mobilization by the Women’s Union. Other than that, there were no tangible benefits.”<sup>362</sup>

## C. Problems and Inequalities with Welfare for the Elderly

North Korea’s laws mandate its responsibility to support elderly residents in need, yet there appears to be a significant gap between the policies and their actual implementation. North Korea’s Socialist Labor Law<sup>363</sup> and the Law on the Protection of the Elderly<sup>364</sup> provide guidelines for free care for those unable to work or without guardians. North Korea has claimed to have taken steps to support the elderly, particularly through the establishment of nursing homes in every province. However, these facilities often fall short of the authorities’ promises due to outdated infrastructure, and there is a notable disparity between Pyongyang and other regions.

Since Kim Jong Un came to power, the infrastructure of elderly nursing homes across North Korea appears to have improved. At the initial stage of his rule, North Korea highlighted a policy of compassion towards the

<sup>362</sup> DBZIQP2152

<sup>363</sup> ‘Socialist Labor Law’ (2015) Article 78 stipulates that the state shall look after for free the elderly and disabled persons who have lost their capacity to work and have no one to look after them in nursing homes or community homes.

<sup>364</sup> ‘Protection of the Elderly Law’ (2012) Article 12 (State support) Elderly people who have no one to support them and have difficulty living independently shall be supported by the state. Even if there is a person who has a duty to support them, an elderly person may receive state support at his or her request. In these cases, the support expenses shall be borne by the person who has a duty to support them.

people, including improving welfare facilities for orphans, such as orphans' kindergartens<sup>365</sup> and nurseries.<sup>366</sup> During this period, facilities like the Pyongyang Nursing Home were constructed. Testimonies suggest that new nursing homes were added in various locations, including Seungho District in Pyongyang (Currently Seungho County, North Hwanghae Province), Rason City, Jasung County in Jagang Province, Chongjin City in North Hamgyong Province, and Hyesan City and Samsu County in Ryanggang Province. A defector mentioned that the Pyongyang Nursing Home, constructed under Kim Jong Un's directives in the Taedonggang District of Pyongyang, was heavily publicized by the authorities around 2017.<sup>367</sup> Various testimonies confirm that elderly care facilities have been established in key provincial areas. In 2015, nursing homes were built in Nanam District in Chongjin City, North Hamgyong Province, and in Hyesan City, Ryanggang Province. In 2018, a four-story nursing facility was constructed in another area of Hyesan City.<sup>368</sup>

“Between 2017 and 2018, a new nursing home was constructed near the central region of Hyesan City in Ryanggang Province. However, I believe it was merely for show, as I never witnessed any elderly individuals receiving state protection or being admitted to an actual nursing home. Similarly, there seemed to be no efforts from the authorities to assist elderly individuals who had no one to care for them.”<sup>369</sup>

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<sup>365</sup> An “orphans’ kindergarten” refers to a care facility that raises and educates children from toddler to kindergarten age who do not have guardians. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1524)

<sup>366</sup> An “orphans’ nursery” refers to a childcare and education institution where the state takes care of children who do not have parents or relatives to look after them. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1329)

<sup>367</sup> DDL5221833

<sup>368</sup> XHQ3062395, 13PN7Y2325, 5Q8LRL2333, 3RNTQV2332, DDL5221833, 1F0LEV2294, QCF3FE1928, YX6IOJ1638, ROHC5C1856, PMYYOW2258, 00RIT62445

<sup>369</sup> 5Q8LRL2333

Despite the active promotion and propaganda by the North Korean authorities, the operation of elderly care facilities constructed in Pyongyang and other provinces were infeasible in reality. Unlike the facilities in Pyongyang, nursing homes in other provinces were in such poor condition that elderly residents were forced to gather their own firewood in the winter due to a shortage of basic supplies. Even relief items provided by the international community were delivered to these nursing homes. A defector testified that between 2014 and 2015, a European NGO assessed the needs of nursing homes in various provinces and provided items to them in a way that was tailored to each facility's needs.

“A European NGO would assess the conditions of nursing homes in each province to determine their specific needs and supply them accordingly. If food was required, they provided food, and if other items were needed, they supplied those items. The Pyongyang Nursing Home, unlike other facilities, had its own admission criteria, allowing only individuals with certain merits to be eligible for entry. In each province, there is a nursing home, but the conditions there are generally poor.”<sup>370</sup>

Widespread corruption and instances of bribery have significantly reduced the opportunities for elderly individuals who genuinely need care. There is a provision in the Law on the Protection of the Elderly which stipulates that an elderly person can be supported by the state at their request, even if they have a guardian.<sup>371</sup> However, there are instances where some individuals exploit these provisions that were initially intended to secure the rights to care for the elderly. A defector stated that there are

<sup>370</sup> XHQ306239

<sup>371</sup> ‘Protection of the Elderly Law,’ (2012) Article 12 (State support) Elderly people who have no one to support them and have difficulty living independently shall be supported by the state. Even if there is a person who has a duty to support them, an elderly person may receive state support at his or her request. In these cases, the support expenses shall be borne by the person who has a duty to support them.

numerous occurrences of financially better-off individuals gaining entry into nursing homes through bribes.<sup>372</sup> There are also cases where children, overwhelmed by the prospect of caring for their parents, leveraged bribes and their connections to place their parents in these facilities.

“Facilities dedicated to caring for elderly individuals without dependents do exist, such as the one I know of in Samsu County, Ryanggang Province. An acquaintance of my mother was admitted to one of these elderly care facilities. She lived in Hyesan City, Ryanggang Province, and had just one son who found caring for her too burdensome. As a result, the son resorted to bribing officials to secure her admission there, despite her not meeting the eligibility criteria. I’m not quite sure, but I was told that the requirements for entry into such facilities are quite stringent, making admission a challenging process.”<sup>373</sup>

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<sup>372</sup> ROHC5C1856

<sup>373</sup> QCF3FE1928





# VI

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## **Vulnerable Groups**

“Sexual assault on female soldiers by their male superiors occurs frequently. About 20 officers exploited various privileges, including their membership in the Workers' Party, to sexually assault female soldiers. Victims faced disadvantages such as being assigned difficult and strenuous tasks if they resisted, making it impossible for them to reject the sexual demands of their superiors.”



# 1. Women

Political, economic, social, and cultural rights should be guaranteed equally to everyone, regardless of gender. Women’s rights are also aligned with the principles of “non-discrimination” and the “guarantee of equal rights.” The preamble of the Universal Declaration of Human Rights emphasizes the inherent dignity and equality of all members of the human race. In particular, Article 2 declares, “Everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction on any grounds, including sex.”

Over the past years, women’s rights have been discussed on the international stage. In 1979, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted at the 34<sup>th</sup> session of the UN General Assembly, and it came into full force in September 1981. In addition to prohibiting all forms of discrimination against women in the areas of civil and political rights and economic, social, and cultural rights, the CEDAW also outlines provisions relating to marriage and family life. North Korea ratified the CEDAW in 2001 and, as a State Party to the CEDAW, submitted its initial report on the implementation of the CEDAW in 2002 and its combined second to fourth periodic report in 2016.

**Table VI - 1** 「CEDAW」 and Women

	「CEDAW」	Women (Related Contents)
Article 2	States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake: (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;	<b>A</b> <b>Discrimination Against Women</b>

「CEDAW」		Women (Related Contents)
Article 2	<p>(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p> <p>(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;</p> <p>(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;</p> <p>(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;</p> <p>(g) To repeal all national penal provisions which constitute discrimination against women.</p>	<p><b>A</b></p> <p><b>Discrimination Against Women</b></p>
Article 3	States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.	
Article 5	States Parties shall take all appropriate measures: <p>(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;</p> <p>(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.</p>	
Article 6	States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.	<p><b>B</b></p> <p><b>Violence Against Women</b></p>
Article 10	States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women,	<p><b>A</b></p> <p><b>Discrimination Against Women</b></p>

I. Initiatives and Efforts to Promote North Korean Human Rights

II. Concerning Issues

III. Special Issues

IV. Civil and Political Rights

V. Economic, Social, and Cultural Rights

VI. Vulnerable Groups

「CEDAW」			Women (Related Contents)
Article 11	1	States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in the right to work as an inalienable right of all human beings.	<b>A</b> <b>Discrimination Against Women</b>
	2	States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment.	<b>C</b> <b>Another Blindspot, Maternity Protection</b>

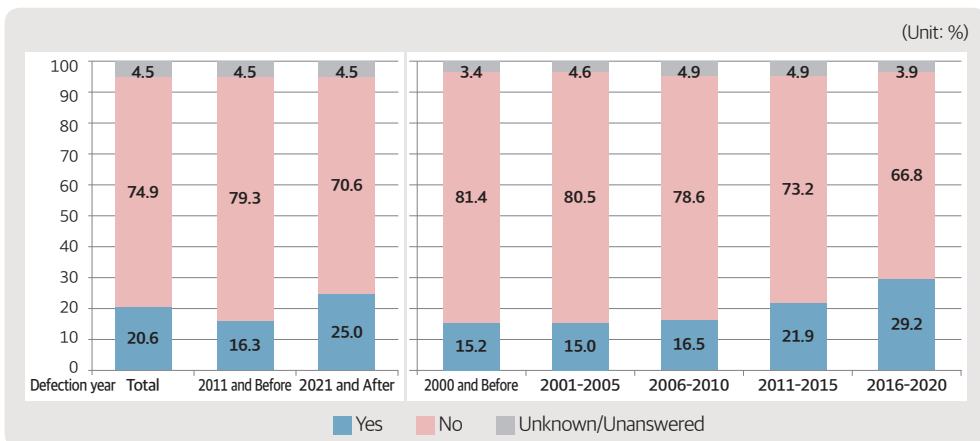
Throughout the establishment of the North Korean regime, the Korean War, and the subsequent recovery period, women have been praised as key pillars of the socialist revolution in North Korea. However, the reality is in stark contrast due to the deeply ingrained patriarchy and the prevailing belief in male dominance. North Korean women have not enjoyed rights that are equal to men and instead have been compelled into roles symbolizing assistance, supplement, sacrifice, and motherhood. Moreover, in the minds of North Korean residents, women are often not seen as valued or highly regarded in society, which results in daily discrimination and violence directed towards them. Maternal protection is insufficient, and there is a lack of social consideration for female workers. Amid such circumstances, women have often assumed the role of primary breadwinners for their families in the face of North Korea's economic crisis, during which they have faced punishments their actions. There have been numerous testimonies of women's rights being violated at home and throughout society simply for being women.

## A. Discrimination Against Women

While North Korean society formally emphasizes gender equality, it operates within a deeply entrenched patriarchal system where women

regularly encounter various forms of discrimination in both the domestic and public spheres. Despite North Korea's Socialist Constitution<sup>1</sup> and the Law on the Protection and Promotion of the Rights of Women<sup>2</sup>, which asserts that women should have the identical social status and rights as men, and even specified state support for women's advancement through childbirth and childcare policies, women still face a dearth of opportunities in education compared to men. This inequality extends to the workforce and political arenas, affecting women's ability to join the Workers' Party, receive promotions, and receive certain job assignments.

**Figure VI - 1** Awareness of Gender Equality While in North Korea (Ministry of Unification)



\* (Source) Ministry of Unification, 『Report on North Korea's Economy and Society as Perceived by 6,351 Defectors』, 2024. p. 220 / Based on Years of Defection

Although gender equality awareness has been slowly gaining some traction as more women contribute to their family's income, the prevailing view in North Korean society is that men and women are unequal. To shed light on this sentiment, a survey conducted by the Ministry of Unification,

<sup>1</sup> 『Socialist Constitution』 (2019) Article 77 stipulates that women are granted equal social status and rights as men. The state is committed to offering special protection to mothers and children by providing maternity leave, reduced working hours for mothers with several children, a comprehensive network of maternity hospitals, daycare centers, and kindergartens, among other measures.

<sup>2</sup> 『Law on the Protection and Promotion of the Rights of Women』 (2015) Article 2 (Principle of equality between men and women) ensures that equality between men and women is a consistent policy of North Korea. The state is required to strictly prohibit any form of discrimination against women.

involving North Korean defectors' perceptions of gender equality in North Korea, found that 74.9% of respondents acknowledged the existence of gender inequality.<sup>3</sup> Furthermore, numerous accounts from female defectors, collected by the Center, highlight experiences of discrimination and violence while in North Korea.

### **(1) Discrimination in the Family**

In North Korea, there is a persistent tendency for families to prioritize sons over daughters, leading to discrimination that is based on traditional gender roles. Multiple instances have been recorded of daughters not receiving the same educational opportunities as sons. A number of defectors have stated that gender preference discrimination in the form of favoring sons over daughters is still prevalent in North Korea and has greatly affected their daily lives.<sup>4</sup> A female defector even recounted that she was not allowed to eat at the same table as her father and older brother. In addition, while male family members were served white rice, daughters were given leftover food mixed with dried radish side dishes.<sup>5</sup> There have been multiple accounts of women being denied educational opportunities simply because of their gender, a practice that seems to persist to this day.<sup>6</sup> Another defector, who was a teenager while in North Korea, was unable to complete her regular education due to the belief that “women do not need to learn,” so she could not fully complete her compulsory education.

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<sup>3</sup> Ministry of Unification, “Report on North Korea’s Economy and Society as Perceived by 6,351 Defectors,” 2024, p. 220.

<sup>4</sup> TPK8GF2281, 51IH842267, 8WHPWX2410, FG7EKF2277, 7NH3QF2283, 93VI9U2368, S02DOL2356, 5OR5F62241, DDL5221833, KUUDW41200, V6PE6V2232, 5QG11E2237, 8IUFRL2417, T255EE2480

<sup>5</sup> R0D6PD2360

<sup>6</sup> S02DOL2356

“Up until 2016, just before I defected from North Korea, my family treated me unfairly. Even when arguing with my cousin, who was older and male, I was scolded simply because I was a girl and younger. People in the neighborhood also regarded women as having a lower status than men. My grandmother refused to send me to school, asking what a woman would do with all that schooling, despite my expressed desire to attend classes.”<sup>7</sup>

“Since I was young, I experienced discrimination and violence from my father for being a daughter. Due to this, I was separated from my family at age six and raised by my paternal grandmother, while my brother lived with my parents. When my father was drunk, he would beat me and my mother. Normally, I was not allowed to sit at the same table because I was a daughter. Even as an adult, my father often beat me when drunk. This is common in other households, but reports of domestic violence are rare.”<sup>8</sup>

North Korean women have endured inequality and discrimination within their families, facing the heavy burden of supporting their families on top of carrying out household chores following the economic crisis. After the 1990s, the food rationing system collapsed, and wages went unpaid. In North Korea, men are required to show up for work at their assigned workplace. As a result, many housewives who were officially unemployed became their families’ breadwinners. A multitude of accounts have revealed that they started engaging in private economic activities, including smuggling, selling goods in marketplaces, farming on small plots of land, and taking sole responsibility for their families’ survival.<sup>9</sup> Women employed in formal jobs often had to abandon their careers to make ends meet. A defector recounted that her teacher from secondary school had to resign in order to make more

<sup>7</sup> T255EE2480

<sup>8</sup> T255EE2374

<sup>9</sup> 00RIT62445, TEIEJA2448, 1NR82V2442, 8IUFR2414, 1BQ5TD2412, 2G5GFH2345, MAV6AE2392, R7KY7W2329, ROD6PD2411, 4C6RDC2348, 1BQ5TD2424, 1BQ5TD2438, 5VRQH72482, 1NR82V2474, DFFYXV2475, 1NR82V2457, ROD6PD2466, 8IUFR2452, 1BQ5TD2470, 00RIT62477

money in private markets, known as *jangmadang*.<sup>10</sup>

Some women have resorted to smuggling, engaging in illegal economic activities, drug trafficking, and acting as remittance brokers so that they could support their families. They face punishment when caught. A defector testified that his wife kept their family afloat by copying and selling South Korean movies but was eventually caught by the authorities and subjected to *rodong-kyohwa* punishment.<sup>11</sup> Individuals living in border regions, such as Ryanggang and North Hamgyong Provinces, were involved in smuggling. However, these women were under constant surveillance by the authorities, leading to their eventual capture. Officers often exploited these women's vulnerabilities, demanding bribes or extorting their goods.<sup>12</sup> Women caught for smuggling were punished with a *rodong-kyoyang*, *rodong-kyohwa*, or *rodong-danryun*, all of which required bribes for sentence reduction and additional funds for food brought in from outside sources.<sup>13</sup>

"In 2014, when I was in my first year of junior secondary school, my mother was caught smuggling and sentenced to one year of *rodong-kyohwa* as a punishment. Since then, I couldn't attend school because I had to earn money to pay for bribes to reduce her sentence and to pay for her food in prison. Instead of going to school, I collected firewood from nearby mountains to support my family."<sup>14</sup>

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<sup>10</sup> Q6VZNC2339

<sup>11</sup> 5Q8LRL2333

<sup>12</sup> 1CHLPG2211, 0BPBA22149, ZYBOX42067

<sup>13</sup> 2K3MCU1868, 6DCJY01788

<sup>14</sup> 6DCJY01788

**Figure VI - 2** Daily Lives of North Korean Women



\* (Source) Prof. Kang Dong Wan (Dong-A Univ.)

