

# A Human Rights-based Approach to the SDGs in the DPRK

CSO SPOTLIGHT REPORT 2021



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# **A Human Rights-based Approach to the SDGs in the DPRK: Focusing on vulnerable groups and calling for collective efforts in times of COVID-19**

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The organizations responsible for writing each chapter of the spotlight report are as follows:

## **17 SDGs and North Korea**

*Database Center for North Korean Human Rights (NKDB)*

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The Database Center for North Korean Human Rights (NKDB) is a non-political, non-religious, non-profit, non-governmental organization that was established in 2003 in Seoul, South Korea. Since its establishment, the organization has dedicated its work primarily on the investigation and documentation of human rights abuses perpetrated in the DPRK against the North Korean people. The information collected by NKDB's researchers is stored in NKDB's Unified Human Rights Database, which as of June 2020 contains 78,798 cases of violations and information about 48,822 individuals related to them (victims, perpetrators, witnesses, etc.) NKDB works towards the improvement of North Korean human rights through a variety of ways including data collection and analysis, monitoring, resettlement support, psychological counseling, as well as advocacy efforts to raise international awareness of the human rights situation in North Korea.

## **Vulnerable Groups: Children**

*People for Successful COrean REunification (PSCORE)*

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PSCORE's ultimate mission is to ensure the successful, secure, and sustainable reunification of the Korean Peninsula through inter-lateral cooperation and well-structured policies. PSCORE aims to empower North Korean refugees through our education programs and provide the necessary tools for them to become self-sufficient in their new societies. Since its founding in 2006, PSCORE has been an active and outspoken advocate for the promotion of human rights in North Korea. Since 2012, it has held special consultative status with the UN Economic and Social Council (ECOSOC).

## **Vulnerable Groups: Women**

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Founded in Seoul in 1996, NKHR is the world's first and oldest NGO devoted fully to the advancement of human rights in North Korea. NKHR has played a significant role in making the North Korean human rights issue known internationally by organizing international conferences worldwide partnering with media, filmmakers, artists, and authors to spread awareness about human rights violations in North Korea and establishing an international network of NGO to influence government policymakers and the United Nations.

## **Vulnerable Groups: Persons with Disabilities**

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HILC is an academic research institute based in the Republic of Korea. HILC has been conducting human rights and development research with particular emphasis on vulnerable groups (women, children and persons with disabilities) in order to promote human rights, democracy and rule of law in accordance with the United Nations Sustainable Development Goals. HILC strives to bring justice and dignity for all.

## **Building a Peaceful and Inclusive Society for Sustainable Development by Ending Exploitation and Corruption**

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ONK is the secretariat of ICNK (International Coalition to Stop Crimes against Humanity in North Korea), which was established in 2011. ONK led the ICNK activities which contributed to the establishment of the UN Commission of Inquiry on the human rights situation in the DPRK in March 2013, up until the COI was formally established. Since then, ONK has worked for the implementation of various recommendations made by the COI, targeting the UN and other stakeholders. Its major activities include media outreach and advocacy targeting the UN relevant mechanisms and relevant states with diplomatic relations with North Korea.

*Unification Academy (UA)*

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UA was established to create an innovative space for active exchange of ideas on unification in the Korean Peninsula. UA works towards developing a creative education system that fosters social consensus on unification and improvement of human rights in North Korea. As a member of the International Coalition to Stop Crimes against North Korea (ICNK), UA has utilized the worldwide network of ICNK, and cooperates with Korean NGOs working for humanitarian agendas and SDGs and North Korean human rights organizations and creates innovative agendas about North Korea for research and advocacy.

# EXECUTIVE SUMMARY

The government of the Democratic People’s Republic of Korea (DPRK) has committed to present its first Voluntary National Report (VNR) at the HLPF on July 13, 2021. While this commitment to the active implementation of the SDGs is significant, actual accountability on the ground in the country is not guaranteed when the flow of information into, out of and within the DPRK is tightly controlled. With almost no space for a civil society that is capable of independently reporting on the country’s situation to the outside world, it is technically impossible for its VNR to be held accountable by its own citizens. To fill this critical gap, several South Korean CSOs advocating for human rights in the DPRK pooled their research to spotlight the voices of the North Korean people, especially those belonging to the most vulnerable groups.<sup>1</sup>

This report also aims to raise key issues affecting these groups that must be addressed to ensure meaningful progress towards SDGs in the DPRK. Recognizing that protecting human rights and achieving the SDGs are mutually reinforcing, this report takes a human rights-based approach to analyze the state of SDG implementation in the DPRK, by comparing relevant SDG targets against the recommendations accepted by the UN human rights mechanisms and domestic laws pertaining to the rights of vulnerable groups. The research in this report draws on interviews and surveys with North Korean people who recently left North Korea, which were cross-checked with other reliable sources of information about North Korea. Information was also gathered from data made available by the DPRK Government itself, to assess the DPRK’s understanding of its own progress towards completing the SDGs and to identify any gaps in their efforts. Though more research is needed, this work provides an important baseline to better understand the actual lived experiences of North Korean citizens.

**17 SDGs and North Korea.** The first section of this report charts the DPRK’s overall progress on the 17 SDGs, which has been severely compromised by the outbreak of COVID-19. Though the effect of the pandemic on the North Korean population, and vulnerable groups in particular, is difficult to estimate—particularly because the DPRK Government has continued to claim that there are no COVID-19 cases in the country—the pandemic has greatly exacerbated the existing, considerable challenges facing the DPRK in terms of social and economic development, especially in terms of addressing the needs of vulnerable groups.

**SDGs and Vulnerable Groups of People.** The next section of the report explores the specific challenges and human rights violations experienced by persons with disabilities, women and children. First, while it is noteworthy that the DPRK ratified the Convention on the Rights of

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<sup>1</sup> This report was authored by the Database Center for North Korean Human Rights (NKDB), Handong International Law Centre (HILC), Citizens’ Alliance for North Korean Human Rights (NKHR), People for Successful COrean REunification (PSCORE), Open North Korea (ONK) and Unification Academy (UA), with the support of the National Democratic Institute (NDI).



Persons with Disabilities (CRPD) in 2016, more work is needed to secure the right to family life, the right to freedom of movement, the right to health and the right to survival, the right to education, and gender equality for persons with disabilities (PWD). Each of these rights are threatened under the current implementation (or lack thereof) of the DPRK's national legal frameworks for PWD. Though the rights of people living with disabilities are protected in theory, in practice they face considerable social isolation and restrictions on their bodily autonomy.

As with PWD, there is a disconnect between the protections enshrined in DPRK national law and their actual implementation when it comes to women's rights. On the whole, North Korean women simultaneously face limited opportunities for education and formal employment as well as the added societal expectation that they should shoulder the burden of caregivers for their families. These factors explain women's over-representation in the informal, private market, which leave them vulnerable to sexual assault and poor working conditions. Women's health issues are also severely under-addressed in the country, particularly when it comes to sexual and reproductive health and rights.

Finally, children in the DPRK regularly experience violence at home and at school, as well as forced labor and consistent interruptions to their education stemming from their participation in agriculture mobilizations and the difficulty of paying school bribes. As a result, children's rights to food and health are severely threatened by the impact of exploitative government policies as well as widespread poverty in the country. As with PWD and women, children's lived experiences in the country stands in stark contrast to their legislative protections on paper.

**Ending Exploitation and Corruption.** The final analysis section reviews the roots of exploitation and corruption in the DPRK, as well as the ways in which it serves as a barrier to achieving the SDGs, to contextualize the broader environment in which vulnerable groups' rights are violated. Critically, new policies from the DPRK Government to curb exploitation and corruption have mainly led to restrictions on people's cultural and economic lives, as well as further limitations to their freedom of expression and thought, rather than addressing the roots of exploitation and corruption. Forced labor, expectations of gift-giving to the political elite around holidays, and the mobilization of children to cooperative farms are only a few examples of how exploitation and corruption not only threaten the well-being and human rights of North Korean citizens, but also the DPRK's economic and social development as a whole.

The SDGs are a transformative roadmap for development that relies on the commitment and partnership from both the DPRK Government and other stakeholders to achieve the goals in the country. With this in mind, this report concludes with recommendations for the DPRK government, the Republic of Korea Government, CSOs and INGOs working in the DPRK, and the international community. Above all, a commitment to transparency and accountability from the DPRK, and the centering of aid to DPRK in a rights-based approach from external stakeholders, are critical to ensuring that no one is left behind.

# INTRODUCTION

## Purpose of the Spotlight Report

### *Making the voices of the most vulnerable groups in North Korea heard*

The government of the Democratic People's Republic of Korea (DPRK) has committed to present its first Voluntary National Report (VNR) at the HLPF on July 13, 2021. The government expressed its full support of the 2030 Agenda and welcomed opportunities for bilateral and multilateral cooperation with the international community to achieve the Sustainable Development Goals (SDGs).

While this commitment to the active implementation of the SDGs is significant, actual accountability on the ground in the country is not guaranteed when the flow of information into, out of and within the DPRK is tightly controlled. With almost no space for a civil society that is capable of independently reporting on the country's situation to the outside world, it is challenging for the international community to understand what is going on inside one of the most isolated countries on earth. As a result, the DPRK's closed civic space makes it technically impossible for its VNR to be held accountable by its own citizens. To fill this critical gap, several South Korean CSOs advocating for human rights in the DPRK pooled their research to spotlight the voices of the North Korean people, especially those belonging to the most vulnerable groups. This report also aims to raise key issues affecting these groups that must be addressed to ensure meaningful progress towards SDGs in the DPRK.

## Methodology

During the period of April to June 2021, five Seoul-based CSOs and one academic research institute formed a working group in preparation of the 2021 HLPF and held multiple consultative meetings to discuss the scope and key issues to be addressed in the spotlight report.

Recognizing that human rights and SDGs are mutually reinforcing, this report takes a human rights-based approach to the SDGs in North Korea. It explores the linkages between the SDGs and human rights by comparing relevant SDG targets against specific recommendations accepted by the DPRK through the Universal Periodic Review (UPR) process, human rights treaties that the DPRK has ratified, and domestic laws pertaining to the rights of vulnerable groups.

The review of the DPRK's SDG implementation was conducted based on the working group members' previous research relating to the human rights situation in North Korea. The research is primarily based on interviews and surveys with North Korean people who recently left North

Korea. This report acknowledges the limitation that the source of information cannot scientifically represent the whole North Korean population. To ensure the reliability of data, however, the findings of the report were cross-checked with other reliable sources of information about North Korea, including those from the UN Country Team in the DPRK, human rights and humanitarian organizations working on North Korean issues and other research institutions. Information was also gathered from data made available by the DPRK's central media outlet and official statements by the DPRK government to assess the DPRK's understanding of progress towards completing the SDGs and to identify any gaps in their efforts. Finally, this CSO spotlight report provides recommendations for both the DPRK government and the international community, thereby calling for collective efforts to ensure that no one is left behind in the DPRK's progress towards sustainable development.

# 17 SDGs AND NORTH KOREA

By Database Center for North Korean Human Rights (NKDB)

North Korea's commitment to the 2030 Agenda was an important milestone for both the North Korean government and the international community. It has created a framework in which various stakeholders can work on the collective goal of a better and more sustainable future for all. While North Korea has committed to all 17 SDGs, there has been a greater focus on the 'Planet' and "Prosperity" SDGs<sup>2</sup> in its reporting, with a weak human rights-based approach. The North Korean government continues to invest its resources to the most politically loyal, and the most vulnerable are not part of the mainstream discourse.

## *17 SDGs and COVID-19 in North Korea*

On January 23, 2020, the Democratic People's Republic of Korea became the first country in the world to shut its borders in response to COVID-19. To this day, the North Korean government claims that it has no coronavirus cases. However, it is also known that North Korea is rife with existing infectious diseases that go untreated and that the collapsed healthcare system makes it difficult to detect them. Thus, it is highly probable that North Korea does not have the infrastructure to make COVID testing available which means that even North Korean authorities do not know exactly how much the virus has spread within the country. Progress on all 17 SDGs has been compromised as a result, as the following sections will illustrate. Specifically, the aggressive measures to contain the virus has led to shutting down its borders with China, deepening the diplomatic and economic isolation from the rest of the world (SDG 10, SDG 17). With the closing of the borders, humanitarian workers have left the country, which means that projects for climate change (SDG 13), children (SDG 2, 3, 4, 5, 6) and ecosystems (SDG 15) are all at a standstill. The pandemic has exposed the cracks that already existed in the North Korean healthcare system (SDG 3), while also allowing the government to tighten its control over its people (SDG 16). In April 2021, North Korean leader Kim Jong Un stated that the country was facing a dire economic situation and it should be ready to "wage another more difficult 'Arduous March'" (SDG 2).<sup>3</sup> As the country remains closed and no independent sources can verify the situation on the ground, it is difficult to know the exact impact that the pandemic has had on the country. As the world begins to open up new strategies, adjustments and

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<sup>2</sup> The 17 Sustainable Development Goals can be categorized into the five Ps to better assess the 17 goals: People, Planet, Prosperity, Peace and Partnership.

<sup>3</sup> "Respected Comrade Kim Jong Un Makes Closing Address at Sixth Conference of Cell Secretaries of Workers' Party of Korea," *KCNA Watch*, September 4, 2021, <https://kcnawatch.org/newstream/1617920275-776284784/respected-comrade-kim-jong-un-makes-closing-address-at-sixth-conference-of-cell-secretaries-of-workers-party-of-korea/?t=1625732694913>.

resources must be adapted and managed to ensure that the most vulnerable groups in North Korea are protected in the post-COVID-19 world.