With the increase in women’s market activities, recent statistics and testimonies have highlighted a shift in awareness regarding gender roles. Assessments suggest that as housewives have become the main economic agents, their status within the family has risen. According to a survey conducted by the Ministry of Unification on the impact of women’s market activities within the family, 41% of respondents answered that the status of women had somewhat increased. When combined with responses reporting that women’s status had become equal to men’s (12%) and even surpassed men’s (18.2%), 7 out of 10 North Korean defectors indicated that private economic activities have boosted women’s social status. There are also instances where the ration system, which was based on the male head of the family, failed to function properly, leading to a decline in the status of husbands.<sup>15</sup> Recently, women have been hesitant to register their marriages. Having faced discrimination in their families before marriage and then being burdened with the financial support of their families afterward, women prefer living together without registering their marriages. This approach makes it easier to separate without any legal obligations.

<sup>15</sup> Ministry of Unification, “Report on North Korea’s Economy and Society as Perceived by 6,351 Defectors,” 2024, p. 221.



“In our mothers’ generation, once they were married and their marital status was officially registered, they rarely separated, even in cases of domestic violence. However, in our generation (born in 1995), we choose not to register our marriages. This way, if domestic violence occurs or if we decide not to continue our marriage, it becomes easier for us to separate. Officially getting a divorce in North Korea is complicated.”<sup>16</sup>

## (2) Discrimination in Society

Women in North Korea have not been given equal opportunities compared to men due to gender-based discrimination. Under the prevailing stereotype that “married women are less effective at their jobs,” women have had fewer opportunities, regardless of their professional competencies. Despite their academic achievements, women were found to have been barred from participating in advanced courses designed for graduate-level studies, such as master’s or doctoral programs.<sup>17</sup> A female defector revealed that women in North Korea were excluded by the authorities from sponsorship to study abroad, with only men being chosen, because women were believed to be more likely to betray the state.

“In Russian universities, a specific number of students from North Korea are admitted as state-funded scholarship recipients. These selected students are exempt from taking separate entrance exams to gain admission. However, eligibility criteria restrict children of divorced or remarried parents from being selected for the scholarship program. In addition, if parents have a criminal record, their children are also disqualified. The exclusion of female students from the selection process was justified on the grounds that they were considered more susceptible to temptation and more likely to defect.”<sup>18</sup>

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<sup>16</sup> KUUDW41200

<sup>17</sup> DDL5221833

<sup>18</sup> KJ71FB2239

Even after entering the workforce, the discrimination and unfair treatment of women persist. Numerous accounts highlight a social climate that favors men over women in areas such as party admission, promotion, and job placements.<sup>19</sup> In workplaces, the tasks assigned to men, and women are distinctly divided. A clear preference is given to men and their work is deemed more significant than that of women. One defector recounted the deeply rooted discrimination against women in North Korean society, where women are deemed “only half as valuable” as men.<sup>20</sup>

## B. Violence Against Women

### (1) Domestic Violence Regarded as a Personal Matter

In North Korea, women are not adequately protected against domestic violence. Article 37 of North Korea’s Law on the Protection of the Rights of Women states that women have the inviolable right to life, and Article 46 stipulates that violence against women at home is prohibited.<sup>21</sup> North Korea’s Criminal Law also specifies provisions for punishing domestic violence.<sup>22</sup> Despite these provisions, domestic violence remains a prevalent issue in North Korea, where it is often perceived as a private matter to be dealt with personally rather than requiring intervention by the authorities.

<sup>19</sup> OWTG6L2284, 8B5CA02248, K4HHNQ2264, 2G5GFH2345, JSEFPE2271, YNZ1CJ2226, 5OR5F62241, JOYD690967, S02DOL2356

<sup>20</sup> OWTG6L2284

<sup>21</sup> 「Law on the Protection of the Rights of Women」(2015) Article 37 (Inviolability of persons) Women possess inviolability as persons. Acts that illegally detain women, inflict harm on a woman’s body, or subject women to searches through violent or non-violent methods are prohibited. Article 46 (Prohibition of domestic assault) Every form of assault against women within the family is prohibited. Regional people’s committees, as well as local institutions, enterprises, and organizations, are tasked with conducting regular education for residents and employees to prevent domestic assault. They must ensure that no domestic assault occurs within their jurisdictional area or in the families of citizens affiliated with them.

<sup>22</sup> 「Criminal Law」(2022) Article 296 (Abuse and contempt) Those who abuse or show contempt for someone under their care will be sentenced to *rodong-danryun* punishment. If serious consequences result, they will receive a *rodong-kyohwa* sentence for up to three years. In severe cases, the sentence will range from a minimum of three years to a maximum of eight years under *rodong-kyohwa* punishment.

In North Korea, domestic violence is viewed as a private matter, leading to a reluctance or hesitancy among the authorities to act on reports of such behavior. In addition, there is a widespread tendency to blame the victims, which not only causes psychological harm but also deters them from coming forward. Furthermore, even when incidents are reported, the authorities rarely take any proactive measures, and in most cases they do not file the complaints into the system.<sup>23</sup> Due to the lack of active intervention by the North Korean authorities, victims of domestic violence often choose not to report the incidents and are not informed of ways to file reports of domestic violence.<sup>24</sup>

“My husband used to drink daily, and whenever he was intoxicated, he would beat me, whether we were at home or outside in the neighborhood. He would curse at me nearly every day, slap my face with both hands, and even kick my belly. He also had a tendency to throw anything he could grab, such as a hammer, an axe, or a knife. However, I never reported him because I was unaware of the fact that I could actually file a report for domestic violence. In North Korea, such reports are usually ignored and not taken seriously.”<sup>25</sup>

In the instances when reports are filed, the authorities fail to proactively intervene, and victims who already lack legal protection face mounting social criticism. The prevailing practices and discriminatory customs against women leave victims of domestic violence without adequate protection.<sup>26</sup> Witnesses indicated that victims were quite often criticized and labeled as bad women, as societal norms in North Korea commonly place the blame for domestic violence and family issues on women themselves.<sup>27</sup> Moreover, it was mentioned that the authorities generally avoided intervening in cases of

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<sup>23</sup> 1NR82V2366, F4JAJX0874, 00RIT62460, ROD6PD2469, 8IUFRL2452

<sup>24</sup> JUZ0TT2380, V6PE6V2232, 3L87MF2247, V6PE6V2232, ROD6PD2463, 1BQ5TD2424, DFFYXV2475

<sup>25</sup> ROD6PD2463

<sup>26</sup> FG7EKF2277, 7YYWMA1442, JQYD690967, 737SCW2354, 100S8G2205, MPTG4U1080, 98PTYH1032

<sup>27</sup> 1NR82V2442, 98PTYH1032

domestic violence. This lack of action meant that women have been unable to access legal support and forced to return to abusive environments, where the violence continues. A defector recounted seeking legal resolution for domestic violence, but she was turned away by a social security officer. The officer stated that domestic violence is not considered a crime and there is no legal basis for penalization. Thus, it falls outside the responsibility of the social security institution.

“In the spring of 2014, I visited the social security office in Taehongdan County, Ryanggang Province, to file a report. I sought legal action, explaining to the officers that my husband assaulted me while intoxicated. However, their response was dismissive, ‘That is not a crime. We don’t have any laws to punish such behavior, so it’s not our concern. It’s a family issue that you need to resolve internally.’ They then instructed me to return home. In North Korea, it appeared that 70-80% of households experienced violence against women at the hands of men. With no legal protections available, women have faced routine abuse. The realization that I had to endure this because the security officers ignored such reports left me feeling utterly powerless and without any means to put an end to it.”<sup>28</sup>

Victims seeking divorce after enduring domestic violence also face a challenging process. The divorce proceedings of a female defector were stalled for over a year because she did not bribe the judge responsible for her divorce. However, once she offered money, she was immediately able to secure a divorce.<sup>29</sup> Similarly, another defector filed for divorce due to her husband’s domestic violence, only to have her case rejected by the judge, who claimed domestic violence was not a valid reason for divorce. After enduring four trials over a 14-year span, she finally managed to separate from her husband.

<sup>28</sup> OR9IR41359

<sup>29</sup> M4IWA31544

“I initiated a divorce lawsuit due to severe violence from my husband. After enduring the abuse for 14 years and four court cases, I finally succeeded in getting a divorce. My husband would beat me every time I spoke up. I had wanted a divorce since my child was three years old. However, the judge merely cautioned my husband not to beat me and dismissed my divorce requests. Persistently, I kept refiling the lawsuit, and on the third attempt, the judge suggested that he would grant the divorce if I ran around a track while holding my husband’s hand. After completing this order, the judge interpreted our hand-holding as a sign that our marriage could continue, and once again, he rejected my divorce lawsuit. During the fourth trial, I forcefully argued that the issue wasn’t just domestic violence and that my husband had only registered himself as an *8.3 worker* while I was the one contributing a monthly profit of KPW 230,000. I also warned that continuing to live with him could lead to a murder case. My husband, being aware that my older sister had defected to South Korea, consented to the divorce, fearing that her defection might negatively affect him. That is how I was finally able to obtain a divorce.”<sup>30</sup>

## (2) Sexual Violence by Superiors and the Neglect of Authorities

Sexual discrimination runs rampant in North Korean society, where women are seen as inferior, a perception that extends into the realm of sexual violence. Such incidents are usually dismissed by authorities as not warranting intervention, leaving victims to bear the responsibility for the violence committed against them. Many cases have been stated by defectors, thus indicating that sexual violence occurs frequently across various settings in North Korea, including homes, schools, military units, shock brigades (*dolgyeokdae*), and detention facilities. However, there is minimal social acknowledgment of the severity of these issues. Numerous instances have involved superiors assaulting subordinates, with many female victims too ashamed or fearful of repercussions to report the assaults.<sup>31</sup> As with domestic

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<sup>30</sup> 28RB3S0984

<sup>31</sup> 3E7GSG2222, 9PGAKS1560

violence in North Korea, the authorities view sexual assault as a personal matter and show a lack of initiative or interest in addressing reports from victims. Furthermore, witnesses who experienced sexual assault recounted that the societal tendency to blame the victims discouraged them from coming forward.<sup>32</sup>

Family-based sexual violence rarely leads to reports. In such cases, there is often no separation between victims and perpetrators, adding to the physical and psychological injury. For example, one victim who was assaulted by her cousin ended up having an abortion. Despite her family's awareness, they did not report the incident since it was viewed as a family matter.<sup>33</sup> In another case, a woman who was sexually assaulted by her biological father underwent three or four abortions. Although her situation was eventually revealed to those around her, she remained silent out of shame.<sup>34</sup>

Sexual assault cases that occurred in school institutions also lack accountability. There have been instances where teachers, entrusted with the care and education of students, have committed sexual assault without facing consequences.<sup>35</sup> A defector's niece reported acts of sexual assault by her homeroom teacher, yet no action was taken against him due to his favorable family background. No investigation or punishment meant that he was able to continue his teaching career.

"In the summer of 2010, my niece was raped by her homeroom teacher inside a school building at a senior secondary school in North Hamgyong Province. A few students were known to have witnessed the incident, and word of it spread throughout the neighborhood. It was reported to the municipal education department as well as to

<sup>32</sup> 51IH842267, 1CHLPG2211, 93VI9U2478, EX9Y9O1501

<sup>33</sup> IJ05SG1229

<sup>34</sup> QWUYZ01376

<sup>35</sup> UY2OY52324

the school's principal. In addition, we reported the incident to the municipal division of the Workers' Party. Despite our efforts, the perpetrator has not been punished due to his family's fortuitous background. His father was the manager of a fish farm and is financially well-off. To this day, he continues to work as a teacher. My heart breaks seeing him prosper and even get married."<sup>36</sup>

Officers who are responsible for maintaining public safety have been found to have committed sexual assaults. In such cases, it is nearly impossible for the perpetrators to be punished, making reporting them more or less unfeasible. Numerous testimonies have been collected regarding sexual assaults perpetrated by individuals in positions of power, such as state and social security officer and military personnel, often involving the misuse of their power and abuse of their authority.<sup>37</sup>

Sexual assault committed by male superiors has frequently occurred in the military and workplace. The Center has documented a high number of cases where women were asked for sexual favors in exchange for benefits, such as admission to the Workers' Party and promotions by superiors or officials.<sup>38</sup> A defector stated that she narrowly avoided being sexually assaulted by her superior at work. Her refusal led to her dismissal the very next day, and she was reassigned to a different role involving much more difficult work.<sup>39</sup>

Within the strictly hierarchical military, it has been noted that sexual assaults committed by superiors or fellow soldier were also quite common. Superiors often exploited their power by promising various privileges, such as admission to the Workers' Party, or by threatening potential retribution

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<sup>36</sup> TYUZ9N1484

<sup>37</sup> 83CXAX1083, 9PGAKS1560, KCKTLI1818, 532FU10603

<sup>38</sup> N36KGZ0461, D6BHUW0483, XFGY150364

<sup>39</sup> 93VI9U2478

through sexual harassment and assault against female soldiers.<sup>40</sup> Cases of sexual violence in the military, characterized by repeated sexual harassment and assaults against female soldiers, have been well documented.<sup>41</sup> Many female victims, fearing repercussions, have chosen to remain silent. When sexual assaults did occur in the military, proper investigations and punishment of the perpetrators were seldom carried out. Instead, there have been cases where the victims themselves faced dishonorable discharge.<sup>42</sup>

“Sexual assault by male superiors on female soldiers is alarmingly frequent. Reports indicate that about 20 officials have sexually assaulted their female subordinates, enticing them by promising to help them join the Workers’ Party. Female soldiers find themselves in a position where rejecting these unwelcome advances is not an option because resistance or refusal often leads to punitive actions, including being assigned difficult tasks. This atmosphere of intimidation and coercion discourages female soldiers from speaking out, as they fear further repercussions should these incidents come to light. Regrettably, the officials implicated in these acts have yet to face any consequences.”<sup>43</sup>

Cases of sexual violence within collective effort mobilization groups, known as *dolgyeokdae*,<sup>44</sup> have also been chronicled.<sup>45</sup> A division commander in Pyongyang acknowledged that a female member was sexually assaulted and impregnated by a *dolgyeokdae* platoon leader. After which, a divisional commander ordered her to undergo an abortion, while the assailant went

<sup>40</sup> VH2HH40535, 93VI9U2478, QWVNRL2135

<sup>41</sup> XFGY150364

<sup>42</sup> XFGY150364, G0XM331458

<sup>43</sup> D6BHUW0483

<sup>44</sup> *Dolgyeokdae*, also known as “shock brigades,” are special units primarily organized to carry out construction or other projects. These include the “Youth Shock Brigades” and the “Speed Campaign Shock Brigades.” These special units are formed to tackle the most difficult and challenging tasks in construction and other projects. (National Institute for Unification Education, Ministry of Unification, 『North Korea Knowledge Dictionary』, 2022, p. 257)

<sup>45</sup> DGAE7C0806, LIQM962136, LY12FA1162, V1A6CK0491, STODKE1129, GX2JHS0682



unpunished.<sup>46</sup> Another woman reported being sexually harassed by a political officer in *dolgyeokdae* to the officer in charge, who dismissed the incident as a “a common practice for men” and asked for her understanding. As with the previously mentioned example, the perpetrator of the sexual harassment did not receive any disciplinary action or punishment.<sup>47</sup> Another testimony indicated that a *dolgyeokdae* member was sexually assaulted by a fellow member and felt compelled to escape from the *dolgyeokdae* because reporting the case would not result in any punishment.<sup>48</sup>

There were also numerous cases of sexual assault and harassment of prisoners by detention center administrators. Within the limited space, female detainees were in an untenable position to resist sexual advances by male officers. (Refer to IV-4. Rights of Detainees.)

### C. Another Blindspot: Maternity Protection

North Korea publicizes various support policies for pregnancy and childbirth, including free medical expenses and subsidies for pregnant women. According to its Socialist Labor Law, North Korea stipulates that women cannot be forced to do hazardous work, and pregnant women and workers with infants cannot be forced to work at night.<sup>49</sup> Contrary to the laws and systems related to maternity protection, North Korean women do not receive adequate support during pregnancy and childbirth.

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<sup>46</sup> IER57V1598

<sup>47</sup> 1BQ5TD2458

<sup>48</sup> ROD6PD2360

<sup>49</sup> 「Socialist Labor Law」 (2015) Article 59 stipulates that the state shall pay special attention to labor protection for female workers. State organs, enterprises and social cooperative organizations must provide adequate labor protection and hygiene facilities for female workers. Women must not be assigned work that is strenuous and harmful to their health, and female workers who are breastfeeding or pregnant cannot be required to perform night labor.

## (1) Ineffective Support for Pregnant Women

North Korean law promises free care for pregnant women, but in reality, support during pregnancy and childbirth is not fully available. North Korea's Law on the Protection of the Rights of Women<sup>50</sup> and the Public Health Law<sup>51</sup> stipulate that childbirth should be free of charge, adhering to the principle of free medical treatment. However, available prenatal care is often limited to ultrasound examinations that come with extra fees, and in some cases, such care is completely unavailable.<sup>52</sup>

Even during the childbirth process, maternity protection for mothers and infants is not properly provided. While there has been an increase in hospital childbirths, some women still choose to give birth at home. While immediate responses to emergencies during childbirth are crucial for the safety of mothers and newborns, there have been reports that in instances of home births without medical professionals, preparations for emergencies were largely insufficient. For example, in 2018, there was a case in Kimhyongjik County, Ryanggang Province, involving a mother who had an emergency during a home birth and died from excessive bleeding due to the absence of proper medical intervention.<sup>53</sup>

Furthermore, in spite of the aforementioned legal stipulations, giving birth at a hospital does not guarantee free medical care. A woman who gave birth at the North Hamgyong Provincial Maternity Center in Chongjin,

<sup>50</sup> 「Law on the Protection of the Rights of Women」 (2015) Article 51 (Protections for pregnant women) In cases where women give birth, the relevant medical institution must provide safe and effective medication and treatment techniques, and thus ensure the health of women in a responsible manner. Public health institutions, along with the relevant enterprises and organizations, shall prioritize the health protection of pregnant women and ensure the well-being of both the mother and child during birth.

<sup>51</sup> 「Public Health Law」 (2012) Article 10 (Content of free medical treatment) The content of free medical services is as follows.  
4. Childbirth services shall be free.

<sup>52</sup> RUIF6F2209, 02GG8N2268, 5QJ9CE0679, 8IUFRL2452, DFFYXV2475

<sup>53</sup> ICHLPG2211

North Hamgyong Province, in 2016 stated that her hospitalization and childbirth were free of charge, but she gave the midwife CNY 30 as a gesture of gratitude.<sup>54</sup> Similarly in 2018, in Taehongdan County, Ryanggang Province, a midwife from a clinic was called to assist with a home birth and was compensated KPW 30,000 for her services.<sup>55</sup>

“In 2015, while I was pregnant, I received simple treatment from a household doctor. At that time, I had to pay for an ultrasound test. The following year, I gave birth naturally at a provincial maternal hospital, and it cost me CNY 30. A C-section would have cost around CNY 150-200. Although North Korea officially offers free medical care, meaning there were no mandatory hospital fees, the payment was a personal expression of gratitude.”<sup>56</sup>

## (2) Pre- and Post-Natal Protection Exist Only in Law

Prenatal and postnatal leaves for pregnant women exist only in the law and are not granted in practice. In one case, a pregnant woman working as a lathe operator at a machine factory around 2001 in Hamhung City, South Hamgyong Province, during her ninth month of pregnancy, was unable to take leave. Despite being at full term, she continued to work and collapsed during her shift, which resulted in a miscarriage after she was taken to the hospital.<sup>57</sup> Around 2008, at a collective farm in Onsong County, North Hamgyong Province, a pregnant woman, in her fifth month of pregnancy, continued to work due to a policy that grants maternity leave only in the month immediately before childbirth. She eventually collapsed while working and also suffered a miscarriage.<sup>58</sup>

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<sup>54</sup> 5QJ9CE0679

<sup>55</sup> TFYVMI0711

<sup>56</sup> 5QJ9CE0679

<sup>57</sup> YE9TXG0391

<sup>58</sup> HJ981F1307

North Korea appears to have expanded the rights of pregnant workers through legal and systemic reforms, however, practical support measures such as subsidies have yet to materialize. Women in North Korea are entitled to regular and additional leave, as well as maternity leave, under the Law on Labor Protection, which was adopted in 2010. Five years later, North Korea amended the Socialist Labor Law and the Law on the Protection of the Rights of Women. The amendments extended the leave period from 60 days before birth and 90 days after to 60 days before and 180 days after birth.<sup>59</sup> In addition, the newly enacted Law on Social Insurance and Social Security of 2021 mandates that subsidies covering 100% of living expenses be provided during prenatal and postnatal leaves. However, accounts collected by the Center reveal that while some women received partial leave, there are no testimonies of anyone receiving the promised subsidies.<sup>60</sup>

**Table VI - 2** Legal System on Maternity Protection in North Korea

Legislation	Clause	Main Content	Others
「Law on Labor Protection」 (2021)	Article 40	· (Guarantee of leave) Female workers shall receive <b>maternity leave</b> in addition to ordinary leave and supplementary leave.	
「Socialist Labor Law」 (2015)	Article 66	· Female workers shall receive <b>maternity leave of 60 days before birth</b> and 180 days after birth beyond ordinary leave and supplementary leave, regardless of their length of service.	· Maternity leave after childbirth extended from 90 → 180 days
「Law on the Protection of the Rights of Women」 (2015)	Article 33	· (Guarantee of maternity leave) All across the state, female workers shall be given <b>maternity leave for 60 days before childbirth and 180 days after childbirth</b> , in addition to their regular and supplementary leave, regardless of their length of service. Women must not be required to work during the maternity leave period.	
「Law on Social Insurance and Social Security」 (2021)	Article 19	· (Maternity leave subsidy) During the leave period of female workers who receive <b>maternity leave before and after childbirth</b> , a subsidy equivalent to 100% of their living expenses shall be paid.	· Recently enacted in March 2021

<sup>59</sup> In its combined second to fourth periodic report submitted in 2016 as a Party to the CEDAW, North Korea stated that the adoption of the Law on Labor Protection contributed to further perfecting the legal system for the protection of working women. (UN Doc. CEDAW/C/PRK/2-4 (2016), para. 30)

<sup>60</sup> ICHLPG2211

## 2. Children

Efforts to specify children’s rights began with the 1924 Geneva Declaration on the Rights of the Child, which emphasized the need for special protection and care for children.<sup>61</sup> Following this, the United Nations adopted the Declaration of the Rights of the Child in 1959. Based on this, the Convention on the Rights of the Child (CRC), which sets forth the principles of non-discrimination and prioritizing the best interests of the child, was adopted in 1989. With the Convention coming into force in 1990, children were recognized not merely as objects of adult protection but as individuals entitled to their own rights. Additionally, both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights specify the rights of children to protection.<sup>62</sup>

**Table VI - 3** 「CRC」 and Children

「CRC」		Children (Related Contents)
Article 1	For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.	<b>Children</b>
Article 19	1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.	<b>B</b> <b>Violence Against Children</b>

<sup>61</sup> In North Korea, the definition of children (16 years old and under) differs from the international standard (under 18 years old). In North Korea, individuals are considered adults from the time they graduate from senior secondary school, so a 17-year-old is excluded from the protections and rights afforded to children. In response, the United Nations Committee on the Rights of the Child has urged the North Korean authorities to amend the Law on the Protection of the Rights of the Child to ensure protection for all children under the age of 18.

<sup>62</sup> 「ICCPR」 Article 24, paragraph 1; 「ICESCR」 Article 10, paragraph 3.

「CRC」			Children (Related Contents)
Article 19	2	Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.	<b>B</b> <b>Violence Against Children</b>
Article 20	1	A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.	<b>D</b> <b>Treatment of Children Deprived of Family Environment</b>
	2	States Parties shall in accordance with their national laws ensure alternative care for such a child.	
Article 32	1	States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.	<b>C</b> <b>Child Labor</b>
	2	States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular: (a) Provide for a minimum age or minimum ages for admission to employment; (b) Provide for appropriate regulation of the hours and conditions of employment; (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.	
Article 37		States Parties shall ensure that: (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age	<b>A</b> <b>Juvenile Criminal Justice</b>
		(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time	
		(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances	

「CRC」			Children (Related Contents)
Article 40	1	States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.	<b>A</b> <b>Juvenile Criminal Justice</b>

North Korea ratified the Convention on the Rights of the Child in September 1990 and has submitted reports on its implementation, starting with its first report to the Committee on the Rights of the Child in 1996 and continuing up to its fifth report in 2016. North Korea enacted the Law on the Protection of the Rights of the Child in 2010 and the Common Education Law in 2011. Shortly after Kim Jong Un came to power in 2012, he announced the implementation of a universal 12-year compulsory education system, which was fully enforced in 2017. Since then, North Korea has expanded its healthcare infrastructure, including the establishment of the Okryu Children's Hospital in 2013, and upgraded outdated educational facilities, including those for orphans.<sup>63</sup> In 2014, North Korea also ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography, which was adopted in 2000.

Despite these changes, the human rights situation for children in North Korea remains precarious across various sectors such as healthcare, welfare, education, and labor. Although North Korea claims to emphasize children's rights as a State Party to the Convention on the Rights of the Child and has publicized various institutional and environmental improvements since

<sup>63</sup> North Korea specifies in the 「Law on the Protection of the Rights of the Child」 (2014) that children who cannot receive care from their parents or guardians will be nurtured at orphans' nurseries, kindergartens, primary school, and secondary school at the expense of the state. (Refer to Table VI-4 North Korea's Orphan Care and Education System.)

Kim Jong Un’s regime, in reality, violations of children’s rights, including violence, forced labor, and sexual exploitation, have continued. There seems to be a lack of awareness in North Korea about the need to protect children from vulnerable social groups, and the authorities do not appear to have an adequate system in place to protect them.

**Figure VI - 3** Children of North Korea



\* (Sources) UNICEF, UN, KCNA

## A. Juvenile Criminal Justice

Both international human rights norms and North Korean laws stipulate the protection of children’s rights in the criminal and judicial sectors. However, North Korea is failing to effectively implement these protections. The Convention on the Rights of the Child, specifically Articles 37 and 40, outlines the rights of children who are in conflict with the law—those who are suspects, defendants, or have been convicted. Similarly, North Korea’s Law on the Protection of the Rights of the Child specifies in Article 7 that children are entitled to special judicial protection and in Article 47 that children’s rights are protected at all stages of handling and processing juvenile crime cases.<sup>64</sup> Despite these legal provisions, executions, arrests, and detentions

<sup>64</sup> 「Law on the Protection of the Rights of the Child」(2014) Article 7 (Principle of protecting children’s rights in the legal field) Children shall receive special protection in the legal field. The State shall ensure that the rights and interests of children are not violated in handling cases related to children.  
Article 47 (Basic requirements of children’s rights protection in the legal field) In cases where law institutions handle child crimes, they must sufficiently assure the rights accorded to children at all stages of handling the case.



of children still occur in North Korea, and there are ongoing, serious human rights abuses against children who have been repatriated after defecting.

### **(1) Execution**

Although the death penalty for children is strictly prohibited, North Korea has continued to publicly execute children for offenses such as murder and embezzlement of state property. Article 37(a) of the Convention on the Rights of the Child explicitly bans the death penalty for children, and Article 37 of North Korea's Criminal Law also states that the death penalty cannot be imposed on anyone under the age of 18 at the time of the crime.<sup>65</sup> Additionally, Article 48 of North Korea's Law on the Protection of the Rights of the Child specifies that children under 14 at the time of committing a crime cannot be held criminally responsible, and the death penalty cannot be applied to children aged 14 and over. However, according to collected testimonies, there are still instances in North Korea where children have been sentenced to death and executed.

Multiple testimonies have been documented from witnesses of the public execution of teenagers who were not yet legally adults. The reasons for the death sentences included murder, embezzlement of state property, watching South Korean videos and rape, watching South Korean videos and drugs, and practicing superstitions, with the ages at the time of the death sentence usually 16 to 17 years old.<sup>66</sup> Executions were carried out by firing squad following the announcement of the crime.<sup>67</sup> The North Korean authorities also replayed the news of the students' public executions in educational

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<sup>65</sup> 「Criminal Law」 (2022) Article 37 (Death penalty) The death penalty is the gravest of penalties, depriving the criminal of his or her physical life. The death penalty must not be imposed on those under 18 years of age at the time of committing the crime, and it cannot be used to execute pregnant women.

<sup>66</sup> APV7AZ1435, 8GW6CX1527, QJDVQ11492, 7841ZM1314, UBWCTO2335, KYS94N0794, 8IUFRL2462, 5VRQH72482

<sup>67</sup> QJDVQ11492, 7841ZM1314, 8IUFRL2462

meetings or study sessions at nearby schools, using it as educational material for students at neighboring schools.

“In about 2014, when I was in my sixth year of secondary school, there was an incident of non-socialist behavior (a case of gang rape by classmates) at another secondary school across the Taedong River in the vicinity of Unification Street. As a result, the students faced severe punishment, and I heard that two to three of the main perpetrators out of five were executed, while the rest were sent to *kyohwaso*. I recall our secondary school teachers gathering students together during educational meetings or study sessions and informing us that students from other schools were being punished in such situations.”<sup>68</sup>

It has recently been revealed that public executions targeting children like this have been ongoing. A recent case occurred in 2021 in Kaechon City, South Pyongan Province, where five students from a senior secondary school were secretly executed. The incident involved male students sexually assaulting a female teacher who was conducting home visits during the COVID-19 pandemic. According to testimony, all the students were executed.<sup>69</sup>

## (2) Arrest and Detention

The arrest and detention of children should be a last resort, yet the North Korean authorities have not adhered to this standard. Article 37(b) of the Convention stipulates that the arrest, detention, or imprisonment of a child shall be carried out in conformity with the law, only as a measure of last resort, and for the shortest appropriate period of time. In its fifth periodic report to the Convention on the Rights of the Child, North Korea claimed that as interrogations of children take place at their homes or at the relevant

<sup>68</sup> SVRQH72482

<sup>69</sup> UBWCTO2335

judicial institution in the presence of their parents, no instances of child detention or confinement were disclosed during the reporting period (2008-2015).<sup>70</sup> In reality, however, a number of testimonies have been collected of children under the age of 17 being arrested without a warrant and subjected to interrogation while detained.