### ***SDG 1 : End poverty in all its forms everywhere***

As a self-proclaimed socialist state, North Korea has claimed that it has a comprehensive social protection system in place with legislative and policy measures to ensure that the North Korean people are able to have an affluent life with decent food, clothing and housing. Additionally, at the Multistakeholder Forum in 2019, the DPRK stated that SDG 1 is in line with government policy and that the public supply and distribution system (PSDS) covers all households in the country. The government has highlighted measures for the care and education of children without parents and children living in remote rural areas and disaster-stricken areas (SDG 1.2, 1.3, 1.4).<sup>4</sup> However, the problem of *kkotjebi* (street orphans) is still rife in North Korea—even when orphans are given access to accommodations, they run away because of the poor facilities and environments, harsh discipline and poor meals.<sup>5</sup>

### ***SDG 2 : End hunger, achieve food security and improved nutrition and promote sustainable agriculture***

The DPRK has had a difficult history in terms of providing sufficient food for its citizens, especially during the great famine, also known as the “Arduous March” of the late 1990s. North Korea’s food shortages can be traced back to its mountainous terrain, traditional farming methods, lack of agricultural inputs and changing weather patterns. In spite of these obstacles, Kim Jong Un has been pursuing reform since his rise to power. As such, the food situation is significantly more secure than it was in the 2000s. Nonetheless, the North Korean government has been candid about the presence of stunting and malnutrition among children under 5 years of age and how their progress is “off-track” (SDG 2.2).<sup>6</sup> Moreover, while the North Korean government continues to claim that the public supply and distribution system provides a daily food ration for the entire population, the reality is that 40% of the population is suffering from a food shortage.<sup>7</sup> Those who receive food rations are generally those who are affiliated with the military and/or state officials. Households will also receive a few kilograms of corn during national holidays, such as Kim Il Sung’s birthday. The stagnant ration system that remains in place today deepens the divide between those who are considered to be “loyal” to the regime

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<sup>4</sup> United Nations, General Assembly, *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Democratic People’s Republic of Korea*, February 20, 2019, a/HRC/WG.6/33/PRK/1, para 65.

<sup>5</sup> Hanna Song, *A Second Chance: North Korea’s Implementation of its Recommendations during its Second Universal Periodic Review* (Seoul: Database Center for North Korean Human Rights, 2019), 75.

<sup>6</sup> Democratic People’s Republic of Korea, “Presentation of the Implementation of SDGs in DPR Korea North-East Asian Multistakeholder Forum,” Vladivostok, October 15-16, 2019.

<sup>7</sup> FAO-WFP, *FAO/WFP Joint Rapid Food Security Assessment: Democratic People’s Republic of Korea* (Rome: FAO-WFP, 2019), 11.

and others; this is a direct violation of North Korea's pledge to make efforts to provide access by all people (SDG 2.1).<sup>8</sup>

### ***SDG 3: Ensure healthy lives and promote well-being for all at all ages***

The universal healthcare system in North Korea is a system that is widely promoted in its state media and reporting to the international community. However, research with North Koreans who have left the country over the years have shown that the system has collapsed and is inefficient. It has become difficult to secure medicine and medical supplies, so the small amount of medicine supplied is given mainly to people living in Pyongyang and state officials, or some of the poorest in-patients who are unable to afford any alternative. In other cases, self-sufficient measures were implemented, such as patients bringing their own medicine or medical supplies. In this process, people started to buy and sell the medicine at black market. Additionally, discrimination in access to medical facilities and services is a growing problem. While clinics may be physically accessible, the quality of medical service is very poor due to the lack of medical equipment for diagnosis as well as medicine for treating illnesses (SDG 3.8).<sup>9</sup> Moreover, North Korea is still vulnerable to contagious diseases, including tuberculosis and malaria. The WHO listed North Korea as one of the states with the most severe tuberculosis status (SDG 3.3).<sup>10</sup>

### ***SDG 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all***

North Korea's 12-year universal compulsory free education is another one of the country's proud ventures, but its benefits do not extend to all equally. The *songbun* system<sup>11</sup> affects North Koreans and their education opportunities. Students are given opportunities to advance academically depending on their family background and expressions of political loyalty, not their own academic performance. Only those with "good *songbun*" are given the opportunities for quality technical, vocational and tertiary education (SDG 4.3). Additionally, children with disabilities are still excluded from receiving appropriate education services, especially in rural areas (SDG 4.5). In education, North Korea has a comprehensive infrastructure with extremely high literacy rates (SDG 4.6),<sup>12</sup> but there is still a concern about the quality of education, due to the highly politicized nature of the curriculum. Education focuses on the Kim leadership, with an aim to instill anti-U.S. and anti-Japanese sentiment in order to maintain its dictatorship and inspire integral unity (SDG 4.7).

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<sup>8</sup> Hanna Song, *A Second Chance*, 142.

<sup>9</sup> Soonhee Lim, *UN Sustainable Development Goals and Human Rights SDG 3: The Right to Health in North Korea*, (Seoul: Database Center for North Korean Human Rights, 2019), 11.

<sup>10</sup> WHO, *Global Tuberculosis Report 2018* (Geneva: World Health Organization, 2018), 1.

<sup>11</sup> North Korea's sociopolitical classification that determines the status of North Korean citizens based largely on their family's perceived loyalty to the government.

<sup>12</sup> Central Bureau of Statistics of the DPR Korea and UNICEF, *2017 DPR Korea Multiple Indicator Cluster (MICS) Survey Findings Report* (Pyongyang: Central Bureau of Statistics and UNICEF, 2017), 7.

### ***SDG 5: Achieve gender equality and empower all women and girls***

North Korea remains a highly patriarchal society in which discrimination between genders is seen from a young age, as girls in North Korea learn that they are not equal to boys. It is seen everywhere in schools, where boys are almost always made leaders and male teachers usually make decisions in schools despite the fact that the majority of teachers in schools are women (SDG 5.1).<sup>13</sup> While the DPRK government states that men and women are given equal economic rights, in reality only men are considered to be the “head of the household” and that overall, family life is decided and centred around the male head of the household, despite the fact that women have become breadwinners of the family (SDG 5.a).<sup>14</sup> Moreover, women are easily exposed to domestic or sexual violence, but there is no social institution to assist such victims (SDG 5.2).<sup>15</sup>

### ***SDG 6: Ensure availability and sustainable management of water and sanitation for all***

Clean and safe drinking water remains a goal that the North Korean government has been working towards for many years. As was stated in both the Strategic Framework and its presentation at the Multistakeholder forum, the government has been seeking to strengthen international cooperation for protection and sustainable development of water resources. Access to piped water still remains a concern, especially for schools, health facilities and nurseries (SDG 6.1).<sup>16</sup> Additionally, as sanitation facilities are not connected to a sewage system, human excrement is not disposed of properly. Many households use on-site sanitation facilities that involve the unsafe disposal of excreta, or facilities that can be referred to as open defecation environments. Moreover, the use of human excreta to make compost manure has a negative impact on the health and nutritional status of the population (SDG 6.2).<sup>17</sup>

### ***SDG 7: Ensure access to affordable, reliable, sustainable and modern energy for all***

The North Korean government has stated that it is their top priority to ensure access to reliable, sustainable and modern energy for all and that the proportion of the population using clean fuel and technologies remains low and off-track (SDG 7.1).<sup>18</sup> Nearly 90% of North Koreans still

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<sup>13</sup> Human Rights Watch, “*You Cry at Night but Don’t Know Why*,” *Sexual Violence against Women in North Korea* (New York: Human Rights Watch, 2018), 27.

<sup>14</sup> Kyu-chang Lee et al., *White Paper on Human Rights in North Korea 2020*, (Seoul: Korea Institute for National Unification, 2020), 401.

<sup>15</sup> Hanna Song, *A Second Chance*, 57.

<sup>16</sup> Central Bureau of Statistics of the DPR Korea and UNICEF, *2017 DPR Korea MICS Survey Findings Report*, 157.

<sup>17</sup> UN Country Team and National Coordinating Committee Ministry of Foreign Affairs, *The UN Strategic Framework 2017-2019* (Pyongyang: UN Country Team and Ministry of Foreign Affairs, 2017), 19.

<sup>18</sup> Democratic People’s Republic of Korea, “Presentation of the Implementation of SDGs in DPR Korea North-East Asian Multistakeholder Forum,” Vladivostok, October 15-16, 2019.

primarily rely on polluted fuels and technology for cooking.<sup>19</sup> Due to the chronic lack of electricity in the country, North Korean people constantly experience power outages, which are quite regular even in Pyongyang. The unreliable supply of electricity affects all areas of life in the country. It affects the ability to maintain personal and public hygiene, the proper operation of essential facilities such as hospitals and schools, as well as production in factories.

### ***SDG 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all***

According to the Bank of Korea's statistics, North Korea's economy has grown since Kim Jong Un took power, with the biggest economic growth being driven by the service sector. However, it is difficult to see the real growth of the economy as it does not reflect the impact of marketization, which has expanded extensively over the past decade (SDG 8.1).<sup>20</sup> Despite the large role that the informal sector plays in boosting North Korea's economy, people are exposed to prosecution and corruption when they engage in rudimentary market activity.<sup>21</sup> Moreover, one in every 10 people living in North Korea are forced into modern slavery, which is used to prop up the repressive regime and keep its population under tight control. Children and adults are forced to work unpaid through "mobilizations" in agriculture or construction. Adults were sometimes forced to work 70 to 100 days in a row, and faced punishment or decreased food rations if they disobeyed orders (SDG 8.7).<sup>22</sup>

### ***SDG 9: Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation***

The North Korean government has placed a great deal of importance on technology, with editorials highlighting the vital role that science and technology should play in education. North Korea has emphasized science and technology for decades and it has always been closely tied to the development of the national economy. However, the use of technology, and in particular the Internet, is extremely limited in North Korea, and is only made available to high-ranking officials and other designated elites (SDG 9.c).<sup>23</sup>

### ***SDG 10: Reduce inequality within and among countries***

At the most basic level, the *songbun* system has led to pervasive discrimination and growing inequalities between groups in North Korea. The *songbun* system divides the North Korean

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<sup>19</sup> Central Bureau of Statistics of the DPR Korea and UNICEF, *2017 DPR Korea MICS Survey Findings Report*, 82.

<sup>20</sup> Young-Ja Park et al., *Eight Changes in North Korean Economy and Society under the Kim Jong Un Regime* (Seoul: Korea Institute for National Unification, 2018), 15.

<sup>21</sup> OHCHR, *The price is rights: The violation of the right to an adequate standard of living in the Democratic People's Republic of Korea* (Seoul: Office of the United Nations High Commissioner for Human Rights, 2019).

<sup>22</sup> Remco E. Breuker and Imke van Gardingen, *Pervasive, Punitive, and Predetermined: Understanding Modern Slavery in North Korea* (Netherlands: Walk Free Foundation, 2017).

<sup>23</sup> Amnesty International, *Connection Denied: Restrictions on Mobile Phones and Outside Information in North Korea* (London: Amnesty International, 2016).



people into three broad classes: core, wavering and hostile. Based on their class, North Koreans face inequalities within society in regards to residency, occupation, access to food, health care, education, and other services. In combination with economic resources, discrimination based on one's *songbun* determines one's chances to advance to tertiary education and chances of being admitted to specific universities (SDG 10.3).<sup>24</sup> Additionally, while in the past it was those who had family originally from South Korea who faced discrimination, now those whose family have defected to South Korea also face additional human rights violations, such as surveillance and wire-tapping. There are also major obstacles blocking the road for equal opportunities for women and people with disabilities. In the absence of legislation ensuring the civil rights of people with disabilities, discriminatory practices that amount to serious human rights violations were routinely committed by DPRK authorities against groups with specific disabilities, such as the freedom of movement and residence (SDG 10.2).<sup>25</sup>

### ***SDG 11: Make cities and human settlements inclusive, safe, resilient and sustainable***

The North Korean government has claimed that access to adequate, safe and affordable housing is provided to all according to article 25 (3) of the Socialist Constitution of the Democratic People's Republic of Korea (SDG 11.1). However, like many other sectors in North Korea, the economic collapse during the Arduous March has led to marketization and housing becoming private property. While house sales are illegal, transactions are made among individuals by paying bribes to relevant state officials.<sup>26</sup> As a result, only those who have the economic means to pay the hefty bribes are able to have the freedom to exercise their right to housing. This system has additionally led to a rise in corruption. In recent years, Kim Jong Un has stressed the importance of housing construction and called it one of the urgent problems to improve the citizens' standard of living.<sup>27</sup> Often, these construction projects are carried out by women, children and soldiers in dangerous working conditions for little to no financial compensation.<sup>28</sup>

### ***SDG 12: Ensure sustainable consumption and production patterns***

While the North Korean government has reported on responsible consumption and production regularly in its state media, North Koreans' awareness of sustainable development and lifestyles is low (SDG 12.8). The unsustainable use of natural resources in North Korea contributes to the low quality of life for North Korean citizens. As a result of increased

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<sup>24</sup> Kyu-chang Lee et al., *White Paper on Human Rights in North Korea 2020*, 20.

<sup>25</sup> Sunyoung Choi, Jina Yang, Hanna Song and Nakyeong Lee, *The UN Universal Periodic Review and the DPRK: Monitoring of North Korea's Implementation of Its Recommendations* (Seoul: Database Center for North Korean Human Rights, 2017), 87.