Most of these cases involved teenagers being arrested and detained for possessing and distributing illicit recordings. During the arrest and subsequent interrogation processes, they were subjected to cruel treatment. Many defectors have testified that during the arrest and detention of minors, there were incidents of assault and threats.<sup>71</sup> One testimony recounted being only 16 years old at the time of arrest, but subsequently going through an investigation, preliminary examination, and trial.<sup>72</sup> There was also a testimony from someone who was arrested at 15, underwent detention and interrogation, and was sentenced to six months of *rodong-danryun* punishment but was released after giving a bribe.<sup>73</sup> There were also cases where children were detained at detention centers for being homeless children (*kkotjebi*).<sup>74</sup>

“In the early winter of 2000, when I was 15 years old, I was caught at the main gate checkpoint while taking copper out of a steel mill through someone I knew and was detained in a *rodong-kyoyangdae*. I spent one month there. At that time, I often heard that minors were also sent to *rodong-kyoyangdae*. At the *rodong-kyoyangdae*, there were others like me who were caught taking materials from the steel mill without permission.”<sup>75</sup>

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<sup>70</sup> UN Doc. CRC/C/PRK/5 (2016), para. 235.

<sup>71</sup> DBZIQP2152, 2MMON11280, WB7W7J0084, NC68X61563

<sup>72</sup> NC68X61563

<sup>73</sup> 2MMON11280

<sup>74</sup> JV3LT02350

<sup>75</sup> JUZ0TT2362

### (3) Special Measures for Detained Children

Despite the principle that children deprived of liberty should be separated from adults and given special treatment, considering their immaturity, this principle of segregating children was not adhered to in North Korea. Article 37(c) of the Convention on the Rights of the Child states that all children deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with their families through correspondence and visits, save in exceptional circumstances. No such provision was found in publicly available North Korean legislation.

When children aged 15 or older are detained, they are housed alongside adults and receive the same treatment as them. Multiple witnesses testified that they were still minors at the time of detention but were housed alongside adults and subjected to forced fixed postures.<sup>76</sup>

“At the age of 15, I was detained in the state security bureau for a month. I was held in the same cell as adults and subjected to the same treatment. Usually, I would be interrogated for about 20 minutes, but apart from that time, I had to maintain a fixed posture at all times. This was extremely difficult and painful for me. I was not allowed to move or communicate with others. I had to seek permission from the guards to use the restroom. Additionally, when I was taken outside the cell for interrogating or other purposes, I had to extend my hands for the guards to handcuff me and crawl out of the detention area with my head down. Any violation of the rules inside the *kuryujang* (pretrial detention cells) would result in physical abuse from the guards. There was no consideration or special treatment provided to me as a minor.”<sup>77</sup>

<sup>76</sup> U61S652293, YHD82U0495

<sup>77</sup> YHD82U0495

Meanwhile, there was a case in which children under the age of 14 were placed in custody and separated from adults. According to the testimony, a 14-year-old and a 12-year-old who were forcibly repatriated together from China in 2017 were separated from the adult detainees due to their young age. They were held in a kitchen storage room in the pretrial detention center (*kuryujang*), where they were allowed to move around freely without being required to maintain a fixed posture.<sup>78</sup>

#### **(4) Treatment and Punishment for Forcibly Repatriated Children**

Children forcibly repatriated to North Korea after defecting were commonly detained with adults under the charge of “illegal border crossing” (illegal border entry and exit) and did not receive exemptions from procedures like uterus inspections or forced abortions. North Korea’s laws, including the Law on the Protection of the Rights of Child and the Criminal Procedure Law, theoretically apply a system of “social education measures” for juveniles who commit crimes, with responsibilities laid on parents, their respective Youth League, or their community.<sup>79</sup> However, in practice, repatriated minors have been treated the same as adults and sentenced to imprisonment, according to multiple testimonies.<sup>80</sup>

The North Korean authorities have conducted the same tests and administered punishments on minors as they do on adults. A multitude of testimonies state that minors who were forcibly repatriated underwent the same uterus examinations as adults.<sup>81</sup>

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<sup>78</sup> YHD82U0495

<sup>79</sup> 「Criminal Procedure Law」 (2021) Article 117 (Person in charge of education for a person who receives social education measures) The institution, enterprise, or organization a person is affiliated with, or the town in which he or she resides, shall be responsible for education for a person who receives social education measures. For minors, their parents shall also be responsible for their actions.

<sup>80</sup> DN9W3F1192, LQ3SRX0399, YHD82U0495

<sup>81</sup> PQ59JJ2344, ZLWSCX0696, KCKVGM1446, 5LE9WC1483, KM9SKS0766, J7TMW81434, COPUQB0931

“In the process of being admitted to a state security department’s detention facility after being repatriated in 2001, I underwent a strip search and witnessed an unforgettable scene. Minors aged about 10, 12, and 14 were subjected to the same uterine examinations as adults. These minors were with their mothers, and although the mothers pleaded with the guards, saying that their daughters had not even started menstruating yet, their pleas were ignored. I also witnessed the minors, aged 10 and 12, bleeding from their uteruses after such examinations.”<sup>82</sup>

Furthermore, minors were not separated from adults during detention. One witness, who was repatriated after defecting, stated that a sibling group of a 15-year-old boy, an 11-year-old boy, and a 7-year-old girl, who had defected without their parents and were repatriated, were held in the same space as adults.<sup>83</sup> Additional testimony has revealed that social security officers treated anyone aged 14 and over as an adult.

“In December 2016, I heard that my younger sister, who had defected, was repatriated and detained. She was 15 years old at the time. After being repatriated, she was sentenced to one year and four months of *rodong-kyohwa* punishment for the crime of illegal border crossing. Although children under the age of 14 are not criminally prosecuted for being minors, those who are older can be sentenced to *rodong-kyohwa* punishment. It is said that in North Korea, anyone aged 14 and over is treated as an adult. Officers from the social security office in Ryanggang Province informed us of this.”<sup>84</sup>

There were however rare cases where the relatively lighter measure, in the form of social education, was imposed on repatriated minors. One defector who had been forcibly repatriated multiple times falsely claimed to be a minor

<sup>82</sup> WHUL950750

<sup>83</sup> DFFYXV2365

<sup>84</sup> HKT6IU1075

(16 years old) in order to be transferred to a 927 shelter and received a social education measure instead of a harsher punishment. At that time, during the Arduous March, there were many repatriated individuals, and there was no developed system to verify people's identities.<sup>85</sup> Another defector stated that she had been repatriated at the ages of 12 (in 2003) and 14 (in 2005) but was released without punishment because she was a minor.<sup>86</sup>

Additionally, multiple testimonies related to the "Youth *Kyoyangso*,"<sup>87</sup> a penal institution for minors, were collected. One defector stated that they had worked for a day in a youth *kyoyangso* in 2006 due to not participating in rural mobilization, where they saw children, who appeared to be repatriated, working.<sup>88</sup> Another defector heard about a 12-year-old child who was detained and later released from a youth *kyoyangso* in 2013.<sup>89</sup> In 2019, six high school students were publicly tried and punished for watching illegal recordings, with the ringleader being sentenced to two years of *rodong-kyohwa* punishment and imprisonment at a youth *kyoyangso*.<sup>90</sup> However, there are no collected statements yet regarding the treatment of children detained at youth *kyoyangso*, indicating a need to monitor future trends in this area.

## B. Violence Against Children

In North Korean society, violence against children frequently occurs, but the North Korean authorities do not actively address this issue. According to Article 19 of the Convention on the Rights of the Child, children have the

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<sup>85</sup> JV3LT02350

<sup>86</sup> JUZ0TT2446

<sup>87</sup> The "Youth *Kyoyangso*" is presumed to have been established in the 2000s to serve as a correctional facility for children sentenced to at least *rodong-danryun* punishment or as a temporary detention facility for children with pending cases.

<sup>88</sup> 93VI9U2368

<sup>89</sup> VM0XYL1543

<sup>90</sup> NNOOCB1888

right to be protected from physical and mental violence, abuse by care givers, and cruel treatment or assault in detention facilities. Moreover, Article 34 of the Convention obligates States Parties to protect children from all forms of sexual exploitation and abuse. However, violence against children has been commonplace not only in detention facilities but also in North Korean homes and schools.

### (1) Domestic Violence

North Korea has laws prohibiting domestic violence and specifying penalties for it, yet violence against children within the family has been perceived as a domestic issue, and North Korea's laws and systems have not functioned effectively to combat it. Article 43 of North Korea's Law on the Protection of the Rights of Child prohibits child abuse at home,<sup>91</sup> and the Criminal Law specifies crimes such as "Neglecting Child Protection and Care" (Article 294) and "Abuse and Mistreatment" (Article 296) to punish abusive guardians.<sup>92</sup> Despite these laws, parents frequently used violence that went beyond discipline, and incidents of such domestic violence were rarely reported or prosecuted.

The North Korean authorities' intervention and support to prevent domestic violence were found to be almost nonexistent, and violence by parents against children was not even considered a reportable offense.

<sup>91</sup> 「Law on the Protection of the Rights of the Child」 (2014) Article 43 (Prohibition on punishment within the family) Families must not do acts against children such as abuse, neglect, swearing, interrogation, and beating.

<sup>92</sup> 「Criminal Law」 (2022) Article 294 (Crime of neglecting child protection and care) Anyone who irresponsibly fails to protect and care for children, leading to serious harm, shall be sentenced to *rodong-danryun* punishment. If such neglect results in particularly severe harm, those responsible shall be sentenced to up to five years of *rodong-kyohwa* punishment.

Article 296 (Abuse and mistreatment crime) Anyone who abuses or mistreats a person under their protection or care shall be sentenced to *rodong-danryun* punishment. In cases where serious harm is caused by abuse or mistreatment, those responsible shall be sentenced to up to three years of *rodong-kyohwa* punishment. In cases where the injury is severe, they shall be sentenced to *rodong-kyohwa* punishment for a period of three to eight years.



Although there were testimonies of children experiencing domestic violence, due to the perception within North Korea that such acts were part of parental discipline, they were rarely reported or prosecuted as crimes.<sup>93</sup> One female defector described how her intoxicated father would grab her hair, bang her head against the wall, and beat her with a wooden stick until it broke. This kind of assault occurred multiple times, and although the head of her *inminban* and other residents were aware of it, her father was never reported for domestic violence, nor did the social security officer assigned to the area take any action.<sup>94</sup> The lack of trust in the authorities' willingness to prosecute such cases meant that many felt there was no point in reporting domestic violence.<sup>95</sup> Additionally, there were testimonies from victims who could not bring themselves to report their own parents.<sup>96</sup>

"My father had a tendency to become violent when he drank, and this worsened around 2005. Almost every day of the week, he would come home drunk, fight with my mother, and throw things around the house. There were times I tried to intervene and was pushed so hard by my father that I fell. This home environment itself was a form of psychological violence. However, neither my mother nor I ever reported it. We understood it wasn't considered a reportable offense."<sup>97</sup>

## (2) Violence in Schools and at Care Facilities

While verbal abuse and physical assault by teachers have been prohibited by law, in practice, teachers who inflict corporal punishment on children have seldom been punished. Article 26 of North Korea's Law on the Protection of the Rights of the Child prohibits teachers from ignoring, discriminating

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<sup>93</sup> 1BQ5TD2424, XWLLIS2413, QOP5852319

<sup>94</sup> 9BHNXT1391

<sup>95</sup> JUZ0TT2435, WJ6Z931020

<sup>96</sup> 8WHPWX2410

<sup>97</sup> 1BQ5TD2424

against, verbally abusing, interrogating, insulting, or beating children.<sup>98</sup> However, there were instances where teachers assaulted or verbally abused children for various reasons at schools and other educational institutions.

At schools, it appears that teachers used corporal punishment extensively to enforce the completion of lessons and various tasks. There were multiple testimonies about violence inflicted for reasons such as not doing homework, failing to complete economic tasks, or not participating in labor mobilizations.<sup>99</sup> One testimony mentioned a teacher hitting students with a blackboard pointer on the buttocks and calves for falling asleep during class. It was said that corporal punishment was so frequent that four to five pointers would be broken each month.<sup>100</sup>

“Corporal punishment by teachers is generally severe in North Korea. In 2015, while I was attending a junior secondary school, I was severely punished by a female teacher. She beat my calves harshly with a pointer for running around in the classroom, causing the pointer to break and leaving me with severe bruises in six areas of my body. It was the first time I had been beaten so badly, and I even had to provide compensation for the broken pointer.”<sup>101</sup>

Similar abuse by teachers also occurred in primary and secondary schools for orphans. Witnesses stated that students who failed to meet work quotas during labor mobilizations or those who violated internal rules or were caught stealing, as well as anyone who upset teachers, suffered a severe beating by the teachers.<sup>102</sup>

<sup>98</sup> 「Law on the Protection of the Rights of the Child」 (2014) Article 26 (Respecting the character of children) Children’s education workers must always be role models for children and must not in any case look down on the character of children, discriminate against them, or do acts such as swear, interrogate, insult, or beat them.

<sup>99</sup> O1516J2346, 8WHPWX2397, DBZIQP2152, SOKAIT1086, 6DCJY01788, 1NR82V2465

<sup>100</sup> 8QERTC2443

<sup>101</sup> DFM95V2357

<sup>102</sup> BNPVOT1347, 00IAFO1948, W20YSG0557

However, despite parents protesting the excessive corporal punishment, the offending teachers often went unpunished. Witnesses stated that in North Korea, teachers are not prosecuted for school violence.<sup>103</sup> In some cases, teachers even imposed retaliatory punishments on students for complaints raised by their parents.<sup>104</sup> A defector who had experienced school violence until 2019 mentioned that despite the parents' complaints, nothing changed and there were no separate measures or disciplinary actions taken by the schools against the teachers.

“From primary school until the second year of senior secondary school when I dropped out in 2019, I was punished several times. The homeroom teacher would hit students with a ‘teaching stick’ or wooden stick. We were hit for reasons such as not doing homework, not attending school, or not listening. There were many instances of physical punishment like slapping and hitting students on the head. Although parents complained to the homeroom teacher about the punishments, nothing changed. In North Korea, corporal punishment is not considered a crime but rather a form of discipline, and it is believed that children should be beaten. I transferred schools several times and attended four different schools in total, but none of them had any policy banning corporal punishment.”<sup>105</sup>

Meanwhile, there have been some testimonies indicating that school violence has recently improved somewhat. More parents of affected students have filed complaints over corporal punishment or confronted the teachers responsible for the violence, which in turn has led to a decrease in such incidents in schools.<sup>106</sup> One testimony mentioned that around 2018, while attending junior secondary school, a student suffered severe bruises on

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<sup>103</sup> JSEFPE2271, BERYD80822, 1NR82V2465

<sup>104</sup> OORIT62429

<sup>105</sup> DBZIQP2152

<sup>106</sup> P4ILM91470

his calves from a teacher’s beating.<sup>107</sup> However, after the student’s father confronted the teacher, the teacher did not hit the student again. Another testimony stated that around 2017, a teacher at a primary school for orphans was disciplined for physically abusing a student.

“Until 2019, I worked at a primary school for orphans. The school, run by the state, cares for orphans aged 8 to 12, providing them with primary education. In 2017, a female teacher at the school beat a third-grade male student (then 10 years old) on his back and waist with a belt. The director of the academic department questioned the student and discovered that the teacher had beaten him for acting slowly after being given a task. The head of the primary school then criticized the teacher publicly, and people strongly condemned her actions. Following this incident, the teacher was suspended for three months.”<sup>108</sup>

### (3) Violence at Detention Centers

Violence against children frequently occurs at North Korean detention facilities. This is in contradiction to North Korea’s Law on the Protection of the Rights of the Child, which mandates that judicial institutions must respect the dignity of children during the criminal justice process and prohibits coercive methods for extracting confessions or inducing statements.<sup>109</sup>

A number of cases have been documented where children held at detention facilities in North Korea have been subjected to verbal abuse, physical assault, and other cruel treatment. One defector, who had been detained at a state security department’s *kuryujang* at the age of 15 in 2017, testified that she was forced to maintain a “fixed posture” (not being allowed

<sup>107</sup> 2YUED91276

<sup>108</sup> BNPV0T1347

<sup>109</sup> 「Law on the Protection of the Rights of the Child」 (2014) Article 51 (Respecting the character of children in handling cases) Legal institutions must respect the character of children to the utmost in the process of handling child crime. Acts of causing children to admit to the crime or inducing a statement through coercive methods may not be carried out.

to move during work hours) along with adults. She also stated that she was repeatedly kicked by guards and even restricted from using the restroom during her detention.<sup>110</sup> Another defector testified about being detained and beaten at a social security department's *kuryujang* for possessing South Korean dramas and songs, despite being a legal minor.

"I was detained from April to June 2019 for possessing unauthorized recordings. In North Korea, one is considered an adult after graduating from secondary school, so I was treated as an adult even though I would not officially become an adult (17 years old) until my birthday in July. I was frequently beaten by the guards. They beat me for not maintaining the 'fixed posture,' and sometimes they beat me without any reason. The methods of assault varied. Sometimes they would make me come close to the bars to be hit, or they would order me to place my hands over the bars and then strike them with a leather strap."<sup>111</sup>

#### (4) Sexual Exploitation and Abuse

In North Korea, instances of the sexual exploitation and abuse of children have frequently occurred, but the responses of the authorities have been significantly inadequate. Perpetrators of child sexual exploitation were often teachers within educational institutions, and even when caught, they received mild punishments or were quickly reinstated in their teaching roles. One North Korean defector stated that there was a sexual assault incident in a secondary school for orphans. The perpetrator was subjected to "revolutionization"<sup>112</sup> but returned to teaching within a month.<sup>113</sup>

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<sup>110</sup> YHD82U0495

<sup>111</sup> BNPV0T1347

<sup>112</sup> "Revolutionization" is a term in North Korea referring to a form of punishment where individuals reflect on their mistakes through labor and cultivate a revolutionary spirit. Typically, when someone commits a mistake within an organization or workplace, they undergo "revolutionization" to cleanse their wrongdoing. It involves being sent to rural areas, mines, and other locations to work for a certain period as a disciplinary measure. (National Human Rights Commission of the Republic of Korea, "Korean-English Glossary of North Korean Human Rights," 2016, p. 191.)

<sup>113</sup> 00IAFO1948

Multiple cases have been reported of child prostitution involving minors under 18. One account from North Hamgyong Province mentioned that there were many minors involved in prostitution at train stations, and although both the buyers and the child prostitutes were punished by the North Korean authorities, corruption often undermined these efforts.<sup>114</sup> Recently, the 82 Unified Command, responsible for monitoring non-socialist behaviors, has been tasked with cracking down on child prostitution. However, it has been reported that officers often overlook these cases if bribes are paid or sexual favors are offered.<sup>115</sup> Another testimony revealed that two secondary school classmates in Hyesan City, Ryanggang Province, engaged in prostitution known locally as “night flowers.”<sup>116</sup> The North Korean authorities did not actively enforce laws against the prostitution of minors, and these individuals faced such dire family circumstances that they could barely attend school.<sup>117</sup>

“Near train stations or parking lots, there are many people engaged in prostitution. Among them, girls who appear to be of secondary school age with minimal makeup linger around, and men discreetly approach them to buy sex. I’ve heard that the 82 Unified Command conducts crackdowns, but even when these are carried out, they are often nullified if bribes are given or if the officers are offered sexual services.”<sup>118</sup>

Additionally, during the defection process, many teenage girls were trafficked, yet there were no significant efforts by the North Korean authorities to prevent this. Most of them aimed to go to China to earn money but were deceived by brokers and ended up being sold to Chinese men for

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<sup>114</sup> DFFYXV2451

<sup>115</sup> TEIEJA2400

<sup>116</sup> “Night Flower” means a woman who sells flowers at night, referring to a prostitute.

<sup>117</sup> 93VI9U2478

<sup>118</sup> TEIEJA2400

marriage.<sup>119</sup> Most of these girls were aged between 14 and 16 but were falsely presented as being 18 years old.<sup>120</sup> One North Korean defector recounted being trafficked at 13 and sold to a Chinese man for marriage, where the broker misrepresented her age as 18.<sup>121</sup> Another testimony mentioned that the broker gave her a choice between marriage or working as a bar hostess after crossing into China.<sup>122</sup> Instances of rape by brokers during the trafficking process were also reported in testimonies.<sup>123</sup> In some cases, individuals were forced into marriage and sexually assaulted if they refused to engage in sexual relations.<sup>124</sup> Although many testimonies have been collected regarding minors being subjected to human trafficking, forced marriages, and sexual exploitation, the testifiers commonly stated that there were no efforts from the authorities to prevent these abuses.<sup>125</sup>

“While living a nomadic life and struggling to get by, I met a woman at a market who said I could make KPW 500 by working at her factory, so I trusted her and followed her. At the time, North Korean jobs paid about KPW 100 a month, so the prospect of earning KPW 500 was very appealing. I followed this woman only to find out that she had taken me across the border to China. The next morning, I woke up to find everyone speaking Chinese, and I realized I was in China. I initially thought I was going to be sold for organ trafficking and started crying, thinking I was dead. I was trafficked at the age of 16 and had a child when I turned 18.”<sup>126</sup>

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**119** MAV6AE2381, 1NR82V2378, 93VI9U2383, REUFYK2391, ROD6PD2411, 8IUFRL2414, XHQ3O62444, 8QERTC2443, ROD6PD2466, JUZOTT2455, JUZOTT2467, JUZOTT2459

**120** ROD6PD2466, JUZOTT2455, JUZOTT2467, JUZOTT2459

**121** PQ59JJ2344

**122** ROD6PD2411

**123** 8IUFRL2414

**124** REUFYK2391

**125** PQ59JJ2344, 93VI9U2383, ROD6PD2411, 8IUFRL2414, XHQ3O62444, 8QERTC2443, ROD6PD2466, JUZOTT2455, JUZOTT2467, JUZOTT2459

**126** 8QERTC2443

## (5) Emotional Violence

In North Korea, authorities-level emotional violence against children, such as mandatory attendance at public executions, has been conducted since the 1970s and continues to this day based on investigations conducted by the Center.<sup>127</sup> This practice indicates that North Korea has been subjecting children to long-term emotional violence for what it calls “resident education.” Children, before reaching adulthood, were mobilized by schools or their *inminban* to unwillingly witness public executions. There are even testimonies stating that after attending an execution, students had to write their reflections on the execution.<sup>128</sup>

Instead of preventing minors from attending public executions, the North Korean authorities encouraged their participation. Those who witnessed public executions during their minor years have suffered long-term psychological trauma. At execution sites, no efforts were made to restrict the attendance of minors.<sup>129</sup> In fact, minors were often placed in the front rows to ensure they witnessed the event.<sup>130</sup> Witnesses have provided very detailed and specific accounts of the atmosphere at the execution sites, the number of spectators, the methods of execution, and their feelings at the time. These events were so traumatic that the memories remained vivid and terrifying even years later, with many experiencing recurring nightmares and showing signs of stress due to the psychological trauma.<sup>131</sup>

<sup>127</sup> LVXJKW2259, KGLT6L2230, 93VI9U2481, 3E7GSG2222

<sup>128</sup> ROD6PD2461

<sup>129</sup> MAV6AE2392, OORIT62441, ROD6PD2423, OORIT62434, 93VI9U2478

<sup>130</sup> PNPVJ41087

<sup>131</sup> 8IUFR2370, MAV6AE2392, ROD6PD2363, 8IUFR2361, ROD6PD2360, 1BQ5TD2364, DFFYXV2379, OORIT62369, QOP5852319, UY2OY52324, 13PN7Y2325, Z4F5JE2331, U4G4Q32334, Q6VZNC2339, O1516J2346, 4C6RDC2348, QBLB242355, ROD6PD2386, 8IUFR2437, JUZ0TT2435, OORIT62441, XHQ3O62444, TEIEJA2448, 8IUFR2422, ROD6PD2423, 4L9V4R1132, PNPVJ41087, 1NR82V2457, JUZ0TT2459, OORIT62460, 8IUFR2453, ROD6PD2461, 93VI9U2481, 1NR82V2474, DFFYXV2473, 93VI9U2478, REUFYK2391, RPBOZY2296



“Around 1980, when I was seven years old, I witnessed a public execution in the vegetable fields of a farm in Musan County, North Hamgyong Province, along with my parents, as per the *inminban* head’s order. Everyone in Musan County saw it. There were many people. Three men, all in their twenties, were executed that morning, and their bodies were left hanging at the execution site until the evening. As time passed, their faces turned pale white, which I distinctly remember. Leaving the bodies displayed for a long time was intended to instill fear in the viewers. Forty years later, I still cannot forget that scene.”<sup>132</sup>

“Twenty years ago, in 2003, when I was 11 years old, I witnessed the public execution of two men in the farm fields in front of the Songbong Steel Factory in Hyesan, Ryanggang Province. I was so scared that I stood some distance away. I heard about twelve gunshots, and the sound of their heads exploding was very loud. I saw the bodies fall. I thought to myself, “That’s what happens when you commit crimes,” and “I must never commit crimes.””<sup>133</sup>

## C. Child Labor

Child labor is prohibited, and the state has a duty to protect children from it. Article 32 of the Convention on the Rights of the Child specifies the right of children to be protected from work that disrupts their education or is harmful to them. North Korea also prohibits child labor under the age of 16 through its Socialist Constitution Article 31, the Socialist Labor Law Article 15, and the Law on the Protection of the Rights of the Child Article 19<sup>134</sup> and establishes penalties for those who subject children to labor via the Criminal Law and the Common Education Law.<sup>135</sup>

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<sup>132</sup> MAV6AE2392

<sup>133</sup> 93V19U2481

<sup>134</sup> The ‘Common Education Law,’ (2015) and the ‘Law on the Protection of the Rights of the Child,’ (2014) prohibit the employment of children under the age of 17, which contradicts other legal provisions.

<sup>135</sup> ‘Criminal Law,’ (2022) Article 110; ‘Common Education Law,’ (2015) Article 42, 52, and 53.

Despite these legal protections, North Korean students have still been forced to work through their school system, sometimes even replacing the labor obligations of adults. North Korean children have suffered from intense labor, facing injustices and discrimination.

### (1) Student Labor Mobilization

North Korean students from primary through senior secondary school graduation are forcibly mobilized for various labor tasks under the name “labor mobilization.” In 2017, North Korea reported to the UN Committee on the Rights of the Child that from senior secondary school, students visit farms and factories for three weeks each school year to experience production labor, asserting that no other child labor is permitted outside of the curriculum.<sup>136</sup> However, investigation by the Center showed that, contrary to North Korea’s claims, students were also mobilized for labor after school hours and for private tasks directed by teachers.

Labor mobilization in schools was found to be continuous from primary to senior secondary school, and the type and amount of labor varied by residential area and grade. Although there were slight differences in the duration and frequency of mobilizations among schools, North Korean students were usually mobilized after school hours.<sup>137</sup> In rural schools, students were mobilized to work on nearby farms during the planting and harvest seasons in spring and autumn,<sup>138</sup> sometimes not attending classes at all for about a month during these periods.<sup>139</sup> As students progressed through the grades, both the number of mobilizations and the intensity of the work increased.<sup>140</sup> One defector from

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<sup>136</sup> UN Doc. CRC/C/PRK/Q/5/Add.1 (2017), paras. 42-43.

<sup>137</sup> O15I6J2346

<sup>138</sup> KRV1AU2326

<sup>139</sup> SOKAIT1086

<sup>140</sup> 6DCJY01788

Ryongyang Province recalled that when she was in the second year of senior secondary school, all second-year students were mobilized at a northern railway construction site, where they skipped morning classes and carried gravel from 8:00 to 10:00.<sup>141</sup> Another testified that students were mobilized for forest restoration work from morning until 17:00 instead of attending classes.<sup>142</sup> One defector testified that starting from the first year of primary school, she was mobilized once a week for railway maintenance, where students from nearby primary schools gathered gravel on the railway tracks using hoes as part of the railway maintenance project.<sup>143</sup> Another defector from Ryongyang Province recounted that under the guise of nature observation, students were sent to a farm near their school to collect rice ears in the autumn, and the homeroom teacher would take the collected rice ears.<sup>144</sup> Students had to participate in these school labor mobilizations, and those who did not participate or tried to escape were criticized by their teachers.

“From my second year of primary school, I had to work on nearby farms planting corn and chili peppers after school. As I progressed through the grades, the intensity and frequency of the labor increased. During secondary school, I had to work on farms near the school during spring and autumn, only attending morning classes. From the third year of secondary school, I had to stay at a cooperative farm for about 20 days twice a year as part of ‘rural support activities,’ working just like the farm workers. Also, if floods damaged the railways or bridges, I had to participate in repair work from the time of primary school, carrying gravel and soil. If you attended school, you had to participate in labor mobilizations. There were almost no absences. If you did not participate without a doctor’s note claiming illness, teachers would shame you in front of other students for not cooperating with necessary national tasks, making it preferable not to attend school at all.”<sup>145</sup>

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<sup>141</sup> SOKAIT1086

<sup>142</sup> DFM95V2357

<sup>143</sup> DEJ6ST2342

<sup>144</sup> 2YUED91276

<sup>145</sup> JUZ0TT2459

Since the education authorities required it as part of the curriculum, all students had to participate. However, there was corruption in the mobilization process. Families with financial means could bribe their way out of these labor mobilizations, typically by paying the homeroom teacher.<sup>146</sup> Students who did not pay the bribe and skipped mobilization without prior permission were punished. One female defector from Pyongyang recalled that during her secondary school years, there were rural labor mobilizations every spring and fall. She mentioned that one could avoid these mobilizations by paying around USD 30, depending on the workload.<sup>147</sup>

Additionally, the labor mobilization of students for the personal gain of teachers was openly practiced in North Korea. The North Korean authorities have declared it illegal for principals or teachers to mobilize students for their own *bueopji* (small fields). However, no active measures by the school or authorities to prevent this seem to have been taken. One defector mentioned assisting his homeroom teacher with the teacher's small field on Sundays during his fourth to sixth years of secondary school, occasionally even after school on weekdays.<sup>148</sup> Another defector testified that throughout his secondary school years, he worked for extended periods on his homeroom teacher's *bueopji*.