<sup>26</sup> Kyu-chang Lee et al., *White Paper on Human Rights in North Korea 2020*, 532.

<sup>27</sup> Sangmi Cha, "North Korea's Kim renews call for rapid housing construction - KCNA," *Reuters*, April 1, 2021, <https://www.reuters.com/article/us-northkorea-economy-idUSKBN2BN3NR>.

<sup>28</sup> Hanna Song, *A Second Chance*, 76.

population density in North Korea, there has been an increase in the rate of deforestation as people use wood for heating and cooking, especially in rural areas. The unscientific timber extraction has led to soil loss, which is linked to less arable land and lower agricultural outputs, which in turn has led to major post-harvest loss (SDG 12.2).<sup>29</sup>

### ***SDG 13: Take urgent action to combat climate change and its impacts***

Historically, North Korea has been affected by natural disasters, mostly floods and droughts which has affected the reduction of agricultural production, destruction of infrastructure, and degradation of soil and water resources. In terms of climate action, the North Korean government has made many efforts internationally by becoming a State Party to several of the most important environmental conventions. However, the country struggles to implement the commitments it has made under such strategies. At the Multistakeholder Forum in 2019, the DPRK stated that it had plans to implement the National Disaster Reduction Strategy (NDRS), National Environmental protection Strategy (NEPS), national GHG emission reduction plan and National Climate Change Adaptation Strategy (SDG 13.2).<sup>30</sup> At the local level, there seems to be little awareness of climate change, though international organizations have made efforts to increase environmental awareness amongst their partners in projects that are carried out in North Korea (SDG 13.3).<sup>31</sup>

### ***SDG 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development***

While the DPRK pledges to conserve and sustainably use the oceans, seas and marine resources, there are concerns about the deteriorating water quality and overfishing in the push for economic development. Though the North Korean leader has issued strict orders and legal regulations to North Korean fishermen for the sustainable use of fishery resources, the DPRK allows Chinese fishing boats to pay to fish in the East Sea waters. Despite the UN sanctions imposed in 2017, which forbids North Korea from selling its fishing rights in its waters for foreign currency, the number of Chinese fishing boats has increased greatly. China's vast fishing fleet in North Korea is problematic from a conservation perspective, as the boats descend deep into the sea, leading to the serious depletion and devastation of fishing grounds in North Korea's waters (SDG 14.4, 14.6).<sup>32</sup>

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<sup>29</sup> UN Environmental Programme, *Democratic People's Republic of Korea Environment and Climate Change Outlook*, (UNEP: 2012), 67.

<sup>30</sup> Democratic People's Republic of Korea, "Presentation of the Implementation of SDGs in DPR Korea North-East Asian Multistakeholder Forum," Vladivostok, October 15-16, 2019.

<sup>31</sup> Hanns Seidel Foundation Seoul Office, *Our Work in 2019 (Annual Report)* (Seoul: Hanns Seidel Foundation, 2019), 1.

<sup>32</sup> Inju Yoon, "Conservation and Sustainable Use of North Korea's Marine Ecosystem," in *Development Cooperation in North Korea and the Sustainable Development Goals*, ed Jiyeon Park (Seoul: Korea Association of International Development and Cooperation), 483.

### ***SDG 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss***

Excessive deforestation in North Korea has been a concern for the government, which in turn has led to many initiatives by the government to strengthen sustainable forest management as well as research on ecosystems, forests and biodiversity. The government has been particularly invested in afforestation and reforestation initiatives (SDG 15.2). However, reforestation and afforestation activities in the country, while important, affect human rights issues. The land taken up for replanting trees means that North Koreans are unable to farm which affects the right to food. Additionally, it also violates labour rights, as it is often the most vulnerable groups who are mobilised to participate in nation-wide tree planting schemes, including children and women. Research has shown that North Korean children have to shoulder the costs of planting trees in the wintertime by schools and teachers; unpaid workers, women and soldiers are also mobilized to carry out nationwide afforestation efforts.<sup>33</sup>

### ***SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels***

Violence in North Korea is pervasive. Cases of torture and inhuman treatment in the process of handling criminal cases, public executions by shooting, and violence and mistreatment in prison camps have been reported on repeatedly over the years (SDG 16.1).<sup>34</sup> Children are raised through the use of punitive methods that rely on the use of physical or verbal force, with over 59% of children experiencing violent discipline regularly (SDG 16.2).<sup>35</sup> Moreover, despite the DPRK's claim to ensure equal access to justice for all, suspects are not afforded due process guarantees and do not receive a fair trial (SDG 16.3). Law enforcement officials are often bribed ahead of and during preliminary interrogations, and unlawful arrest and detention is widespread in the country for those who are unable to provide such a bribe (SDG 16.5).<sup>36</sup> North Korea also ranks last of the 180 countries ranked in the World Press Freedom Index.<sup>37</sup> The North Korean government continues to heavily restrict the inflow of information into the country and the public's access to it. North Koreans are not only prevented from consuming any foreign media, but are punished for doing so (SDG 16.10).

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<sup>33</sup> Kyu-chang Lee et al., *White Paper on Human Rights in North Korea 2020*, 353.

<sup>34</sup> Database Center for North Korean Human Rights, *White Paper on North Korean Human Rights 2020*, (Seoul: Database Center for North Korean Human Rights, 2020).

<sup>35</sup> Central Bureau of Statistics of the DPR Korea and UNICEF, *2017 DPR Korea MICS Survey Findings Report*, 132.

<sup>36</sup> OHCHR, *The price is rights: The violation of the right to an adequate standard of living in the Democratic People's Republic of Korea*, 19.

<sup>37</sup> Reporters Without Borders, "2020 World Press Freedom Index," <https://rsf.org/en/ranking/2020>.

## ***SDG 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development***

North Korea has ratified many important international human rights treaties, yet is notorious for its lack of cooperation with the international community. However, its commitment to the SDGs has been promising, especially as it presents its Voluntary National Review at the 2021 High Level Political Forum (SDG 17.16). However, the scarcity of reliable data remains to be a major obstacle when it comes to accurately assessing the progress made in achieving the global goals (SDG 17.7). The SDGs have become an important framework for both humanitarian organizations and human rights organizations to improve the situation in North Korea and bring the government closer to international values and standards. In 2017, the North Korean government and the UN Country Team jointly formulated the *United Nations Strategic Framework for Cooperation between the United Nations and the Government of the Democratic People's Republic of Korea*.<sup>38</sup> The Strategic Framework identified four strategic priorities: 1) Food and Nutrition Security; 2) Social Development Services; 3) Resilience and Sustainability; and 4) Data and Development Management. Notably, it also sought to localise the SDGs with the specific situation in the DPRK. Additionally, in October 2019, the DPRK gave a presentation on the implementation of the SDGs in the country at the North-East Asian Multistakeholder Forum held in Vladivostok, Russia,<sup>39</sup> in which it showed its progress on goals 2, 6, 7, 11, 13 and 15. The presentation of the DPRK's VNR in 2021 will give an opportunity for the international community to gain insight into the government's priorities with regards to the SDGs.

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<sup>38</sup> UN Country Team and National Coordinating Committee Ministry of Foreign Affairs, *The UN Strategic Framework 2017-2019*.

<sup>39</sup> Democratic People's Republic of Korea, "Presentation of the Implementation of SDGs in DPR Korea North-East Asian Multistakeholder Forum," Vladivostok, October 15-16, 2019.

**SDGs AND VULNERABLE GROUPS OF  
PEOPLE: Persons with Disabilities, Women  
and Children in North Korea**

# PERSONS WITH DISABILITIES

By Handong International Law Centre (HILC)

The 2030 Agenda for Sustainable Development holds a special meaning to advocacy for the rights of persons with disabilities. Unlike the previous Millennium Development Goals, which did not pay much attention to the rights of persons with disabilities, the 2030 Agenda incorporates the rights of disabled people across different goals, giving a new momentum to work towards improving human rights for those with disabilities. Furthermore, this work is reinforced by *the Convention on the Rights of Persons with Disabilities (CRPD)* which serves as a guiding principle for the implementation of the SDGs.<sup>40</sup>

In light of the increasing recognition of the rights of people with disabilities for the improvement of human rights, it is noteworthy that North Korea ratified the CRPD in December 2016. Against this backdrop, this section is intended to demonstrate the links between the rights of people with disabilities as stipulated in the DPRK law<sup>41</sup> and the relevant SDGs, to shed new light on the opportunities to protect and improve the human rights of North Korea from a SDG perspective.

The content of this section is grounded in the stakeholder report for Universal Periodic Review (33rd session, April-May 2019), which was written to better understand the rights of persons with disabilities in North Korea and to evaluate the efforts of North Korea to improve human rights in accordance with the standard of the CRPD.<sup>42</sup> The UPR stakeholder report included five major issues. They were the right to family life, the right to freedom of movement, the right to health and the right to survival, the right to education, and gender equality. Correspondingly, this submission also deals with those five rights which are of relevance to SDG 10, SDG 16, SDG 1, SDG 3, SDG 4, and SDG 5 respectively. This submission includes the recommendations written on the UPR report for the North Korean government to continue striving to implement the CRPD and to establish an “independent disability rights national institution” with a clear legal base,

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<sup>40</sup> United Nations, Human Rights Office of the High Commissioner, *Policy Guidelines for Inclusive Sustainable Development Goals: Foreword & Introduction* (Geneva: Office of the United Nations High Commissioner for Human Rights (OHCHR), 2020).

<sup>41</sup> DPRK enacted “the Protection of People with Disabilities Act” on June 18, 2003.

<sup>42</sup> The report of the Universal Periodic Review (33rd Session, April-May 2019) was submitted by Handong University International Law Center to the UN Human Rights Council on the issues of disability rights in the DPRK (October 2018). The Handong International Law Centre (HILC), an academic research institute based in the Republic of Korea. HILC has been conducting human rights and development research with particular emphasis on vulnerable groups (women, children and persons with disabilities) in order to promote human rights, democracy and rule of law in accordance with the United Nations Sustainable Development Goals. HILC strives to bring justice and dignity for all.

resources, and personnel in accordance with the Paris Principles.<sup>43</sup> The report also emphasized the need for a National Action Plan for promoting rights of persons with disabilities.

The UPR report was based on published academic articles, reports such as the UN Commission of Inquiry on North Korea (2014) and those of the UN Special Rapporteur on North Korea, relevant North Korean legal instruments, and qualitative research consisting of surveys and semi-structured interviews of 104 participants who left North Korea and currently live in South Korea, the United States, and Europe. The research was implemented with the approval of the Korea National Institute for Bioethics Policy to ensure ethical accountability, reliability, and credibility.

### **Relevant International Commitments**

The Democratic People's Republic of Korea (DPRK) is a party to the following conventions related to human rights: ICCPR,<sup>44</sup> ICESCR,<sup>45</sup> CEDAW,<sup>46</sup> CRC,<sup>47</sup> optional protocol,<sup>48</sup> CRPD,<sup>49</sup> Genocide Convention,<sup>50</sup> Geneva Conventions and Protocol I,<sup>51</sup> and Marrakesh Treaty for Workers with Disabilities.<sup>52</sup>

### **Legislative Framework**

The "Persons with Disabilities Protection Act," adopted on June 18, 2003, is the first single Act with guarantees for fair social treatment and protects the rights and interests of persons with disabilities.<sup>53</sup>

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<sup>43</sup> The Principles relating to the status of national human rights institutions, reproduced in the appendix of *GA Res. 48/134 of 20 December 1993*.

<sup>44</sup> International Covenant on Civil and Political Rights (acceded September 14, 1981; announced withdrawal August 23, 1997, although treaty does not include withdrawal provision).

<sup>45</sup> International Covenant on Economic, Social and Cultural Rights (acceded September 14, 1981).

<sup>46</sup> UN Committee on the Elimination of Discrimination Against Women (CEDAW), *List of issues and questions in relation to the combined second, third and fourth periodic reports of the Democratic People's Republic of Korea*, 15 March 2017, CEDAW/C/PRK/Q/2-4.

<sup>47</sup> UN Committee on the Rights of the Child (CRC), *Consideration of reports submitted by States parties under article 44 of the Convention, Fifth periodic reports of States parties due in 2012 : Democratic People's Republic of Korea*, 25 October 2016, CRC/C/PRK/5.

<sup>48</sup> Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (ratified November 10, 2014).

<sup>49</sup> Convention on the Rights of Persons with Disabilities (signed on July 3, 2013 and ratified on December 6, 2016).

<sup>50</sup> Convention on the Prevention and Punishment of the Crime of Genocide (acceded January 31, 1989).

<sup>51</sup> International Committee of the Red Cross (ICRC), Geneva Conventions I.-IV. (ratified 1958), and Protocol relating to the protection of victims of international armed conflicts (protocol I, ratified 1988).

<sup>52</sup> Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (ratified February 19, 2016).

<sup>53</sup> The Law of the Democratic People's Republic of Korea on the Protection of the People with Disabilities (2013).

## ***Implementation of Specific UPR Recommendations***

During the Universal Periodic Review process in May 2014, the DPRK accepted several recommendations regarding the ratification of the CRPD. In response to the recommendations, the DPRK ratified the CRPD in December 2016.