"From my first year in junior secondary school in 2013 to my graduation from senior secondary school in 2019, my classmates and I were mobilized to work on our homeroom teacher's private *bueopji*. Each teacher asked differently, but they would typically say, 'I have a *bueopji* of my own, will you help out?' Students considered it a duty and almost no one refused. We would leave home at 7:00 and work on the *bueopji* from 9:00 to 12:00. The policy circulated that teachers should not use students for personal gain. Because there were complaints from parents about students working on teachers' private *bueopji*, the principal would sometimes tell teachers to stop such mobilizations."<sup>149</sup>

<sup>146</sup> 6DCJY01788

<sup>147</sup> DEJ6ST2342

<sup>148</sup> KRV1AU2326

<sup>149</sup> P4ILM91470

## (2) Mobilization in Rural Support Activities

North Korean senior secondary students, equivalent to upper grades in an 11-year schooling system, are mobilized for intensive agricultural work under the guise of “rural support activities.” This mobilization is separate from the “after-school labor mobilization,” requiring whole grades or several classes to travel to local or distant farms. The North Korean authorities regard this activity as part of the curriculum and essentially related to education.<sup>150</sup> However, the intensity of labor in rural support activities was often too demanding for the students. Many defectors described their school-time rural support activities as grueling labor.

Students have been mobilized for over eight hours a day of intensive farming at their assigned farms, often leading some to flee because of how difficult it is. Typically, students would spend two months each year, one month in spring and one in autumn, away from home, living and working on local farms. Farm work started at 6:00 and continued until about 19:00.<sup>151</sup> During the rural support period, students usually stayed and ate together in groups of about 10 at rural homes or moved into a cooperative farm worker’s house.<sup>152</sup> From Monday to Saturday, they worked from 9:00-18:00, engaged in planting, weeding, and potato harvesting, and in cases of high workload, they worked all seven days of the week. Students were given daily work quotas that had to be completed without any breaks. Some testimonies mentioned that they had to work 10 hours a day to meet their quotas.<sup>153</sup> Due to the high intensity of the work, there were instances where students ran away.<sup>154</sup> One defector recalled escaping from rural support, sneaking away in

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<sup>150</sup> UN Doc. A/HRC/42/10(2019), para. 79.

<sup>151</sup> 13PN7Y2325, R7KY7W2329, 4C6RDC2348

<sup>152</sup> DFM95V2357

<sup>153</sup> MGAD6J1874, O9MNGG2207, Q6VZNC2339

<sup>154</sup> ETRLM22255, 1NR82V2457, JUZ0TT2459, XWLLIS2413, 5VRQH72385, O1516J2346, QOP5852319, LXUIUC2307, ROD6PD2461, SOKAIT1086, MAV6AE2472, 93VI9U2481

the early morning because the work was too demanding.<sup>155</sup>

“State-directed rural support activities start from the first year of senior secondary school, each lasting for 20 days. We stayed and worked on a farm about two to three hours away by car, digging potatoes every day without a day off for 20 days, working over 10 hours a day. Each individual was assigned a plot of land daily, women getting 156m<sup>2</sup> and men 231m<sup>2</sup>, and we had to dig up all the potatoes in that designated area. If we didn’t meet the quota, we couldn’t stop working until the entire area was covered.”<sup>156</sup>

**Figure VI - 4** Rural Support Activities by North Korean Students



Students Taking Part in Rural Support Activities  
Riding a Coal Cart



Students Gathered in a Cornfield

\*(Source) Prof. Kang Dong Wan (Dong-A Univ.)

Students were mobilized for various labor tasks on assigned farms, and in the past, they were often exploited for extended periods. One female defector from North Hamgyong Province recounted her experience during secondary school of being placed in an opium farm where she had to collect opium sap. Despite the risks of addiction, the students worked hard, and besides opium farming, they were mobilized for transplanting rice and weeding during those seasons, thereby engaging in agricultural work for over six months a year.

<sup>155</sup> O1516J2346

<sup>156</sup> MGAD6J1874

“From the time I entered secondary school until I graduated in 2001, I was mobilized to work at an opium farm. During the season when we had to extract the sap from poppies, the teachers would mobilize us students to work all day on this task. While working, many students would feel dizzy and nauseous from the smell, and some would even faint. The teachers knew the work was addictive and dangerous for the students, but continued to put them to work, offering candy as an incentive. Students, eager for the candy, worked hard without realizing the risk of addiction.”<sup>157</sup>

Although participation in rural support activities was mandatory for all students, it was possible to avoid it by paying a fee. Some testimonies reveal that if a student was very sick or could pay bribes, the student could be exempted from rural mobilization.<sup>158</sup> This payment, referred to as “rear service,” was used for expenses like the meals of students who participated in rural support.<sup>159</sup>

“In the case of rural support, students had to pay the corresponding amount to the school to avoid mobilization. For other mobilizations, if students were absent, the homeroom teacher would put them in front of the class and scold them, saying, ‘You are tainted with capitalist ideas. Your thoughts are rotten,’ and as a punishment, make them clean the classroom alone and sometimes even subject them to physical punishment.”<sup>160</sup>

### (3) Other Child Labor

Institutions or organizations other than schools also forced children into labor. Many defectors stated that children were mobilized into *dolgyeokdae* (shock brigades) and put to work on power plant construction

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<sup>157</sup> 51IH842267

<sup>158</sup> MGAD6J1874

<sup>159</sup> 13PN7Y2325, R7KY7W2329

<sup>160</sup> MGAD6J1874

and maintenance projects, but mobilizing children was not considered a problem.<sup>161</sup> If they missed the labor mobilization organized by their *inminban*, they had to pay a fine, so many children from financially struggling families went to work instead. One female defector testified that, because her mother had to do business to make a living, she, as the eldest daughter, had to participate in the *inminban* mobilization and work on construction tasks despite being a minor.<sup>162</sup> Another female defector mentioned that, in place of her missing mother, she joined the Women’s Union shock brigade at the age of 15. However, when she tried to leave at the end of the mobilization period, she was severely beaten. She escaped after being trapped in the shock brigade for seven years and noted that there were four other minors who were there in place of their parents.<sup>163</sup> A female defector from Ryanggang Province also testified that she had been mobilized multiple times for *inminban* work since she was 12 years old.

“From around 2005, when I was 12, I was mobilized multiple times each year. When the *inminban* would declare it a state-supported project, the head of the *inminban* would mobilize residents to do the work. I was mobilized once or twice a week to do various tasks like weeding, railway maintenance, digging ditches, hauling gravel, building dikes, carrying compost, and planting trees. During weeding season, I was mobilized nearly every day. There were many children under 16 participating in *inminban* work, and the head of the *inminban* actually preferred it when I came in place of my mother, saying I worked harder. There was no enforcement of regulations against child labor, and the majority of residents did not know it was illegal to mobilize children under 16 for labor.”<sup>164</sup>

There were cases where secondary schools for orphans also mobilized

<sup>161</sup> QU3SFL2197, VKVJVN2084, MGAD6J1874, 11JSJ41106

<sup>162</sup> Z4F5JE2331

<sup>163</sup> 8IUFRL2437

<sup>164</sup> G1VW7H0944



children for labor. One testimony revealed that although the rule was that student labor mobilization should only occur during vacations, from the third year onwards, students had to work regardless of this regulation. The students were rarely given time to study and were instead involved in tasks such as gathering firewood, planting vegetables, collecting wild herbs, and digging up medicinal herbs.<sup>165</sup>

## D. Treatment of Children Deprived of Their Family Environments

As for the treatment of children without guardians, the state has a duty to protect and support children who are temporarily or permanently deprived of family care. Article 20 of the Convention on the Rights of the Child stipulates that if a child is deprived of a family environment or if being in such an environment is against the child's best interests, the state must provide special protection and assistance. North Korea's Law on the Protection of the Rights of the Child also states that children who cannot be cared for by parents or guardians shall be raised at the state's expense in nurseries and orphanages, including primary and secondary schools for orphans.<sup>166</sup>

During the early years of Kim Jong Un's rule, there were significant renovation projects for orphan education institutions, and the physical environment and facilities appear to have improved compared to the past. However, students in secondary school for orphans, like other students, were not free to choose their own career paths after graduation. Their careers were often predetermined or they were inappropriately placed, indicating that the treatment of these individuals in North Korea remains poor.

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<sup>165</sup> WK28JK0257

<sup>166</sup> 「Law on the Protection of the Rights of the Child,」 (2014) Article 31 (Nurturing children who do not have caretakers) Children who cannot receive the care of parents or guardians shall be raised at the State's expense in orphanages, nursery schools, and primary and secondary schools for orphans.

**Table VI - 4 North Korea's Orphan Care and Education System**

Institution	Age Range	Content	Note
Orphans' Nursery	Under 4 years old	Pre-school childcare and educational institutions for infants and toddlers before kindergarten entry.	-
Orphans' Kindergarten	4-5	Childcare institutions for children of kindergarten age.	Education Before Schooling
Orphans' Primary School	6-10	Educational institution providing primary school (the equivalent of elementary school) curriculum.	Primary School
Orphans' Secondary School	11-16	An educational institution providing education for junior/senior secondary school (the equivalent of middle/high school) levels.	Secondary School

The environment surrounding North Korean orphan education institutions was previously underdeveloped and lacked the authorities' support, but it appears to have improved recently. North Korea began upgrading facilities nationwide starting with the completion of the Pyongyang Orphans' Kindergarten and the Pyongyang Orphans' Nursery in 2014.<sup>167</sup> The improvements in facilities and the expansion of the authorities' support for orphan education institutions have been confirmed through various testimonies. In local areas, it appears that there has been significant construction of new facilities and an increase in support since 2017.<sup>168</sup> Many testimonies mentioned facility upgrades, such as the installation of artificial turf in playgrounds and the conversion of toilets to flush systems.<sup>169</sup> There are also accounts indicating a noticeable improvement in the nutritional status of the children.<sup>170</sup>

<sup>167</sup> Under the direction of Kim Jong Un, new facilities for orphan education institutions in Pyongyang, such as Pyongyang Orphans' Nurseries and Kindergartens (October 2014), Pyongyang Secondary School for Orphans (July 2016), and Pyongyang Primary School for Orphans (February 2017), were constructed as exemplary models. Subsequently, related facilities were sequentially established in the major cities of each province (especially in cities like Wonsan, Pyongsong, Cheongjin, Haeju, and Sariwon, which were constructed adjacent to orphan education institutions and developed into comprehensive complexes).

<sup>168</sup> 3RNTQV2332, LXUIUC2307, 8B5CA02248, V6PE6V2232, KJ7IFB2239, 1CHLPG2211, YKDSNY2213, 00IAFO1948, ROHC5C1856, BNPVOT1347, 8CX1000849, I5P0PW0042, 1NXYFF1980

<sup>169</sup> 1CHLPG2211, RUIF6F2209, YN2CFN2198

<sup>170</sup> YN2CFN2198, BNPVOT1347, PMYYOW2258

“I worked at a primary school for orphans until 2019. The school was a state-run institution caring for orphans, where children from ages 8 to 12 came to live and learn the primary school curriculum. In 2017, the orphanage facilities were renovated into new buildings in each province according to Kim Jong Un’s directives. Meals were guaranteed three times a day with at least three side dishes, and snacks such as milk, soy milk, bread, cookies, and candy were provided. All these food supplies were fully provided by the authorities. In contrast, during the Kim Jong Il era, there was no such care for children in primary and secondary schools for orphans, leading to many incidents of children stealing and running away.”<sup>171</sup>

**Figure VI - 5 Newly Constructed Orphan Education Institutions in Pyongyang**



\* (Source) Rodong Sinmun (November 24, 2014/ July 3, 2016/ February 2, 2017)

Despite recent improvements in the condition of orphan education institutions in North Korea, children graduating from these institutions reportedly lack freedom in choosing their career paths. While the North Korean authorities claim that students from secondary schools for orphans have the option to pursue higher education or choose their careers based on their aspirations,<sup>172</sup> numerous testimonies contradict this, stating that most graduates are forcibly placed in shock brigades or collectively placed in factories.<sup>173</sup> There were also testimonies that upon graduation, healthy individuals were sent to the military, while those who were shorter or

<sup>171</sup> BNPVOT1347

<sup>172</sup> UN Doc. A/HRC/WG.6/33/PRK/1 (2019), para. 65.

<sup>173</sup> KQ7XG61859, O9MNGG2207, I293Z82053, WK28JK0257, 00RIT62477

physically weaker were assigned to shock brigades or factory work,<sup>174</sup> with no consideration given to their aptitudes or preferences.

“When students reach the age of graduation, they are sent to the military if they are over 158cm tall, regardless of their wishes, and the rest are collectively assigned to *dolgyeokdae* (shock brigades). My older brother was forcibly assigned to a youth shock brigade. Occasionally, there are cases of being collectively assigned to places like textile factories, which was the case for me.”<sup>175</sup>

Meanwhile, testimonies indicated that during the Arduous March period, there were temporary shelters for accommodating children who wandered without a fixed residence (known as *kkotjebi*). Starting in the mid-1990s, as North Korea began to experience economic difficulties, the number of street children without guardians rapidly increased. In response, the North Korean authorities organized a crackdown agency known as “*kkotjebi sangmu*” and detained these children at relief centers or *jipkyulso* (holding centers) for wanderers.<sup>176</sup> Testimonies suggest that these facilities, intended as temporary shelters for *kkotjebi*, were more like temporary detention facilities than protective institutions. The conditions in these facilities were poor, with inadequate meals, harsh discipline, and a demanding environment.<sup>177</sup> Individuals who were apprehended and held in shelters during their time as *kkotjebi* described being confined like in prison or forced into hard labor. They mentioned that many attempted to escape the protective facilities due to the harsh conditions and the intensity of the labor.<sup>178</sup>

<sup>174</sup> SFR10U2052, PWDEAD1982, HDFWE40182, RBRQN52182

<sup>175</sup> KQ7XG61859

<sup>176</sup> SFR10U2052

<sup>177</sup> DFFYXV2379

<sup>178</sup> 8IUFR2422, XWLLIS2413, 8QERTC2443, SF33KT2347

“After my mother passed away, I lived as a *kkotjebi* for three years. There’s something called a ‘relief center’ where *kkotjebi* are held, but if you enter there, you’ll starve to death. They keep you detained and force you to work while barely providing any food.”<sup>179</sup>

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<sup>179</sup> 3OJGM0850

### 3. People with Disabilities

The Universal Declaration of Human Rights states, “All human beings are born free and equal in dignity and rights.” Embodying this spirit, the UN General Assembly adopted the Declaration on the Rights of Persons with Disabilities in 1975 and the Convention on the Rights of Persons with Disabilities (CRPD) in 2006. The CRPD imposes obligations on State Parties to ensure and promote the full realization of all human rights and basic freedoms for all persons with disabilities without discrimination on the basis of disability.

**Table VI - 5 「CRPD」 and People with Disabilities**

「CRPD」		People with Disabilities (Related Content)
Article 1		<b>People with Disabilities</b>
Article 4	1	<b>A</b> <b>Perception and Discrimination Against People with Disabilities</b>
Article 9	1	<b>B</b> <b>Situation of the Rights of People with Disabilities</b>
Article 20	1	

\* In relation to **A. Perception and Discrimination Against People with Disabilities**, refer to Article 8 (Awareness-raising) of the CRPD. For **B. Situation of the Rights of People with Disabilities**, refer to Article 24 (Education), Article 25 (Health), Article 26 (Habilitation and rehabilitation), Article 27 (Work and employment), Article 28 (Adequate standard of living and social protection), and Article 30 (Participation in cultural life, recreation, leisure and sport).