### **1. Right to Family Life**

**SDG 10.2** By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status

**SDG 10.3** Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard

**SDG 16.2** End abuse, exploitation, trafficking and all forms of violence against and torture of children

**SDG 16.2.1** Protection of children aged 1-17 years who experienced any physical punishment and/or psychological aggression by caregivers in the past month

### ***Review of Implementation***

**North Korean Disability Law.** *Code of Family Law of the DPRK (1990)* recognizes a citizen's right to marry. *The DPRK's Persons with Disabilities Protection Act (2003)*, Article 2 specifies the DPRK's responsibility to respect persons with disabilities and provide them with rights and freedom on an equal basis with persons without disabilities. However, discriminatory practices persist against persons with disabilities in forms including but not limited to quarantine, forcible sterilization, and forcible separation due to the broad interpretation of Article 4, which states that North Korea shall "promptly detect, treat, and prevent the disease-causing disability."

**Separation from Family.** As a preventive measure against the occurrence of disabilities and their exacerbation, North Korea enforces quarantine and forcible sterilization on both adults and children with inborn disabilities. Due to a prevailing belief that being raised by parents with disabilities is not in the best interest of the child, couples with disabilities are advised against having a child, and women with disabilities are denied access to adequate antenatal and postnatal care. When a child is born to parents with disabilities, children are often sent to institutional settings provided by the government, resulting in forced separation. Based on the same rationale, persons with disabilities are denied the opportunity to be adoptive parents, guardians, or trustees of children.

**Preferential Policy for Honored Soldiers.** While the government strongly encourages and supports the marriage of persons with disabilities in the form of Preferential Policy for Honored



Soldiers, only a minority of “honored soldiers”<sup>54</sup> receive this benefit, as it is not intended to enhance their quality of living, but mainly for political, public relations campaigns.

**Right to marry is not encouraged.** Recent survey results imply that the prevalence of forced sterilization and quarantine has lessened and that persons with disabilities are increasingly seen living together with the rest of the general population. More recent testimony of refugees shows that marriages of persons with disabilities is not prohibited, but still not recommended. Moreover, discrimination based on widely accepted negative assumptions further creates barriers to the realization of the right to family life for persons with disabilities. The general public sentiment is that persons with disabilities should only marry each other. Exceptions are generally limited to those with acquired disabilities or those belonging to a higher socio-political caste based on the *songbun* system,<sup>55</sup> further marginalizing persons with intellectual or physical disabilities and dwarfism.

## 2. Freedom of Movement

**SDG 1.3** Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable

**SDG 1.3.1** Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work in-injury victims and the poor and the vulnerable

### *Review of Implementation*

**Freedom of citizen’s residence is limited.** According to the White Paper on Human Rights in North Korea (2014)<sup>56</sup> and the testimony of interviewees, the DPRK recognizes freedom of dwelling within the Constitution. However, this is only a nominal provision, and it seems that the freedom of citizens’ residence is limited in practice. In addition, persons with disabilities have more limits when it comes to freedom of dwelling than citizens without a disability. Persons with disabilities have been expelled from Pyongyang, where residence depends on the origin of one’s family based on the *songbun* system, and have been isolated in restricted areas or to facilities in other cities. For instance, the Government created separate residences for the blind and created a “dwarf village” in order to segregate people with disabilities from society.

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<sup>54</sup> “Honored Soldiers” (영예 군인) are veterans who became disabled during their military service in North Korea.

<sup>55</sup> North Korea practices a state-administered discriminatory socio-political caste system called *songbun* based on the social and political origin of the person. *Songbun* determines the entire aspect of a North Korean’s life such as access to education, jobs, health care and residence. See Robert Collins, *Marked for Life: Songbun North Korea’s Social Classification System*, The Committee for Human Rights in North Korea, 2012.

[https://www.hrnk.org/uploads/pdfs/HRNK\\_Songbun\\_Web.pdf](https://www.hrnk.org/uploads/pdfs/HRNK_Songbun_Web.pdf), accessed October 2, 2018.

<sup>56</sup> Dongho Han et al., *White Paper on Human Rights in North Korea* (Seoul: Korea Institute for National Unification, 2014).

The purpose of isolating disabled persons is mostly to prevent them from marrying and having children.

**Social stigma on persons with disabilities.** Families who have members with disabilities are reluctant to expose a member with disabilities to society due to social pressure because people with disabilities are discriminated against by the government and the public, who consider disability as a disgrace. Families feel particularly ashamed of female family members with disabilities and do not like participating in local activities. Accordingly, women with disabilities are generally limited in their ability to go outside and are confined at home compared to men with disabilities.

### 3. Health and Right to Survival

**SDG 3.2** By 2030, end preventable deaths of newborns and children under 5 years of age, with Implement all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births

**SDG 3.8** Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all

#### *Review of Implementation*

**Widespread infanticide is suspected.** There is evidence of the widespread practice of infanticide of babies born with disabilities. Infants with disabilities are killed by their parents due to a lack of desire to raise a child with disabilities, or the parents want to avoid restrictions that might be imposed upon them such as deportation from the city to restricted areas if they were to raise children with disabilities.

**Disabilities in detention facilities.** The DPRK's detention facilities are sites where severe human rights abuses occur including violence, torture, and forced labor in extremely poor conditions. Inmates suffer torture and intense forced labor without exception, even if they suffer from serious disabilities. Also, numerous people have become physically or mentally disabled in the detention camps due to the severe human rights conditions and the lack of proper medical treatment. Furthermore, women detainees with disabilities are more likely to be exposed to sexual assault in detention camps. Incidentally, there are no independent monitoring agencies for persons with disabilities in detention.

## 4. Right to Education and Participation

**SDG 4.c** By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States

**SDG 4.c.1** Proportion of teachers in: (a) pre-primary; (b) primary; (c) lower secondary; and (d) upper secondary education who have received at least the minimum organized teacher training (e.g. pedagogical training) pre-service or in-service required for teaching at the relevant level in a given country

### *Review of Implementation*

**Lack of special education teachers.** According to the data from the Education Commission, the pupil-teacher ratio in Early Childhood Education was 19 students per teacher in the 2008 census and 18.3 students per teacher in 2012. In comparison, the pupil-teacher ratio for special classes that offer education to persons with disabilities is not measured due to the serious lack of specialized educators for persons with disabilities. There is a lack of teachers who are trained to offer education to persons with disabilities.

**Lack of educational institutions.** The number of educational institutions that offer special classes for persons with disabilities is very limited. There are public schools, but not all of them have classes for special education. The existing schools for disabilities are too few and do not cover enough regions.

**Mandatory education for children with disabilities.** Although *the Persons with Disabilities Protection Act of the DPRK (2013)* Art. 17 prohibits the exclusion of persons with physical disabilities or mental disabilities from compulsory education. Nevertheless, 12 years of compulsory primary education and secondary education is only guaranteed for those who have certain physical disabilities such as visual, hearing, or language disabilities. The DPRK has established eleven special schools: eight schools for those who have hearing impairments and three schools for those with visual disabilities. In addition, persons with disabilities such as Cerebral Palsy and Down Syndrome are given education in the Korean Rehabilitation Center for Children with Disabilities, but those with multiple disabilities and psychosocial disabilities are not considered in giving every individual a fair opportunity to their rights to education.

**Access to educational services.** *The Persons with Disabilities Protection Act of the DPRK (2013)* Art 19 states that a special education class, sponsored by the State, must be organized and operated in a general school or special school with consideration given to both the physical and mental characteristics of the persons with disabilities. However, according to testimony, neither educational facilities nor proper special schools are established for persons with mental disabilities. Persons with disabilities are prevented from enjoying basic education due to the unavailability of assistive devices, funds, and universally accessible facilities.

**Education enrollment.** According to the Second Periodic Report on the ICESCR (2003), children with disabilities are not actively searched for or registered to compulsory secondary education in the DPRK which is from 9 to 15 years of age.

## 5. Gender Equality

**SDG 5.1** End all forms of discrimination against all women and girls everywhere

**SDG 5.5** Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public

### *Review of Implementation*

**Discriminatory practice against women with disabilities.** *The Women's Rights Protection Act of the DPRK (2010)* Art 38 guarantees that the same rights and interests can be enjoyed by women with disabilities as ones with non-disabilities of all ages. Women with disabilities are a socially disadvantaged class with relatively limited access to social participation based on their economic, physical, and other conditions and excluded from enjoying equal benefits as members of society.

**Communist Party Membership.** There are no available statistics on the number of women with disabilities who belong to the Communist Party of the DPRK.

## Recommendations

### *Recommendations to the DPRK:*

- **Independent Disability Rights National Institution.** The Government of DPRK should fully implement CRPD and establish an independent disability rights national institution to effectively monitor the implementation of the CRPD according to the Paris Principles. (SDG 16.3, SDG 16.7.1, SDG 16.7.2)
- **National Action Plan.** The Government of DPRK needs to develop a National Action Plan to promote the inclusion of persons with disabilities and monitor all relevant facilities, programs, and procedures to ensure that persons with disabilities, including children, retain their fertility on an equal basis with others, and prevent the abandonment and segregation of children with disabilities. (SDG 16.7.1, SDG 16.7.2)
- **Right to form and enjoy family life.** Laws of the DPRK concerning persons with disabilities should be amended in order to respect persons with disabilities as a natural part of human diversity. The DPRK Government must immediately refrain from engaging in any act, custom or practice including forcible sterilization, discouragement of marriage between persons with disabilities, quarantine, and segregation that creates barriers to the enjoyment of the right to integrity, home, and family. (SDG 10.2, SDG 10.3, SDG 16.2, SDG 16.2.1)
- **Freedom of Movement.** The DPRK should comply with the rights to freedom of movement, respecting ICCPR Article 12(1) and CRPD Article 18, by inserting a specific provision to protect persons with disabilities in its constitution. (SDG 1.3, SDG 1.3.1)
- **Infanticide.** The DPRK should address the allegedly widespread practice of infanticide of children born with disabilities, since infants with disabilities are entitled to the right to life. (SDG 16.2, SDG 16.2.1)
- **Registration.** The State must take systematic measures to ensure that infants with disabilities are registered at birth. Children with disabilities also must be registered in schools or taken care of in a nursery in their preschool years so that they are adequately prepared for enrollment in primary school education at the age of six. Widespread distribution of special education classes in educational institutions must be guaranteed by the Government in order to enhance the accessibility of education for persons with disabilities. Hence, the Government is obligated to promote inclusive education for persons with disabilities as stated in CRPD Article 24. (SDG 16.9, SDG 16.9.1)
- **Inclusive education.** The Government of the DPRK should address the prevailing exclusion of persons with mental disabilities from education. There are no educational institutions for persons with multiple disabilities or psychosocial disabilities. According

to CRPD Article 24 and the Persons with Disabilities Protection Act of the DPRK (2013) Article 2, the Government is obligated to establish schools to offer education that accommodates the different types of disabilities, and especially for those who are mentally disabled. (SDG 4.c, SDG 4.c.1)

- **Special education teachers.** The Government must actively increase the number of special education teachers who are equipped to offer special classes that meet the needs of the different types of disabilities. Also, the State should increase the teacher-pupil ratio for special classes to provide a closely monitored class that can provide quality education for persons with disabilities. The Government must allocate funds and budget to provide teacher training programs and professional development to increase the number of teachers qualified to teach students with different types of disabilities. (SDG 4.c, SDG 4.c.1)
- **Girl children with disabilities need special protection.** The DPRK is urged to stop discriminating against women, girls, and persons with disabilities by recognizing the vulnerability of women with disabilities to abuse. The DPRK must conduct national education programs to educate the public on the rights of women and persons with disabilities. Hence, the Government should revise the specific provisions of its domestic law to come in line with standards of the CRPD, the CEDAW, and the CRC that stipulate equal rights to education for women and children with disabilities. (SDG 4.1, SDG 4.2, SDG 4.3, SDG 4.5)
- **The CRPD Review.** The DPRK should faithfully prepare for the first review by the Committee on the CRPD. (SDG 17)
- **International cooperation.** The DPRK should strengthen cooperation with the international community in achieving the above-mentioned recommendations. (SDG 17.9)

# WOMEN

By Citizens' Alliance for North Korean Human Rights (NKHR)

This section focuses on discrimination against women and girls in the DPRK that is relevant to the SDGs on ensuring healthy lives and promote well-being for all at all ages; providing inclusive and equitable quality education and promoting lifelong learning opportunities for all; and achieving gender equality and empowering all women and girls (SDG 3, 4 and 5). This section assesses the implementation of recommendations accepted by the DPRK during the second cycle of the Universal Periodic Review (Session 19) and evaluates DPRK's implementation of its domestic laws and obligations under human rights treaties, to provide context to the DPRK's first VNR. Furthermore, this evaluation is reinforced by information obtained through first-hand accounts related to the human rights situation on the ground. The situation on the ground was evaluated based on two rounds of 1:1 surveys updated in the second round, as well as in-depth interviews with key informants. The first round of information-gathering focused on the period between 2010 and 2012, and was undertaken in 2013 with 80 North Koreans.<sup>57</sup> The second round evaluating the period between 2013 and 2017 was conducted in 2017 and had 40 North Korean participants.<sup>58</sup>

## 1. Awareness of Human Rights Legislation

**SDG 10.3** Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard

### *Relevant International Commitments*

#### **UPR Second Cycle Recommendations Accepted by the DPRK**

**98** Intensify its efforts to promote and protect the human rights of specific groups within society, such as women, children, disabled persons and the elderly, with a view to empowering them and alleviating their vulnerability (Thailand)

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<sup>57</sup> It is important to note that many of our interviewees were privileged enough to be able to escape the country using money and/or proximity to the Chinese border, along which there are zones of high economic activity and opportunities for escape. This also explains the uneven geographic spread of the interview sample. The responses they gave should be interpreted to reflect the fact that the most disadvantaged North Korean women are often unable to escape, and therefore we cannot know about the worst conditions facing North Korean women. For more detailed information about interviewees' demographic characteristics, see NKHR's Briefing report: [Status of Women's Rights in the Context of Socio-Economic Changes in the DPRK](#), 2013, 12-13.

<sup>58</sup> For more detailed information about the list of interviewees and some demographic characteristics, see the NKHR's report: [They Only Claim That Things Have Changed: Discrimination against Women in the Democratic People's Republic of Korea](#), 2017, 10-11.

## UPR Third Cycle Recommendations Accepted by the DPRK

**124.36** enhance awareness of rights of women and children as contained in the newly adopted laws (Timor Leste); (Thailand)

**124.30** Continue taking concrete measures to further promote and protect human rights, particularly for women and children (Iran)

**124.34** Take more practical measures for the protection of children, women and other vulnerable groups and full enjoyment of their rights (Cuba)

**124.40** Step up its efforts in human rights awareness programs, including releasing publications related to human rights with a view to familiarizing the general public with those international human rights standards and instruments to which the Democratic People's Republic of Korea is a party (Malaysia)

**124.42** Make efforts to explore options and introduce new methodologies with a view to raise awareness of human rights in the country (Ethiopia)

### *Legislative Framework and Policies*

#### **Law on the Protection and Promotion of the Rights of Women<sup>59</sup>**

**Article 1 (Objectives of Women's Rights Protection Law)** The Women's Rights Protection Law of the Democratic People's Republic of Korea shall thoroughly assure the rights of women in all fields of social life and serve to further raise the status and role of women.

**Article 3 (Societal attention towards women)** Women play an important role in the well-being of the family and the development of society. The State shall raise attention to women across all of society and shall thoroughly assure their rights.

**Article 4 (Women's rights protection plan)** The State shall adopt and execute a foundational plan for women's rights protection. Regional People's Committees shall adopt detailed plans for each year according to the State's foundational plan for women's rights protection, and must correctly execute it.

**Article 52 (Guidance for women's rights protection work)** Guidance for women's rights protection work shall be done by the relevant central bodies and the regional People's Committees under the standardized guidance of Cabinet. Relevant central bodies and regional People's Committees shall correctly adopt a guidance system for women's rights protection work and must properly command and guide it.

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<sup>59</sup> Adopted on December 22, Juche 99 (2010) and amended on June 30, Juche 104 (2015) as Directive No. 566 of the Presidium of the Supreme People's Assembly, translated in English by attorney Daye Gang. Full script is available at: <https://www.lawandnorthkorea.com/laws/womens-rights-protection-law-2015?rq=women#>.



## **Review of Implementation**

The North Korean government enacted both the Law on the Protection and Promotion of the Rights of Women (Women’s Law) and the Law on the Protection and Promotion of the Rights of Children (Children’s Law) in 2010. North Korea used several opportunities at the previous Universal Periodic Reviews (UPR) to portray that the Women’s Law is “modern”, as in meeting modern standards of human rights legislation, and that new policies followed to implement it. In its 2016 State Party’s Reports to the UN CEDAW Committee, the North Korean government stated that it distributed the Women’s Law to “every institution, enterprise and organization for wide dissemination and sensitization”.<sup>60</sup>

During the second cycle of the UPR, DPRK accepted several of the recommendations from States related to implementation of the new laws, enhancement of rights awareness, and promotion of human rights of women and children. However, eight years on from adoption in 2010, these laws seem to lack implementation. The DPRK delegation showed a lack of understanding of certain concepts pertaining to domestic violence against women or sexual harassment in subordinate positions, crucial to implementation of the CEDAW Convention. Furthermore, the delegation was unable to present any educational materials or describe programs that are related to implementation of the Convention or Women’s Law, which calls into question the level of awareness of the Convention among officials of relevant institutions, courts and law enforcement agencies responsible for policy and programming.

The DPRK government in its 2017 CEDAW State Report claimed wide dissemination and education campaigns about the Women’s Law. According to these claims, a substantial number of respondents should have heard about these laws and be educated on women’s and children’s rights. However, there is a consistent pattern of responses since 2010 when the Law was enacted: over 95% of interviewed North Korean women in 2017 have not even heard that the Law on Women and Law on Children were adopted, let alone be educated on them or know any details of what rights or benefits the Women’s Law gave them. To achieve SDG 10.3, the DPRK government needs to promote and disseminate aforementioned domestic legislations and international conventions which the government is obliged to comply with so that North Korean women could be aware of their rights upon the legal mechanisms.

## **2. Discrimination against Women, Women’s Organizations, and Participation in Public Life**

**SDG 4.3** By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university

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<sup>60</sup> UN Committee on the Elimination of Discrimination Against Women (CEDAW), *Consideration of reports submitted by States parties under article 18 of the Convention, Second, third and fourth periodic reports of States parties due in 2014: Democratic People’s Republic of Korea*, 1 June 2016, CEDAW/C/PRK/2-4, 3, §12.

**SDG 5.1** End all forms of discrimination against all women and girls everywhere

**SDG 5.4** Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

**SDG 5.5** Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life

### ***Relevant International Commitments***

#### **UPR Third Cycle Recommendations Accepted by the DPRK**

**124.69** Take more active steps to eradicate all forms of discrimination against women (Angola)

**124.76** Further develop measures to generate better conditions for the activities of organizations on the rights of women (Venezuela)

**124.39** Encourage the participation of social organizations in the dissemination of international human rights instruments, with a view to increasing public awareness of human rights (Bolivia)

**124.72** Consider further legislative and administrative measures to encourage the increase of women's participation in public life (Belarus)

**124.73** Strengthen efforts to ensure women's representation in influential posts in national and regional government (Norway)

**124.74** Empower women's participation in decision making institutions (South Sudan)

**124.75** Ensure women an equal treatment with respect to men, especially with regard to the rights to food, education and work (Italy)

### ***Legislative Framework and Policies***

#### **Law on the Protection and Promotion of the Rights of Women**

**Article 7 (Duty of work organizations to protect women's rights)** The Women's Union is the organization of women for protecting women's rights. The Central Committee of the Korean Democratic Women's Union and Women's Union organizations at each level must responsibly do the work of assuring the rights of women according to this law and the Women's Union by laws. Work organizations, including the General Federation of Trade Unions, the Union of Agricultural Workers, and the Youth League, must adopt measures to adopt the rights of women affiliated with their organizations according to this law.

**Article 12 (Right to vote and eligibility for election)** Women have the equal right to vote and the equal right to be elected to men. The State shall cause women to actively participate in social and political activities and shall increase the proportion of female deputies in People's Assemblies at each level.

**Article 15 (Appointment of female cadres)** Institutions, enterprises and organizations shall train and appoint female cadres in a planned way. Acts must not be done to discriminate against women in the selection of cadres and their training and appointment.

**Article 19 (Guarantee of equality between men and women in admission, entering school, graduate placements)** Education guidance institutions and regional People's Committees must thoroughly assure the rights of women to be admitted or enter schools at each level or obtain post-graduation placements equally with men. In cases where students are recruited to universities or specialist schools may not do acts of not recruiting, or restricting, women by reason of gender, excepting departments in specialist majors.

**Article 53 (Duty of women's organizations)** The Central Committee of the Korean Democratic Women's Union and Women's Unions at each level must organise and conduct work to raise societal awareness and the status and role of women related to women's rights protection into different forms and methods. Institutions, enterprises and organizations must actively cooperate with and help the work of the Women's Union.

### ***Review of Implementation***

DPRK accepted UPR recommendations and SDGs related to better conditions for women's rights and increasing participation of women in public life, including in influential posts. However, without addressing the underlying discrimination against women, stemming from patriarchal culture and history, these recommendations cannot be meaningfully implemented, and the goals cannot be achieved.

Since the famine which hit the country in the 1990s, North Korean women have been directed to provide for the family and have been disproportionately active in most of the private market economy, which - given the collapse of the state public distribution system and dysfunctional industries - is de facto sustaining country's economy on both micro and macro levels. This results in secondary discrimination against women as they are expected to quit their state jobs at a certain age or after marriage, to turn to private trade and financially support their families. Similarly, a growing number of interviewees confirm that families do not invest in their daughters' education, as it is considered that private market operations do not require skills or education.

Such a situation naturally limits the number of women continuing to work at state enterprises, in government or at Korea Workers' Party posts. Even in workplaces where women constitute the majority, such as primary and secondary schools or some medical specializations such as nursing, gynecology and pediatrics, interviewees continue to report that women are mostly subordinate to men and that women cannot expect to climb the employment ladder. In an interview with a male former high-ranking official, he reported that women in the Party are usually delegated to secretary and note-taking positions. He also claimed that while women are successful in private trade, they lack the skills and ability to be able to succeed in the Party, revealing deeply ingrained patriarchal attitudes toward women in North Korea.

Furthermore, there is no voluntary independent organization in the DPRK to which women could turn to address women's problems. This further limits the participation of women in decision-making and policy-making processes in the country, as women cannot advocate as a group to resolve their problems, nor do they expect to be able to do so.

Membership in all sorts of organizations is compulsory because they are state-run organizations designed to control citizens' behavior. The state operated Korea Democratic Women's Union (currently known as the Socialist Women's Union of Korea or Women's Union) mentioned by the DPRK in their official reports to the UN, is the largest women's association, but by no means does it improve women's lives, advocate for their rights, or address complaints. Nor is the Women's Union a labor union, commonly understood as a collective, conducting bargaining activities to negotiate favorable working conditions. During the CEDAW Review, the DPRK delegation was unable to provide a response to repeated questions from experts about the activities of independent women's organizations, only about the Women's Union. This indicates that women's autonomous special interest groups do not exist, and this fact has also been confirmed by North Korean interviewees.

As a government-run organization, the Women's Union serves as a platform to enforce central policies which require women to provide quotas of raw materials and money. The KDWU's membership in majority constitutes housewives who are by default engaged in private economic activities. The Union exploits its members so that women's earning power is used to provide necessary resources to the government. Through the Union, women are also organized to provide unpaid labor on construction sites, railroads, making bricks, etc. Women are also conscripted to such labor if they are unable to pay their individual financial or material quotas. Since there are no autonomous organizations with voluntary membership which would advocate for women's causes, it is difficult to envision how the North Korean government is gathering feedback on policies and issues women are facing, and gathering independent data for the official reports it claims to receive and incorporate into its planning on women's policy.

According to DPRK official reports, the Women's Union was given responsibility for gathering feedback, education on domestic laws and human rights treaties, monitoring of women's rights and administering a complaint mechanism. However, the reports of women who used to

participate in Women's Union activities directly contradict the North Korean government's claims about the human rights monitoring role the Women's Union performs, including the complaint mechanism. Interviewed women in fact did not understand the term "complaint" as a possibility of raising or resolving pressing issues that women face in their social and economic lives. Women understood complaints as criticism routinely performed during Life Review Sessions of KDWU when women were singled out and harshly criticized for underperforming in assigned quotas. Women also reported that they could not raise such issues as improvement of health services, school infrastructure or child-care services, as such statements would be viewed as political criticism against the government and result in reprisals. All interviewees consistently report since 2010 that Women's Union has never educated them on their rights, or on the Women's Law or Child's Law adopted by DPRK, as the government is claiming.

### 3. Health

**SDG 3.1** By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births

**SDG 3.3** By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases

**SDG 3.4** By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being

**SDG 3.7** By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes

**SDG 5.6** Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences

#### *Relevant International Commitments*

##### **UPR Second Cycle Recommendations Accepted by the DPRK**

**38.** Ensure that the rights of women, children and persons with disabilities are more effectively realized through the implementation of the strategy for the promotion of reproductive health, 2006-2010, the national strategy for the prevention of AIDS, 2008-2012, the primary health care strategy, 2008-2012, the national action plan for the wellbeing for children, 2001-2010 and the comprehensive action plan for persons with disabilities, 2008-2012 ((Syrian Arab Republic)

##### **UPR Third Cycle Recommendations Accepted by the DPRK**

**124.170** Provide the necessary resources to the health system, in order to strengthen it, and especially in order to lower child and maternal mortality rates (Uruguay)

**124.168** Carry out a reproductive health strategy and other programmes for women's health with a view to reducing the maternal mortality rate as set out in the MDG (Turkmenistan)

**124.169** Take concrete measures to improve health care for women to further decrease maternal mortality (Bangladesh)

**124.166** Take appropriate measures to effectively implement the Strategy for Health (2011-2015) and some other programmes on health (Iran)

**124.167** Strengthen health-care services for its citizens through better training of the medical personnel, particularly in remote rural areas (Sudan)

**124.161** Increase access to food, healthcare, education, and adequate housing, throughout the country (Namibia)

### *Legislative Framework and Policies*

#### **Law on the Protection and Promotion of the Rights of Women**

**Article 24 (Right to treatment)** Women have the right to receive treatment equally with men. Public health institutions shall have specialist medical institutions for women, shall actively protect women's health, and must ensure that women receive treatment without inconvenience. Relevant institutions, enterprises and organizations must preferentially guarantee conditions for women receiving treatment.

**Article 25 (Guarantee of education, culture, public health rights of women in farming areas)** Regional People's Committees and relevant authorities must have sufficient conditions and facilities required so that women from farming areas and women from cities can receive equal education and treatment and can lead a cultural life.