Responding to international concerns about discrimination against people with disabilities, North Korea enacted the Law on the Protection of Persons with Disabilities in 2003, outlining principles to safeguard their rights.<sup>180</sup> North Korea signed the CRPD in 2013 and ratified it in 2016. As a State Party to the CRPD, North Korea has engaged in activities related to people with disabilities and has promoted awareness by participating in international events, including the Paralympic Games and the Asian Para Games, especially after Kim Jong Un came to power. In addition, it enacted the Law on Ensuring the Rights of the Disabled, making strides to guarantee the rights of people with disabilities.<sup>181</sup>

Despite these efforts, perceptions of people with disabilities in North Korean society remain overwhelmingly negative and discriminatory. Apart from a few benefits provided to individuals such as honorably discharged soldiers,<sup>182</sup> the policy initiatives of the authorities and systemic support measures for people with disabilities are still very much lacking. In particular, there is almost no support for those injured in industrial disasters or accidents. Furthermore, numerous testimonies from North Korean defectors detail human rights violations against residents with disabilities, including restrictions on their freedom of movement and forced residence in specific regions.

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<sup>180</sup> 「Law on the Protection of Persons with Disabilities」 (2013) Article 2 (Definition of persons with disabilities, principle of guaranteeing the rights of persons with disabilities) Persons with disabilities are citizens whose independent participation in social life is hindered due to long-term physical impairments and environmental factors. Disabilities include those related to visual, hearing, speech, physical, intellectual, and mental health impairments, as well as multiple disabilities. The state is committed to respecting the dignity of persons with disabilities and ensuring their social and political rights, freedoms, and interests on an equal basis with others.

<sup>181</sup> The 9<sup>th</sup> session of the 14<sup>th</sup> Supreme People's Assembly (SPA) adopted the ordinance of the SPA "On Adopting the Law on Ensuring the Rights of the Disabled" (Rodong Sinmun, September 28, 2023, p.4).

<sup>182</sup> An "honorably discharged soldier" is a soldier who has been injured during combat or military service. (North Korean Social Science Publishing House, 『Chosun Language Dictionary (Revised Edition)』, Vol. 4, 2017, p. 1109)

## A. Perceptions of People with Disabilities and Discrimination Against Them

### (1) Negative Perception of People with Disabilities

Attitudes towards people with disabilities in North Korea are predominantly negative, and the authorities do not actively engage in initiatives to raise awareness about this issue. Every State Party to the CRPD understakes responsibilities to ensure the full realization of all human rights and fundamental freedoms for all persons with disabilities. The UN CESCR has emphasized that States Parties are obligated to eliminate both de jure and de facto discrimination based on disability and to take anti-discrimination measures in a way that is grounded in the principle of equality.<sup>183</sup> As a State Party to the CRPD, North Korea is thus obligated to enhance efforts to combat discrimination and change negative perceptions of persons with disabilities. However, North Korea does not appear to be actively fulfilling this commitment.

“People with dwarfism (people with spinal disabilities) are only allowed to live in a specific dwarf village and nowhere else. They are not acknowledged as North Korean citizens and thus proper identification cards are not administered. In addition, it was common practice for men with dwarfism to be castrated so as to prevent them from having offspring.”<sup>184</sup>

Many testimonies have confirmed that little progress has been made in changing such negative perceptions. In North Korea, the very existence of people with disabilities is viewed negatively, fostering a societal norm that discriminates against them.<sup>185</sup> One defector recalled encountering the terms

<sup>183</sup> UN CESCR, General Comment No. 5, Persons with Disabilities, paras. 15-18.

<sup>184</sup> 6DAPH11220

<sup>185</sup> YNZICJ2226



“welfare” and “human rights” for people with disabilities for the first time through leaflets from South Korea while in North Korea. As people with disabilities are called “the cripples” in North Korea, he felt it was strange to use such an expression.<sup>186</sup> Another defector stated that people with disabilities are seen as individuals to be avoided due to the perception that they are inherently different from those without disabilities.

“In 2017, in Pukchong County, South Hamgyong Province, I encountered two brothers in their 30s who were both verbally challenged. Similarly, in my village, there was a couple in their 40s who were both mute. Furthermore, the owner of a storage house in the Pukchong market had two sons, both of whom were verbally challenged and did not attend school. I believe we tend to avoid people with disabilities simply because they are different from us.”<sup>187</sup>

## (2) Discrimination Against People with Disabilities

North Korean residents with disabilities face severe restrictions on their freedom of residence. The Center’s investigations indicate that from the 1970s to the mid-2010s, a policy enforced by the North Korean authorities prohibiting the residence of people with disabilities in Pyongyang did indeed exist.<sup>188</sup> According to numerous testimonies, it appears that the authorities strategically relocated all disabled residents living in Pyongyang to rural areas in preparation for the 13<sup>th</sup> World Festival of Youth and Students in 1988.<sup>189</sup> Other accounts recalled that residents with disabilities who were living in Pyongyang were separated from their families there and relocated to the homes of their relatives in the countryside under direct order from

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<sup>186</sup> 5OR5F62241

<sup>187</sup> BACCUX1175

<sup>188</sup> 1BQ5TD2431, YNZ1CJ2226, URQ3NC1379, 00RIT62460

<sup>189</sup> ROD6PD2427, HLYRUJ2290, ROD6PD2469

the authorities from the 1970s to the 1990s.<sup>190</sup> The restrictions on their residence in Pyongyang continued until the mid-2010s, with individuals being forcibly moved to outer regions of Pyongyang, such as Sadong District and Unjong District, or to other regions.<sup>191</sup> If persons with disabilities did not leave Pyongyang on their own, their entire family was forced to relocate.<sup>192</sup>

“I was born and lived in Nakrang District of Pyongyang until I relocated abroad in 2015. In North Korea, the very existence of people with disabilities is considered dishonorable, leading to discriminatory policies. This is especially true in Pyongyang, where individuals who have disabilities are expelled.”<sup>193</sup>

Another example of residence restrictions includes the existence of collective living areas known as “Dwarf Villages” for individuals with dwarfism and “Hunchback Villages” for those with spinal disabilities. These Dwarf Villages were located in remote mountainous areas of North Korea, such as Kimhyongjik County, Kimjongsuk County, and Samsu County in Ryanggang Province, as well as Toksong County in South Hamgyong Province.<sup>194</sup> The authorities also forcibly relocated individuals with spinal disabilities to a Hunchback Village located in Samsu County, Ryanggang Province.<sup>195</sup> Residents of these collective living areas were not allowed to move to other regions, faced restrictions on marrying individuals who did not have disabilities, and had limited freedom in choosing their occupations. These collective residences for people with disabilities are usually located far from other civilian villages in geographically isolated areas, which appears

<sup>190</sup> OORIT62428, UY2OY52324, ROD6PD2427

<sup>191</sup> 2G5GFH2345, FKJUWV0728

<sup>192</sup> UY2OY52324, ROD6PD2427

<sup>193</sup> YNZ1CJ2226

<sup>194</sup> QGJZGD0048, 6MVIBL0286, 1CHLPG2211, OT95801352, 3E7GSG2222, KWNX7P0796, F7SR7A0771, 6DAPH11220

<sup>195</sup> SOM57P0867

to reflect the North Korean authorities' intention to prevent interactions between disabled and non-disabled individuals and to hide their existence from the outside world.

"I was aware that a dwarf village existed in Kimhyongjik County, Ryanggang Province. Although I'm not entirely sure when it was set up, I know they were relocated there from a long time ago. This place was not out of consideration for people with dwarfism but rather to restrict their residence and to prevent more dwarfs from being born. More specifically, it was to prevent the increase of people with disabilities in North Korea."<sup>196</sup>

Recently, changes for people with disabilities have been observed. Construction of housing for disabled people in areas nearby Pyongyang has begun and restrictions on their residence have been lifted. Testimonies indicate that a construction brigade was mobilized to build houses for individuals with dwarfism around 2017.<sup>197</sup> The construction took place at the foot of a mountain near Pyongsong City in South Pyongan Province, and the height of houses was designed to be much lower than standard homes. In addition, another testimony indicates that there are no longer restrictions on the residence of people with disabilities. Contrary to the past, residency restrictions for the disabled in Pyongyang had been lifted around 2020.<sup>198</sup>

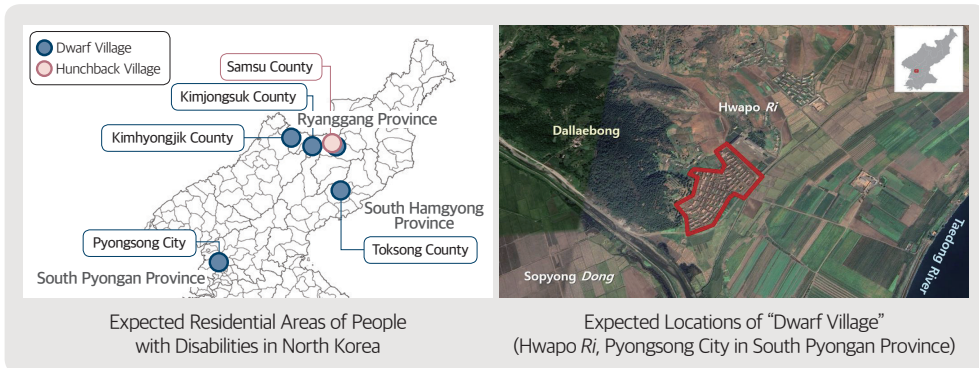
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<sup>196</sup> 1CHLPG2211

<sup>197</sup> 93VI9U2476

<sup>198</sup> DDL5221833

**Figure VI - 6** Expected Collective Living Areas for People with Disabilities (Based on the Center's Investigations)



\* (Source) Google Earth (<https://earth.google.com/web/>)

In spite of these changes, there have been violations against the right to liberty of people with disabilities, including forced sterilizations. Numerous cases of forced sterilization surgery on people with dwarfism have been documented.<sup>199</sup> Nurses in hospitals across cities and counties were instructed to compile “dwarf lists” for those targeted for forced sterilization.<sup>200</sup> Testimonies indicate that a long list of forced sterilization surgeries on individuals with dwarfism occurred in various forms from the 1990s to 2017, suggesting that these actions were systematically coordinated by the North Korean authorities.

“Around 2013, a man with dwarfism married a woman without such a condition, and the local security office warned him, ‘Since you are a dwarf, you must not have children.’ However, they had a daughter around 2014. Following this, three security officers from the county’s social security office forcibly took the man to the county people’s hospital, where he underwent a forced sterilization surgery.”<sup>201</sup>

<sup>199</sup> ZFYRKW1930, P767JN1271, OT95801352, OH7UDE0809, O9FRZX1364, TEJTPQ1320, P767JN1271, SHS6WT0708, KRETDM0354, GIYH940147, 6MVBLO286, 6DAPH11220, OORIT62460

<sup>200</sup> P767JN1271

<sup>201</sup> KRETDM0354

Other violations against people with disabilities have been documented, including human experimentation and the killing of newborns with disabilities. A defector stated that in North Korea, individuals with intellectual disabilities could be sent somewhere for human experimentation with merely the family’s consent.<sup>202</sup> There was also a case where a newborn baby with a disability was killed immediately after birth, following consultations between the hospital and the family.

“I heard around 2014 that babies born with disabilities in the Pyongyang Maternity Hospital were immediately killed by laying them face down to prevent them from breathing, leading to death. This practice was reportedly carried out under the directives of the North Korean authorities, with decisions made after consultations between the hospital and the family member of the baby.”<sup>203</sup>

Some babies were forcibly taken for human experimentation without the consent of their families. In the lead-up to the 13<sup>th</sup> World Festival of Youth and Students in 1988, the authorities attempted to clear Pyongyang of disabled people, forcibly relocating them to other places. During this time, a person with polio was sent somewhere for human experimentation despite opposition from the family.<sup>204</sup> (Refer to IV-3-D. Human Experimentation.)

## **B. Situation Regarding the Rights of People with Disabilities**

### **(1) Lack of Mobility and Convenience Facilities**

Articles 9 and 20 of the CRPD urge States Parties to improve accessibility and ensure the right to mobility for people with disabilities. Despite this,

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<sup>202</sup> KJ7IFB2239

<sup>203</sup> BW8MUL2358

<sup>204</sup> ROD6PD2427

there have been no reports confirming the presence of facilities for disabled people in North Korea. According to testimonies by the family members of visually impaired individuals, no facilities were available for people with disabilities while they were in North Korea, forcing them to always rely on the assistance of their families for mobility.<sup>205</sup> There were no specialized equipment or accommodations to assist visually impaired people in navigating their living environments, including the apartment complexes designated for them to reside in. Moreover, these facilities reportedly suffer from poor maintenance and uneven ground surfaces when compared to other residential buildings.<sup>206</sup>

“In Hoeryong City, North Hamgyong Province, there was an apartment complex and a factory designated for visually impaired individuals. However, neither of these buildings was equipped with accessibility features. Close to my home, there was a three-story apartment designed for visually challenged residents where a friend from my secondary school lived. I visited once and discovered that, despite being intended for individuals with visual impairments, the building lacked an elevator. The apartments were studio units without separate rooms, and the residents had no choice but to live under such conditions.”<sup>207</sup>

## (2) Insufficient Treatment and Rehabilitation

North Korea claims to have made significant efforts in the treatment and rehabilitation of people with disabilities. Various organizations, including the Korean Federation for the Protection of the Disabled (KFPD), as well as the North Korean media, assert that they have developed and distributed assistive devices for rehabilitation purposes, offering these devices and

<sup>205</sup> 4C6RDC2348

<sup>206</sup> 2G5GFH2345, 4C6RDC2348, EX9Y9O1501

<sup>207</sup> 4C6RDC2348

services to all those in need.<sup>208</sup> Testimonies also spoke of a factory in Hamhung City, South Hamgyong Province, that is dedicated to producing accessibility tools such as wheelchairs, along with prosthetic arms and legs for disabled individuals.<sup>209</sup>

Despite these claims, evidence suggests that North Korea does not provide these essential devices and services free of charge. People with disabilities are required to obtain medical documentation from clinics or hospitals to purchase corrective devices.<sup>210</sup> Multiple testimonies indicate that the authorities have failed to provide free rehabilitation, medical devices, or any form of treatment support for the disabled.<sup>211</sup> There are even cases where an individual who was paralyzed from the waist down due to a workplace accident received no assistance.<sup>212</sup> There was only one testimony gathered by the Center of a worker who, after losing his legs in a mining accident, was provided with prosthetic legs at no cost.<sup>213</sup>

Meanwhile, there is testimony about a sanatorium in Rason City for people with disabilities, which focuses on supporting their health recovery. Operated by the city, this facility is not a hospital, but rather a place that aids in the recovery and care of people with disabilities. It is situated in an area with a high concentration of hospitals, and admission to the hospital is

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**208** “Since the new year, the Pyongyang Jangwon Technology Exchange Company has expanded the production of various orthotic components and aids with our own raw materials and supplies. Individuals with disabilities are enjoying the various orthotic components, plaster casts, and assistive aids produced by the company.” (Website of the KFPD, February 3, 2023)

“The KFPD has undertaken such mobile services as repairing prosthetic apparatuses and supplied wheelchairs, walking sticks, glasses, and other devices to more than 1,600 persons with disabilities. It has also sent ophthalmologic instruments and medical supplies to provincial people’s hospitals.” (KCNA, December 19, 2017)

**209** SOM57P0867

**210** SOM57P0867

**211** UAUGB22266, OJCPLC1523, 00RIT62429

**212** 1BQ5TD2458

**213** 5CB1UV1055

exclusively for people with disabilities.<sup>214</sup>

### (3) Education

North Korea hosts special schools dedicated to educating individuals with disabilities. These include schools specifically for those with hearing impairments and those with visual impairments. There are schools for those with hearing impairments located in Pyongyang, Hamhung City, and Kumya County in South Hamgyong Province; Chongjin City, Onsong and Musan Counties in North Hamgyong Province; Pongsan *Eup* in North Hwanghae Province; Wonsan City in Gangwon Province; and Unjon County in North Pyongan Province. Additionally, schools for people with visual impairments are found in Kangdong County in Pyongyang, Kyongsong County in North Hamgyong Province, and various regions in Gangwon Province.<sup>215</sup> The school for individuals with hearing impairments offers a comprehensive 10-year curriculum, ranging from the primary to senior secondary school levels, with classes conducted in sign language. These specialized institutions also feature dormitories, enabling students with disabilities from other areas to enroll in them and pursue their studies.<sup>216</sup>