### *Review of Implementation*

During the second cycle of UPR, several states recommended directing resources to strengthen health services and training of doctors. In fact, the limited access to health services in the DPRK is a result of decades of government policies of uneven distribution and investment of resources in Pyongyang to the detriment of other regions, especially the economically active northern border regions, which subsidize investments in the capital. In fact, some hospitals in Pyongyang are reported to have state-of-the-art equipment and health services. Official North Korean reports to the UN claimed that several new medical facilities had been recently built,<sup>61</sup> but the majority is in Pyongyang, which is a restricted area inaccessible

<sup>61</sup> CEDAW/C/PRK/2-4, 2016, 24, §150

for most North Koreans. The continuous neglect of other Provinces caused medical service provision there to deteriorate to the point that a doctor from Pyongyang compared hospitals in other Provinces to being “50 years behind the hospitals in Pyongyang”<sup>62</sup>.

Due to lack of investment in health services in Provinces outside Pyongyang, limited access to the medical system beyond household doctors is also in many ways a result of the fact that patients shoulder the burden of bringing their own food, wood for heating and other provisions for doctors in the case of inpatient procedures. As a result, average North Koreans report resorting to medical care only in very serious instances, relying instead on herbal medicines, opiates and painkillers. Over 90% of women continue to report that one had to pay bribes to receive better medical services. The government claims that North Koreans have free access to medical services, but in reality only access to primary contact medical personnel is free of charge while individuals and families bear the costs of medical procedures, medicines and hospital expenses.

The North Korean economy is largely supported with women’s private market activities, especially through economic zones near the border with China. Women continue to report that the government levies taxes from their private economic activities on the markets and that they are imposed quotas on materials and money through the Women’s Union, or through their children at schools. Despite the generation of that revenue for the government, all of the interviewed women claimed that this money was not reinvested in the very old health and school infrastructure in their Provinces but were gathered for other purposes, such as building Pyongyang infrastructure or for the military.

During the second cycle of UPR, North Korea supported several recommendations related to its Health Strategy (2012-2015). The interviewed North Korean women in both 2013 and 2017 reported that they received little institutional support from the state on all health issues from breast cancer to contraception or childbirth. Even if North Korea has developed “Guidelines on Early Detection and Management of Cervical Cancer and Breast Cancer 2009,”<sup>63</sup> women are not experiencing the benefit of these guidelines in practice. 95% of interviewed women did not receive preventive screening for gynecological issues; the only two cases known to us who reported receiving them were both medical personnel in Pyongyang hospitals. No interviewee had received screening for breast cancer. This is despite the fact that over 90% of interviewees reported having a medical facility nearby. Similarly, no interviewee reported even observing that there were special programs for preventive screenings for gynecological issues and breast cancer. Over 80% of women reported receiving no counselling on birth control methods and sexually transmitted diseases from medical personnel and over 70% did not receive any education on HIV-AIDS in recent years. In fact, North Korea reported no cases of HIV-AIDS in 2017 during CEDAW Review, but this was contradicted by the doctor from Pyongyang who

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<sup>62</sup> Daye Gang and Joanna Hosaniak, *They only claim that things have changed...:Discrimination against Women in the Democratic People’s Republic of Korea* (Seoul: Citizens’ Alliance for North Korean Human Rights, 2018), 28.

<sup>63</sup> CEDAW/C/PRK/2-4, 30, §205

reported that incidents of HIV-AIDS are on the rise, but they are reported as other diseases because of the fear of reprisals.

Related to SDG 3.7, lack of access to modern contraception and poor reproductive health education creates a situation where women undergo repeated abortions to prevent births. Abortion is used as a method of birth control in North Korea: 78% of women surveyed in 2017 considered abortion to be a normal form of contraception, similarly to the findings of our 2013 report. For the question: “Which methods of birth control have you used in North Korea?” 40% replied “abortion” and half of these women reported to have had an abortion more than once. Over 70% of women surveyed in 2017 considered contraception to be a duty of a woman only, as admitted by the North Korean government in 2005.<sup>64</sup> Our 2013 research also recorded similarly high responses, indicating unchanging perceptions around reproductive health.<sup>65</sup>

Despite the recommendations accepted by the government on maternal health, many women continue to report to only visit a doctor if the pregnancy causes health issues, as they otherwise do not see the need to make the trip to the hospital. Only a third of all interviewees who gave birth in North Korea reported that they went regularly to the hospital during the pregnancy. While DPRK government claimed that delivery at home and “other places” comprised only 12.1% of births,<sup>66</sup> women continued to report that the trip to hospital in winter requires bringing wood for heating the hospital and boiling water for delivery, so women tend to deliver at home in the winter months. While the reported number of births in hospitals has risen in comparison to our previous research covering years 2010-2012, the trend is rather related to the fact that more women can afford the expenses related to giving birth in hospitals due to women’s increased earning power from private market activities and not because of government policies.

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<sup>64</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW), *Thirty-third session: Summary record of the 699th meeting*, 8 September, 2005, CEDAW/C/SR.699.

<sup>65</sup> Daye Gang and Joanna Hosaniak, *They only claim that things have changed...: Discrimination against Women in the Democratic People’s Republic of Korea* (Seoul: Citizens’ Alliance for North Korean Human Rights, 2018), 29-31. Joanna Hosaniak, *Status of Women’s Rights in the Context of Socio-Economic Changes in the DPRK* (Seoul: Citizens’ Alliance for North Korean Human Rights, 2013) 38-39.

<sup>66</sup> CEDAW/C/PRK/2-4, 2016, 28, §186.



## Recommendations

### *Recommendations to the DPRK:*

- Promote and disseminate its domestic Law on the Protection and Promotion of the Rights of Women and the UN Convention on the Elimination of All Forms of Discrimination against Women to the North Korean public. (SDG 10.3)
- Provide a public list of independent organizations (not KDWU) working on women's issues. (SDG 5.C)
- Facilitate conditions to allow members of North Korean independent NGOs on women's issues to participate in and contribute information to the DPRK's Periodic Reviews before the UN Committee on Discrimination Against Women, the UN Committee on the Rights of the Child and the Universal Periodic Reviews. (SDG 17.7)
- Establish policies to eliminate secondary discrimination toward women who are disproportionately involved in private economic activity and underrepresented in state enterprises, government and party institutions or tertiary education. (SDG 5.5, 5.A, 5.C)
- Establish policies to invest monetary contributions and goods collected all across the country, in proportionate geographic distribution of medical and school investments, such that women in areas outside Pyongyang also benefit. (SDG 5.4, SDG 9.1, SDG 10.4)
- Provide baseline data on North Korean men and women's current access to contraceptive devices, and take steps to expand access to ensure that women do not have to rely on abortion as a form of birth control. (SDG 3.3, SDG 3.7)
- Conduct surveys or questionnaires to women for consultation on women's issues, and provide information about their content, response rate and results. (SDG 4.3 SDG 5.1 SDG 5.5)

### *Recommendations to the International Community:*

- Consider making the aforementioned recommendations to the DPRK while assisting with the DPRK's achievement of the SDGs relevant to women's rights and health.
- Develop a Monitoring and Evaluation (M&E) strategy before providing the DPRK financial, technical and material assistance for the achievement of the SDGs, and share the plans with other countries to establish an international baseline.
- Conduct a thorough examination of whether aid from the international society is properly used and/or distributed to meet the target goals.

# CHILDREN

By People for Successful COrean REunification (PSCORE)

This chapter stresses the importance of children's rights and the need for their protection within the DPRK, a country in which the political system requires its citizens to be completely dependent on the state regarding the provision of all basic needs, including food, clean water and material support. Children of the DPRK continue to experience violence, forced labor and failure with regard to respecting their rights through national authorities. Throughout our work it has become evident that the main challenges of children in the DPRK are their rights to food and health, which are a result of the widespread poverty within the state that leads to about 60 percent of the population living below the poverty line.<sup>67</sup> This is caused by the insufficient economy of the DPRK, which leads to food scarcity as well as the lack of infrastructure and health personnel resources. The structure of the economy further requires children to perform forced labor, endangering their health, education and general well-being. Those inadequacies are further reinforced by the current global COVID-19 pandemic.

To examine children's rights in the framework of the Sustainable Development Goals, this report will use the five dimensions on the rights of the child according to UNICEF, namely to “survive and thrive, [and to receive] learning, protection, environment and fair chance” as SDG indicators.<sup>68</sup> Each section below is focused on specific SDG targets that should be addressed and met by 2030, with a focus on SDGs 1, 2, 3, 4, 5, 6, 8, 13, and 16.

## 1. Survive and Thrive: Every Child Survives and Thrives

**SDG 2.2** By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons.

**SDG 3.2** By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births.

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<sup>67</sup> Cuaresma, J.C. et.al., “What do we know about poverty in North Korea?,” *Palgrave Communications* 6, no. 40 (March 2020):1.

<sup>68</sup> “Democratic People's Republic of Korea, Child well-being,” *UNICEF*, <https://data.unicef.org/sdgs/country/prk/>.

**SDG 3.7** By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes.

### **Relevant International Commitments**

#### **UPR Second Cycle Recommendations Accepted by the DPRK**

**124.161.** Increase access to food, healthcare, education, and adequate housing, throughout the country (Namibia)

**124.162.** Take further measures to improve access to basic health care, nutrition and education of children (India)

**124.170.** Provide the necessary resources to the health system, in order to strengthen it, and especially in order to lower child and maternal mortality rates (Uruguay)

**124.171.** Continue actions to ensure that children in the most disadvantaged areas enjoy the same benefits in education and health enjoyed in urban areas (Venezuela (Bolivarian Republic of))

#### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.160** Take necessary measures to combat food insecurity and malnutrition, which affect millions of persons, including in particular children, women and older persons as well as other vulnerable groups (Ecuador)

**126.164** Strengthen its positive actions to further reduce the infant mortality and malnutrition rates in the country (Cuba)

**126.157** Intensify efforts in ensuring the rights to food and health for all people in the country, with priorities given to vulnerable or specific groups such as children, women, persons with disabilities and older persons (Thailand)

#### **Committee of the Rights of the Child (CRC) recommendations to the DPRK<sup>69</sup>**

**42.(a)** Promptly conduct an independent review of the National Strategy and Action Plan to Control Child and Maternal Malnutrition with a view to identifying key actions needed to quickly and substantially reduce children's and mother's undernourishment.

**42.(b)** Systematically collect data on food security and nutrition for children to identify the root causes of child food insecurity and malnutrition and regularly publish up-to-date information on child stunting and wasting.

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<sup>69</sup> UN Committee on the Rights of the Child (CRC), *Concluding observations on the fifth periodic report of the Democratic People's Republic of Korea*, 23 October 2017, CRC/C/PRK/CO/5

**42.(c)** Systematically monitor and assess the effectiveness of the public food distribution system on child food security and nutrition, including the frequency, quality and nutritional value of the food supplied through the public system.

**42.(d)** Seek technical assistance from UNICEF and FAO.

### ***Legislative Framework and Policies***

#### **Law on the Protection and Promotion of the Rights of Children**

##### **Article 8 (Principles of material security for children)**

In accordance with the principle of «The best thing for children!», the state will ensure that children's health, education and culture, and everything necessary for life are the best and first guaranteed.

##### **Article 37 (Guarantee of Nutrients, Nutritional Food, and Household Goods)**

The relevant institutions and enterprises should develop more nutritional supplements, nutritious foods, and household goods necessary for the health and growth of children, and ensure the production of them systematically. Children's supplying institutions, their commercial institutions, and educational institutions must ensure that the products produced are accurately supplied to children.

### ***Review of Implementation***

Issues of nutrition and neonatal mortality remain a prominent occurrence within the DPRK, despite some recent improvements by the government. The Committee of the Rights of the Child (CRC) stated their concern about the undernourishment of children, which affects child and maternal mortality in their recent recommendations.

Malnutrition affects children negatively in the long run and children of the DPRK have been affected by malnutrition especially in terms of their growth, leading to stunting and metabolic dysfunction. According to a study by Dr. Soo-Kyung Lee on *North Korean children: nutrition and growth*, malnutrition causes North Korean children to be shorter and weigh less than the children their same age in South Korea ( $P < 0.05$ ). The same study highlighted that  $\frac{1}{3}$  of children between the ages of six to 23 months do not receive minimum requirements for an acceptable diet, contributing to stunted growth.<sup>70</sup> The 2012 National Nutrition Survey from the DPRK, also proves that “stunting affects 28 percent of the child population and 4 percent suffer from wasting, with 15 percent underweight and 2 percent anemic.”<sup>71</sup> Although the Law on the Protection and Promotion of the Rights of Children clearly shows the needs of children for their survival, the DPRK’s efforts have fallen short of providing them with adequate nutrition.

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<sup>70</sup> Soo-Kyung Lee, “North Korean Children: Nutrition and Growth,” *Annals of Pediatric Endocrinology & Metabolism* 22, no. 4 (December 2017): 231–239.

<sup>71</sup> UNICEF, *Democratic People’s Republic of Korea Final Report of the National Nutrition Survey 2012* (Pyongyang: UNICEF, 2012).

In terms of health, according to the UN Report “DPRK Needs and Priorities 2020”, diarrhea and pneumonia are the two principal causes of death among children under five due to lack of clean water and proper nutrition. One in ten children of the DPRK suffers from diarrhea, when over 90 percent of under-five deaths can be prevented through adequate nutrition.<sup>72</sup> This shows how children in the DPRK are affected by malnutrition, which severely endangers their health, however, could be easily prevented through appropriate measures. The DPRK therefore needs to improve these issues by following their Law on the Protection and Promotion of the Rights of Children as well as international recommendations. We can also observe inequality occurring in the DPRK, depending on the residing province. Children do not have adequate access to clean water in most areas and therefore lack sanitation. The UN Report also mentioned how stunting is 60 percent higher for children that live in households with unimproved water sources compared to those living in households with improved water sources. The case is also similar for children without properly managed sanitation, leading to a 40 percent higher rate for stunting.<sup>73</sup>

Over the past ten years, the child mortality rate generally has improved within the DPRK. In 2019, the infant mortality rate in the DPRK lowered to be estimated at 12 per 1,000 live births, while in 2009, it was 19 per 1,000 live births. Despite the improvements in that area, it is still not enough, which is highlighted by the lack of equality in health services. Geographical disparities can also be observed related to maternal mortality. In the capital Pyongyang, the estimated rate of maternal mortality is 39 per 100,000 live births, however, in the region of North Hwanghae, it is estimated to be 61 per 100,000. In terms of immunization, most children are covered, but still 3 out of 100 children aged 24-35 months do not finish the complete vaccination schedule recommended for completion around 15 months of age.<sup>74</sup> Most of the vaccines in the DPRK are donated, drawing attention to the need for international aid. The DPRK must accept and work together with other countries to obtain aid for their sustainable development.

While the DPRK has supported various recommendations from the UPR related to food security, not enough improvement has been done and the DPRK continues to struggle with food security. According to a joint report by the Food and Agriculture Organization of the United Nations (FAO) and World Food Programme (WFP) in May 2019, 40 percent of the North Korean population, which equals 10.1 million people, are suffering from a food shortage and the food supply is falling short of demand by 1.36 million tons.<sup>75</sup> Thus, food shortage is an ongoing issue for the DPRK population. For improvement, the DPRK must abide by their accepted recommendations to secure more food, especially for children, and ultimately reduce malnutrition and child mortality.

<sup>72</sup> OCHA, *DPR Korea Needs and Priorities Plan 2020* (New York: 2020), 24.

<sup>73</sup> OCHA, *DPR Korea Needs and Priorities Plan 2020*, 27.

<sup>74</sup> OCHA, *DPR Korea Needs and Priorities Plan 2020*, 24.

<sup>75</sup> FAO and WFP, *FAO/WFP Joint Rapid Food Security Assessment - Democratic People's Republic of Korea* (Bangkok: 2019), 4.

## 2. Learning: Every Child Learns

**SDG 4.1** By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.

**SDG 4.A** Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.

### 2.1 Forced Labor

#### *Relevant International Commitments*

##### **UPR Third Cycle Recommendations to the DPRK**

**127.27** End the practice of inadequately paid labour and the political mobilization of the population, which in the case of minors hinder access to education (Germany)

**127.60** Ensure that children are protected against all forms of exploitation and forced or hazardous labour, especially as part of their school curriculum (Austria)

**127.61** Take further measures to prevent and combat violence against children, child forced labour and exploitation and ensure that all children have access to education (Italy)

##### **Committee of the Rights of the Child (CRC) Recommendations to the DPRK<sup>76</sup>**

**46.(a)** Ensure that children are not required to perform labour tasks that interfere with their learning, their rights to rest and leisure and their physical and mental well-being.

**55.(c)** Ensure that children are not forced to participate in mass agricultural mobilizations and put in place clear regulations on minimum age and limits on working hours for those who choose to participate.

#### *Legislative Framework and Policies*

##### **Criminal Law**

**Article 191 (Prohibition of child labor)** A person who assigns work to a minor under the working age shall be punished by short-term labour for less than two years.

##### **Law on the Protection and Promotion of the Rights of Children**

**Article 19 (Prohibition of child labor)** In the Democratic People's Republic of Korea, child labor is strictly prohibited. Institutions, enterprises, organizations and individual citizens cannot engage in the act of making children work.

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<sup>76</sup> CRC/C/PRK/CO/5

## ***Review of Implementation***

Inclusive and equitable quality education provides the basis for future development of children and their participation in society. Even though, the DPRK formally gives all children one year of compulsory preschool education together with a followed universal 12-year compulsory education, in reality children continue to spend a considerable amount of time which is allocated to education on the performance of different kind of labor, such as working in agriculture and construction projects that involve commitment for long periods of one month at a time.<sup>77</sup> This practice does not only deprive children of receiving education but is also a violation of Child labor regulations such as article 191 of DPRK's own criminal law and article 19 of DPRK's Law on the Protection and Promotion of the Rights of Children. UPR recommendations in the third-cycle by several states which address this issue and request the end of such practices were only noted by the DPRK in response.

## **2.2 Economic Pressure and Material Insecurity**

### ***Relevant International Commitments***

#### **Committee of the Rights of the Child (CRC) Recommendations to the DPRK<sup>78</sup>**

**46.(c)** Take prompt measures to effectively ban schools from requesting contributions in the form of fees, food and materials;

**55.(b)** Take prompt measures to ensure that children are not requested to perform “economic assignments” as part of their education and ensure that all children are treated equally in this regard, independently of their economic situation;

### ***Legislative Framework and Policies***

#### **Criminal Law**

**Article 191 (Prohibition of child labor)** A person who assigns work to a minor under the working age shall be punished by short-term labour for less than two years.

#### **Law on the Protection and Promotion of the Rights of Children**

##### **Article 8 (Principles of material security for children)**

In accordance with the principle of «The best thing for children!», the state will ensure that children's health, education and culture, and everything necessary for life are the best and first guaranteed.

## ***Review of Implementation***

SDG 4 aims to ensure boys and girls equally free, publicly-funded primary and secondary education, which under the DPRK's principle of “the best thing for children”<sup>79</sup> requires for the state to provide material security for children in terms of health, education and culture. But as

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<sup>77</sup> CRC/C/PRK/CO/5

<sup>78</sup> CRC/C/PRK/CO/5

<sup>79</sup> Refers to Article 8 of the Law on the Protection and Promotion of the Rights of Children.

of 2010, only 68 percent of students had access to textbooks and the last available data suggested a major deficit with only 49 percent of kindergarten and 56 percent of primary and secondary schools having access to piped water.<sup>80</sup> Additionally, it can be observed that children and their families are burdened by being required to pay informal school fees. This includes contributing materials or money and leads for children from economically deprived families being unable to comply and therefore missing out on school.<sup>81</sup> At the present, there is no definitive data available on national budgetary resources that are allocated to education. Because of current sanctions Official Development Assistance to education is very limited and was estimated at just US \$ 3 million in 2015.<sup>82</sup>

## 2.3 Child Abuse by Educational Staff

### *Relevant International Commitments*

#### **Committee of the Rights of the Child (CRC) recommendations to the DPRK<sup>83</sup>**

**46.(d)** Promptly strengthen monitoring systems in schools to ensure that teachers do not ill-treat or punish students, implement in practice the ban on corporal punishment, and investigate and discipline school staff who fail to respect the child's right to physical and mental integrity.

### *Legislative Framework and Policies*

#### **Law on the Protection and Promotion of the Rights of Children**

##### **Article 26 (Respect for Children's Personality)**

Children's education workers should always be examples of children, and in no case should they ignore or discriminate against the child's personality or engage in acts such as swearing, blaming, insulting, or beating a child.

### *Review of Implementation*

The CRC Committee pointed out the discrimination children are facing based on their social status as well as verbal and physical punishment by teachers when they are unable to achieve an “economic assignment” or to participate in mass mobilization. It was reported that three out of five children between the age of 10 and 14 years were subjected to some form of violent discipline prior to the Multiple Indicator Cluster Survey (MICS) 2017 survey. Around 50 percent stated that they were subject to psychological aggression, 38 percent claimed to have experienced physical punishment and 3 percent received severe punishment.<sup>84</sup>

## 2.4 Politicization of the Curriculum

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<sup>80</sup> UNICEF DPR Korea, *Analysis of the Situation of Children and Women in the Democratic People's Republic of Korea 2019* (Pyongyang: 2019), 80.

<sup>81</sup> CRC/C/PRK/CO/5

<sup>82</sup> UNICEF DPR Korea, *Analysis of the Situation of Children and Women*, 80.

<sup>83</sup> CRC/C/PRK/CO/5

<sup>84</sup> UNICEF DPR Korea, *Analysis of the Situation of Children and Women*, 85.



## **Review of Implementation**

The extensive politicization of teaching materials and the curriculum, with a strong focus on ideological indoctrination remains of concern. The DPRK's curricula contains elements that are incompatible with the international system or have been dismissed from it due to excessive emphasis on ethnic pride, nationalism, traditional gender roles and stereotypes as well as the belligerent tones in the education contents.<sup>85</sup> The DPRK has pursued a practice of unilateral knowledge transfer by selectively incorporating parts of foreign curricular, scientific methods and materials into their otherwise unchanged education system.<sup>86</sup> International accreditation agencies were unable to perform any real inspection and evaluation of the DPRK's educational institutions. This also impacts the fact that the overall performance of DPRK's students against international benchmarks remains unknown and the country has not made any impact in the world publications, with most of the state's scientific journals being only available through its own websites.<sup>87</sup>

### **3. Protection: Every child is protected from violence, exploitation, and harmful practices**

**SDG 5.2** Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking, sexual, and other types of exploitation.

**SDG 8.7** Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking. Also, secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

**SDG 16.1** Significantly reduces all forms of violence and related death rates everywhere.

**SDG 16.2** End abuse, exploitation, trafficking and all forms of violence against children, as well as the torturing of children.

#### **3.1 Child Abuse**

##### **Relevant International Commitments**

###### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.187** Develop a comprehensive strategy to prevent and combat all forms of violence against children, in particular addressing their root causes (Algeria)

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<sup>85</sup> Gianluca Spezza, "Education & Development in North Korea: The Push for a 'Science-based Economy' under Kim Jong-Un," *Institute for Security and Development Policy* (February 2021): 6.

<sup>86</sup> Spezza, "Education & Development in North Korea," 7.

<sup>87</sup> Spezza, "Education & Development in North Korea," 7.

**127.61** Take further measures to prevent and combat violence against children, child forced labour and exploitation and ensure that all children have access to education (Italy)

### **Committee of the Rights of the Child (CRC) Recommendations to the DPRK<sup>88</sup>**

**26.(a)** Unequivocally prohibit, in law and in practice, the torture and other cruel or degrading treatment or punishment of children, including children who are forced to return to the State party, and establish appropriate sanctions against perpetrators.

**26.(b)** Improve reporting mechanisms and promptly investigate and prosecute all cases of torture and ill-treatment of children.

### ***Legislative Framework and Policies***

#### **Criminal Law**

**Article 207 (Violation of Child Protection and Care Regulations)** A worker serving at a nursery or a kindergarten who violates the regulations for child protection and care, thereby severely injuring a child shall be punished by short-term labour for less than two years. In cases where the person commits a grave offence, he or she shall be punished by reform through labour for less than three years.

**Article 295 (Sexual Intercourse with a Minor)** A person who has sexual intercourse with a minor under the age of fifteen shall be punished by reform through labour for less than five years. In cases where the person commits a grave offence, he or she shall be punished by reform through labour for more than five years and less than ten years.

#### **Law on the Protection and Promotion of the Rights of Children**

##### **Article 26 (Respect for Children's Personality)**

Children's education workers should always be examples of children, and in no case should they ignore or discriminate against the child's personality or engage in acts such as swearing, blaming, insulting, or beating a child.

##### **Article 43 (Prohibition of Punishment at Home)**

At home, children should not be abused, indifferent, swear words, blame, or beatings.

### ***Review of Implementation***

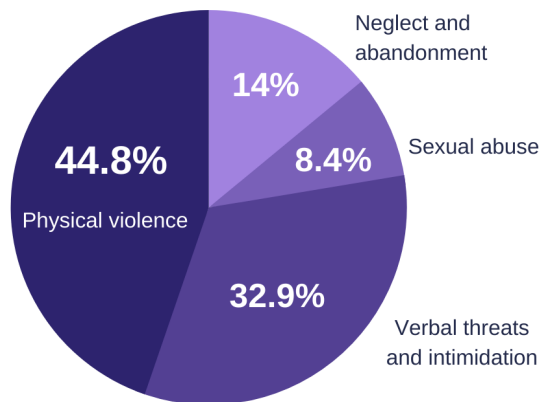
According to a survey carried out by PSCORE in 2019, out of 152 interviewed defectors from the DPRK, half of the respondents (76/152) stated they had been subjected to some degree of abuse as children. They further confirmed that the three main forms of such abuse against DPRK children are physical violence (hand and leg attacks), violence by the abusers through props, and verbal threats and intimidation. Furthermore, 76 percent (116/152) said they were aware of or had heard about child abuse in the DPRK. Of the 152 respondents, 29 percent (44)

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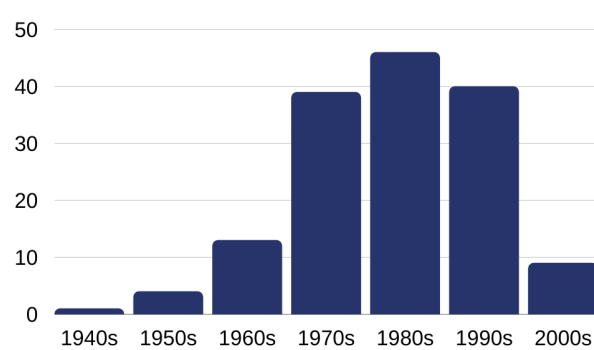
<sup>88</sup> CRC/C/PRK/CO/5

said they had no one to consult in the case of child abuse. Only a few (7) said they could consult with their school teachers. While conducting the survey, no one expressed the opportunity to report to the public authorities. As such, the violent treatment of children within the DPRK at home and in schools continues to occur without the needed protection and measures from authorities.