“Around 2013, while serving in the military, I came across a school for individuals with hearing impairments in Unjon County, North Pyongan Province. The school was about the same size as other schools and also included a dormitory. I learned that it served as a national institution for all people with hearing impairments in North Korea, accommodating 30-50 students.”<sup>217</sup>

<sup>214</sup> 43Z03T0583

<sup>215</sup> DFFYXV2451, 13PN7Y2325, 00RIT62440, BACCUX1175, NML5921207, RRH58L0444, YSG3LR0684, 34VXQZ1185

<sup>216</sup> 13PN7Y2325, 4WV3391515, 34VXQZ1185

<sup>217</sup> 13PN7Y2325



“I have been aware of the Sambong School for students with hearing impairments in Onsong County, North Hamgyong Province, since 2005, and it is still operational. This school caters to individuals who are unable to speak, as well as those who are deaf or partially deaf. It offers education from primary through to senior secondary school, with all classes taught in sign language. A student from Chongjin City in North Hamgyong Province also attended this school and resided in the dormitory. In total, there were about 20 students enrolled.”<sup>218</sup>

**Figure VI - 7** Education for People with Disabilities in North Korea



\* (Sources) Yonhap News Agency, KCNA (May 2, 2018 / April 2, 2023)

Apart from a few specialized schools, most other educational institutions do not provide environments suitable for students with disabilities. There is a lack of evidence of any specialized classes or curricula designed for these students. Instead, a large number of testimonies note that students with disabilities merely registered their names at ordinary schools and participated in events such as graduation ceremonies, due to the absence of educational institutions for disabled students near their residences.<sup>219</sup>

“My sister, who had speech impairments and very poor vision, attended a regular school with me. My mother would register her name for school, but she only attended ceremonies.”<sup>220</sup>

<sup>218</sup> NML5921207

<sup>219</sup> S02DOL2356, Y6IKAG1297

<sup>220</sup> S02DOL2356

## (4) Work and Employment

North Korea has organized special workplaces for individuals with disabilities, assigning them based on their level of disability and capacity to work. These individuals are primarily assigned to “light-labor workplaces,” located in various regions including Mangyongdae and Sadong Districts in Pyongyang; Uiju County in North Pyongan Province; Wonsan City in Gangwon Province; Chongjin City, Onsong, Yonsa, and Musan Counties in North Hamgyong Province; Tanchon City and Kilju County in South Hamgyong Province; and Hyesan City in Ryanggang Province.

Workers with disabilities are given tasks suited to their abilities and provided with accommodations near their workplaces. In light-labor workplaces, workers primarily engage in crafting items such as watches, stamps, bags, metal compartments, tofu, noodles, and rice cakes, working six hours a day.<sup>221</sup> In addition, numerous testimonies indicate the presence of factories for workers who have visual impairments in Hoeryong City in North Hamgyong Province, Tanchon City in South Hamgyong Province, and Pakchon County in North Pyongan Province. These workers live in apartments designated for visually impaired individuals near their factory and produce a variety of items, including nails.<sup>222</sup>

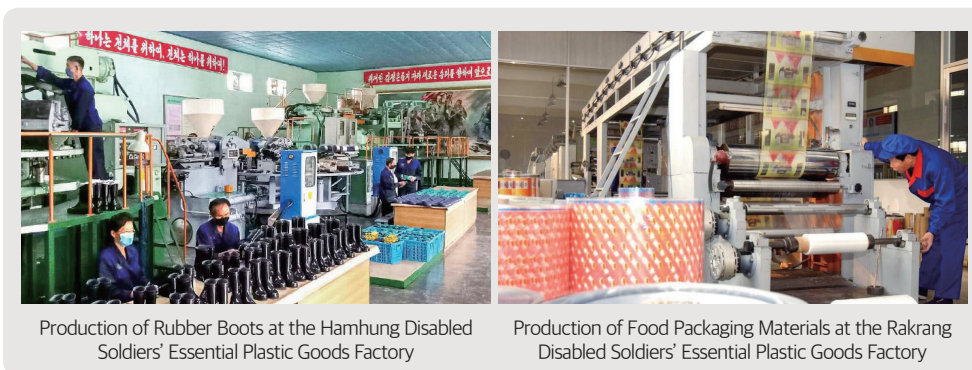
There are also factories designated for honorably discharged soldiers who left the military due to injuries they sustained while serving. These factories are found in Sadong and Sungyo Districts in Pyongyang, Chongjin and Hoeryong Cities in North Hamgyong Province, Hamhung City in South Hamgyong Province, Hyesan City and Unhung County in Ryanggang Province, and Hwapyong County in Jagang Province. The workers in these

<sup>221</sup> QOP5852319, SF33KT2347, QBLB242355, S02DOL2356, 1BQ5TD2364, 1BQ5TD2431, Y6IKAG1297, IWKAT01409, V0BOHH2087

<sup>222</sup> ZHAI9N1304, 4C6RDC2348, 0VTK0U1000, NI0H020501, 28RB3S0984, UYYAWM0821, EX9Y9O1501, 8YGEL01287

factories produce light industrial goods such as plastic items, plastic bags, musical instruments, school supplies, and disposable items.<sup>223</sup> According to defectors, these factories are indeed staffed by honorably discharged soldiers, although in some areas, disabled individuals who are not honorably discharged soldiers, or honorably discharged soldiers who are not physically challenged, also work in these factories.<sup>224</sup>

**Figure VI - 8** Honorary Discharged Soldiers Factories in North Korea



\* (Source) Rodong Sinmun (November 2, 2021 / January 18, 2014)

On the other hand, there are instances where people with disabilities work alongside non-disabled individuals in conventional workplaces. Those who are disabled but can perform tasks just as well as their non-disabled counterparts often work side by side with them. Testimonies indicate that such individuals have worked in watch repair shops, at steel mills where they handle inspections of materials and goods, and as barbers in barber shops.<sup>225</sup>

“In my workplace at the communications bureau, I had a colleague with impaired legs. Although we worked in different divisions, this colleague was assigned tasks that could be performed while seated. However, all their necessary accessibility equipment,

<sup>223</sup> YNNL9N2323, 00RIT62369, ROD6PD2386, 2RFYI80935, MF6QLT0846, X2BN9T0381, LJTQAS1561, FKJUWV0728

<sup>224</sup> KQ9C5Q2261, KG0US71554, AR6YF60940

<sup>225</sup> BW8MUL2358, 13PN7Y2325, JH41EW2327, Q5RDF42251

including their wheelchair and prosthetic leg, had to be purchased without any support from our superiors, which I personally witnessed.”<sup>226</sup>

## (5) Support for Living and Social Protection

Cases have been documented of the North Korean authorities providing individuals with disabilities with daily essentials, although there are also accounts indicating that living support and social security were lacking. Children of visually impaired individuals received sportswear and shoes, whereas clothes, socks, and firewood were sold at state-fixed prices.<sup>227</sup> Households with a disabled family member received fish every month, and students at schools for the hearing impaired received UN-supported uniforms, food, and school supplies.<sup>228</sup>

However, the distribution of international aid items has reportedly been inadequate. One defector closely involved with organizational personnel noted that donations from the international community, overseen by the KFPD, were not fairly allocated. Aid primarily reached disabled individuals in Pyongyang, with statements indicating that higher-quality items were often redirected by KFPD officials.

“The KFPD oversees activities related to people with disabilities, which includes distributing items donated by the international community. I knew that a significant amount of international aid was available. My close friendship with the chairman of the KFPD allowed me to use one of these support items. Although these items are intended for disabled individuals in Pyongyang, some are taken away despite oversight by monitoring teams. The chairman, a member of the Party, did not have a disability. The items I received from the chairman were indeed of good quality.”<sup>229</sup>

<sup>226</sup> 13PN7Y2325

<sup>227</sup> ZHAI9N1304

<sup>228</sup> SPN4BG1900

<sup>229</sup> YKDSNY2213

## (6) Cultural Life, Leisure, and Sport

North Korea emphasizes that people with disabilities enjoy various cultural and sports activities, highlighting its support to enable these individuals to showcase their abilities across various domains.<sup>230</sup> Upon Kim Jong Un's assumption of power, North Korea has made its debut at the London 2012 Paralympic Games and has hosted international parasports events.<sup>231</sup>

Yet, this showcase of progress primarily benefits a small group of disabled individuals in Pyongyang. For instance, in 2011, there were eyewitnesses of disabled athletes preparing for the Paralympic Games by training at Changkwangwon, the first swimming pool in Pyongyang.<sup>232</sup> In 2017, a performance organized by the KFPD was held with tickets being sold for USD 5. The show included pianists with disabilities and a wheelchair-bound dancer. However, it is believed that these performers were from Pyongyang's elite and did not represent the average North Korean resident. There has been a noticeable lack of testimonies on people with disabilities from ordinary income households or on cultural and sports activities for disabled individuals in rural areas.

“While working at a company, I was invited by the KFPD to attend a performance, with tickets priced at USD 5 each for Pyongyang residents. The show featured a visually impaired pianist and a dancer in a wheelchair. It was my first time seeing individuals with disabilities perform. I was deeply moved by their passionate performances,

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<sup>230</sup> UN Doc. A/HRC/27/10 (2014), para. 62.

<sup>231</sup> Since 2010, North Korea has held the Joint Celebrations on the Occasions of the International Day of Persons with Disabilities. It also participated in various international multisport events for athletes with disabilities, including the 2012 London Paralympics, the 2013 Asian Youth Para Games in Kuala Lumpur, the 2014 Asian Para Games in Incheon, the 2016 Paralympic Games in Rio de Janeiro, and the 2018 Paralympic Games in Pyeongchang. (Korea Institute for National Unification, “2023 White Paper on Human Rights in North Korea,” 2023, pp. 412-417.)

<sup>232</sup> YKDSNY2213

despite their disabilities. However, I later learned that the performers at this event were all financially well-off, embodying the distinctive traits of North Korea's wealthy residents. Such a lifestyle is beyond the reach of ordinary residents."<sup>233</sup>

**Figure VI - 9** People with Disabilities in North Korean Events



Asian Games Village Welcomes Athletes with Disabilities (Jakarta, October 2018)

Children's Day Celebration Gathering for Children with Disabilities (Pyongyang, June 2019)

International Day of Persons with Disabilities (Pyongyang, December 2022)

\* (Sources) Korean Paralympic Committee (October 4, 2018), KCNA (June 2, 2019 / December 5, 2022)

## (7) Support for Honorably Discharged Soldiers

Compared to other individuals with disabilities in North Korea, honorably discharged soldiers with disabilities receive relatively consistent support from the authorities. Testimonies have indicated that those honorably discharged from the military due to disabilities tend to receive preferential treatment in terms of support and social security, compared to the general disabled population.<sup>234</sup> Honorably discharged soldiers are categorized into four classifications: Special Class, Class 1, Class 2, and Class 3,<sup>235</sup> with the level of support varying by classification.

Special Class honorably discharged soldiers are entitled to more substantial benefits, including a broader range of jobs to choose from and a regular supply of rations. They have the freedom to choose any job and

<sup>233</sup> DEJ6ST2342

<sup>234</sup> 8B5CA02248, 030VQT1021, 4902BC0526, VZV8V11352

<sup>235</sup> "Special Class" refers to individuals who are part of the state's special forces or those who have performed special duties. Apart from these cases, injuries are classified into grades 1 to 3, depending on the severity of the injury.

receive regular allocations of food rations, medicine, basic necessities, and heating support. They can also request assistance from local Workers' Party offices as needed.<sup>236</sup> A family member of an honorably discharged soldier recounted that her family received adequate support from the authorities and sponsoring organizations, including food, medicine, basic necessities, and heating.

"Honorably discharged soldiers of the Special Class and Class 1 receive housing and regular food rations. During the holidays, the Pharmacy Management Office distributes medications, while the Commercial Management Office offers soap, toothbrushes, 1kg of bean sprouts, a bag of snacks, a bottle of liquor, socks, and face towels. Should they require additional assistance, they can approach the provincial party office with their requests. Furthermore, there are organizations dedicated to supporting these soldiers. For example, they are provided with firewood during the winter. These veterans are entitled to 40 days of medical treatment and care annually at the provincial hospital in Chongjin City, North Hamgyong Province. During their stay in the hospital, they are served rabbit stew, receive plasma injections, and undergo thorough examinations and treatments."<sup>237</sup>

Honorably discharged soldiers receive a regular pension, but it seems to be insufficient for their living expenses. A defector stated that they were awarded a monthly pension of KPW 1,700, with an additional KPW 5,000 provided on the Day of the Sun (Kim Il Sung's birthday) ostensibly for health supplements, but it did not provide much help.<sup>238</sup> Another defector noted that the only benefit of being an honorably discharged soldier was the ability to purchase bus tickets at a state-fixed price.<sup>239</sup> A Korean War veteran who was discharged from military service for family reasons received 600g of rice

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<sup>236</sup> FKKX6E1650, SV1VF51264

<sup>237</sup> SV1VF51264

<sup>238</sup> U61S652293

<sup>239</sup> H904R61479

and a very small amount of money each month as part of a special policy to prioritize the needs of war veterans.<sup>240</sup>

Meanwhile, there are also testimonies of corruption in the process of registering as an honorably discharged soldier. Even an individual discharged due to service-related injuries struggled to gain eligibility for the title.<sup>241</sup> A former soldier recalled being asked for a bribe by a military doctor in exchange for a certificate confirming her status as an honorably discharged soldier.<sup>242</sup> Moreover, physical disabilities resulting from military service often led to a lack of support or benefits, as individuals could not secure their registration as honorably discharged soldiers.

“While serving in the military in Yangdok County, South Pyongan Province, I had an accident where I fell down a mountain and hit my head on a rock. Although there were no visible injuries, I occasionally suffered from severe headaches due to the acute pain. Struggling to cope with the aftereffects of a brain injury which left me unable to work under normal conditions, I was discharged from the military. Despite my injuries sustained in the military, I received neither additional medical expenses nor compensation. Frankly speaking, I am not even sure if a compensation system exists for such cases. It seems that only severe injuries result in soldiers being discharged with an honorary title.”<sup>243</sup>

In addition, there have been instances where non-disabled women were forcibly married to honorably discharged soldiers. In a society that praises and compliments the achievements of honorably discharged soldiers, the North Korean authorities actively promote marriages to non-disabled women. North Korean residents refer to this as a “forced marriage.” Several

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<sup>240</sup> ROD6PD2427

<sup>241</sup> DA992K1308

<sup>242</sup> MLKH5C1222

<sup>243</sup> JX4VIJ2218



defectors have mentioned that, in the 1990s, many women were required to marry honorably discharged soldiers on orders from the authorities.<sup>244</sup>

“In North Korea, honorably discharged soldiers who have become ‘disabled’ are hailed as ‘patriots.’ Women are encouraged to marry these men and care for them as such. Those who marry honorably discharged soldiers are expected to take good care of their husbands and make untold sacrifices for them. I was also married to an honorably discharged soldier at the age of 21 and had to make endless sacrifices for my husband. These men often have troubled personalities, venting their frustration over their disabilities to their wives. As a result, many wives of honorably discharged soldiers, myself included, suffer abuse from their husbands.”<sup>245</sup>

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<sup>244</sup> MAV6AE2392, 8IUFR2361, 8CWCD32231, F4JAJX0874, TUSZ2M2104

<sup>245</sup> F4JAJX0874





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