**Main Forms of Abuse Against North Korean Children**



**Year of Birth among 152 North Korean Defector Interviewees**



For better interpretation of the given data, the age and gender distribution among the defectors has been included in this report. It can be seen that the main target group of the interviewed defectors was the age group of people born in the 1980s and 1990s. This is due to the reason that they can provide the most accurate information on child abuse, as their experience is more recent. Interviewed children or young adults born in the 2000s were not able to articulate their experiences well, which diminished the content output of such interviews. In order to track the history of child abuse, testimonies of defectors born before the 1960s were also included.

When analyzing the numbers of gender distribution among defectors, it can be observed that according to the status quo of North Korean defectors entering the Republic of Korea<sup>89</sup> (by December 2020) females accounted for 72 percent and male are accounted for 28 percent of the total number of North Korean defectors in the Republic of Korea. Comparing these numbers to the gender distribution of the PSCORE survey interviewees, those numbers are mirrored and therefore explain the high number of female interviewees. Hence the accuracy of the interviews can be recognized.

<sup>89</sup> "Status Quo of North Korean Defectors Entering the Republic of Korea," Ministry of Unification, <https://www.unikorea.go.kr/unikorea/business/NKDefectorsPolicy/status/lately/>.

## 3.2 Child Labor

### *Relevant International Commitments*

#### **UPR Third Cycle Recommendations supported by the DPRK**

**127.61** Take further measures to prevent and combat violence against children, child forced labour and exploitation and ensure that all children have access to education (Italy)

**127.29** Put an end to forced labour in political prison camps and, in particular, protect children under 18 years against any form of forced labour in conformity with target 8.7 of the Sustainable Development Goals (Switzerland)

**126.132** Take immediate action to cease the practice of forced labour, including the use of prisoners and children, as defined by article 1 of the United Nations Convention of the Rights of the Child (United Kingdom of Great Britain and Northern Ireland)

**127.27** End the practice of inadequately paid labour and the political mobilization of the population, which in the case of minors hinder access to education (Germany)

#### **Committee of the Rights of the Child (CRC) Recommendations to the DPRK<sup>90</sup>**

**55.(a)** Amend its labour and child-related legislation to explicitly prohibit the employment of children under 18 in harmful or hazardous work in the formal and informal sectors;

**55.(b)** Take prompt measures to ensure that children are not requested to perform “economic assignments” as part of their education and ensure that all children are treated equally in this regard, independently of their economic situation;

**55.(c)** Ensure that children are not forced to participate in mass agricultural mobilizations and put in place clear regulations on minimum age and limits on working hours for those who choose to participate;

**55.(d)** Ban the practice of assigning children under the age of 18 to *dolgyeokdae* and provide all children with equal opportunities to further their education;

**55.(e)** Consider joining the International Labour Organization (ILO) with a view to ratifying the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the Minimum Age Convention, 1973 (No. 138), and seek technical assistance from the International Programme on the Elimination of Child Labour of the ILO in this regard.

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<sup>90</sup> CRC/C/PRK/CO/5

## Review of Implementation

Children in the DPRK suffer from the oppression of being forced to work as child laborers. Despite the DPRK's legal framework that prohibits child labor, data from the Global Slavery Index 2018 shows how both children and adults are mobilised for unpaid "communal labour" in agriculture, road building and construction in the DPRK.<sup>91</sup> Forced labor in children might involve daily work in agriculture, or a month of work at harvest time. If they do not participate they might be punished and criticised within the school, which was addressed in the previous chapter of this report, as it severely interferes with their education. According to the PSCORE report on *Child Labor within North Korea* the testimonies and surveys of defectors confirmed that the majority have experienced some type of child labor while living in the DPRK. Sometimes defectors do not realize that the definition of those tasks is considered "child labor."<sup>92</sup> From their understanding there is work for adults as well as work for children, which clearly shows how widespread child labor is within the DPRK.

The "normalization" of child labor highlights that DPRK is exploiting some of the most vulnerable people in the state, in which children are especially easy targets. Teachers and parents have become direct witnesses of child labour, creating psychological pressure. There are many cases in which the low productivity of industries, forces the employers to use child labor. In most cases it is seen that the government pairs a school with a farm, making children perform "volunteer work" on these farms. According to the PSCORE Report on *Child Labor in North Korea*, most of the students believed that this was a normal part of their education, and just life routine. Most could not say anything about the issue when they were against it, due to fear of punishment.<sup>93</sup>

## 4. Environment: Every child lives in a safe and clean environment

**SDG 1.4** Basic drinking water, sanitation, and hygiene services.

**SDG 6.1** By 2030, achieve universal and equitable access to safe and affordable drinking water for all.

**SDG 6.2** By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.

**SDG 13.1** Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries.

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<sup>91</sup> "Global Slavery Index 2018," *Walk Free Foundation*, <https://www.globalslaveryindex.org/resources/downloads/>.

<sup>92</sup> Damien Reggio et al., *Inescapable Violence: Child Abuse within North Korea* (Seoul: PSCORE, 2019), 10-12.

<sup>93</sup> Hyo-Kyung Lee et al., *Undending Toil: Child Labor within North Korea* (Seoul: PSCORE, 2018), 170-171.

## 4.1 Clean Water, Sanitation and Hygiene

### *Relevant International Commitments*

#### **UPR Second Cycle Recommendations Accepted by the DPRK**

**124.122** Provide more convenient living conditions to children without parents (South Sudan)

**124.178** Continue to make efforts to ensure that children with disabilities and those without parents fully enjoy their right to health, education and other social and cultural rights (Sri Lanka)

### *Legislative Framework and Policies*

#### **Child Care Liberal Arts Act**

##### **Article 23 (Children's Living Environment)**

Daycare centers and kindergartens should take care of children warmly with the heart of their mothers and raise them to meet the requirements of the group childcare norms and sanitation and quarantine norms. Children's living environment should be kept clean, the temperature and humidity in the room should be properly guaranteed, and physical fitness by air, sunlight, water, medical equipment, and sports equipment should be properly suited to age and constitution.

### *Review of Implementation*

Basic drinking water, sanitation and hygiene services are essential foundations for children's healthy growth. Providing clean water to children is thus considered one of the main responsibilities of the state government. Especially, in the case of the DPRK, as the population is highly dependent on resource distribution through state institutions.

Article 23 of the Child Care Liberal Arts Act of the DPRK regulates requirements of the group childcare norms and sanitation and quarantine norms. On the surface, the DPRK seems to have a basic legal guarantee of water and shelter for children, but the reality actually paints a different picture. According to UNICEF, 50 percent of schools and 38 percent of nurseries in the DPRK lack adequate water and sanitation facilities. Only 61 percent of the households had access to safely managed water service, and the remaining 39 percent struggled to find a safe water supply. Inadequate access to sanitation is further aggravating health risks.<sup>94</sup> 16 percent of people use unimproved sanitation facilities and there is a notable disparity between rural (28 percent) and urban areas (8 percent). Nine out of ten people in rural areas, and three out of ten people in urban areas, live in environments carrying potentially deadly health risks due to the unsafe disposal of human waste and the use of unimproved sanitation facilities (MICS). The family plays a crucial and decisive role in the growth of children. Lack of safe water in households can be very detrimental to the growth of the health of North Korean children.

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<sup>94</sup> "Water, Sanitation & Hygiene," UNICEF, <https://www.unicef.org/dprk/water-sanitation-hygiene>.

Also, according to the official UN Humanitarian Programme Cycle 2020, the WASH Sector PiN, which is 8.4 million people, Shrank by 15 per cent compared to 2019 (9.9 million people) in the DPRK.<sup>95</sup> These statistics have been determined by a MICS analysis which revealed that 33 percent of the population do not have access to a safely-managed drinking water source. Thus causing diarrhea, which is among the leading causes of child mortality in DPRK and one of the key underlying causes of acute malnutrition.

## 4.1 Climate Change

### *Relevant International Commitments*

#### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.112** Enable greater inclusion and participation of women, children, persons with disabilities, and indigenous and other marginalized communities in devising holistic strategies towards managing climate change and its impact on livelihoods. (Fiji)

#### **Committee of the Rights of the Child (CRC) Recommendations to the DPRK<sup>96</sup>**

**44.(c)** Define budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social measures and make sure that those budgetary lines are protected even in situations of economic scarcity, natural disasters or other emergencies.

**43.(a)** In cases of climate-related emergencies that disrupt access to food, such as floods and droughts, provide children with immediate access to treatment for malnutrition.

**43.(b)** Increase children's awareness of and preparedness for climate change and natural disasters by incorporating them into the school curriculum and teachers' training programmes.

**43.(c)** Continue to cooperate with, among others, UNICEF and the World Food Programme, and pay particular attention to child rights issues in disaster risk reduction, response management and preparedness initiatives.

### *Review of Implementation*

North Korean children are also exposed to different negative effects of climate change, which was addressed by Fiji under the third cycle of UPR recommendations. The effects of climate change are global, and the negative impact on the DPRK is ongoing. The DPRK government should also accept the involvement of international organizations and experts to reduce the impact of climate change on the North Korean population, especially vulnerable children.

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<sup>95</sup> OCHA, *DPR Korea Needs and Priorities Plan 2020*, 36.

<sup>96</sup> CRC/C/PRK/CO/5

In the case of the DPRK climate change has its most severe effects on agriculture and food security as it leads to an increase of natural disasters within the country, as pointed out by the Human Rights Watch's report. The economic impact of sanctions, which were intensified during the COVID-19 lockdown, together with severe floods that hit the country between June and September and destroyed crops, roads, and bridges, undermined the country's agricultural production plan.<sup>97</sup> With the state being unable to provide food to its citizens, children continue to suffer from starvation and malnutrition.

## 5. Fair Chance: Every child has a fair chance in life

**SDG 1.1** By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day.

**SDG 1.3.1** Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work-injury victims, and the poor and the vulnerable.

### *Relevant International Commitments*

#### **UPR Second Cycle Recommendations Accepted by the DPRK**

**124.154** Intensify efforts to develop poverty alleviation programmes with specific attention to empower marginalised and vulnerable groups within the society, such as children, women and the elderly (Sri Lanka)

#### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.102** Maintain the design of action to guarantee the well-being of its population, in particular children, women, older persons and persons with disabilities, in its economic and social development plans (Cuba)

**126.157** Intensify efforts in ensuring the rights to food and health for all people in the country, with priorities given to vulnerable or specific groups such as children, women, persons with disabilities and older persons (Thailand)

**126.160** Take necessary measures to combat food insecurity and malnutrition, which affect millions of persons, including in particular children, women and older persons as well as other vulnerable groups (Ecuador)

**126.188** Adopt concrete measures to address the root causes of infant and child mortality, including social and economic deprivation and inequality, child malnutrition and child labour (Brazil)

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<sup>97</sup> "North Korea Events of 2020," *Human Rights Watch*, <https://www.hrw.org/world-report/2021/country-chapters/north-korea>



## **Committee of the Rights of the Child (CRC) Recommendations to the DPRK<sup>98</sup>**

**56.(a)** Assess the number of children living and/or working on the streets, and conduct a study on the root causes of their situations;

**56.(b)** Ensure that support provided to children in street situations, particularly reintegration in the family or placement in alternative care, fully respects the child's best interest and gives due weight to their autonomous views in accordance with their age and maturity.

### ***Legislative Framework and Policies***

#### **Law on the Protection and Promotion of the Rights of Children**

##### **Article 8 (Principles of material security for children)**

In accordance with the principle of «The best thing for children!», the state will ensure that children's health, education and culture, and everything necessary for life are the best and first guaranteed.

##### **Article 16 (Children's Food Products)**

State agencies and social cooperative organizations should normally guarantee various processed food products such as milk, meat, eggs, fruits, male birds and sweets in day care centers and kindergartens. In this case, the hygiene and safety of food products shall be guaranteed.

#### **Child Care Liberal Arts Act**

##### **Article 23 (Children's Living Environment)**

Daycare centers and kindergartens should take care of children warmly with the heart of their mothers and raise them to meet the requirements of the group childcare norms and sanitation and quarantine norms. Children's living environment should be kept clean, the temperature and humidity in the room should be properly guaranteed, and physical fitness by air, sunlight, water, medical equipment, and sports equipment should be properly suited to age and constitution.

### ***Review of Implementation***

According to the legislative frameworks and policies of the DPRK, the state is the main duty bearer to ensure children's wellbeing and material security. This also correlates with the DPRK's socialist political regime. However, the state is not able to hold this responsibility as extreme poverty remains one of the major problems with a special impact on children. Poverty entails more than a lack of income and productive resources to ensure sustainable livelihoods. Its manifestations include hunger and malnutrition, limited access to education and other basic services, social discrimination and exclusion, as well as the lack of participation in decision-making.<sup>99</sup>

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<sup>98</sup> CRC/C/PRK/CO/5

<sup>99</sup> "Global Issues: Ending Poverty," *United Nations*, <https://www.un.org/en/global-issues/ending-poverty>.

One out of five children live in extreme poverty, and the negative effects of poverty and deprivation in the early years have ramifications that can last a lifetime. Poverty thus poses a threat to childhood and violates children's rights (CRC definition) as a whole. The DPRK government stated in the child-free dialogue that there were no 'kkotjebi' (street orphans), however, according to the PSCORE report "*Child Labor within North Korea*" and "*Inescapable Violence: Child Abuse within North Korea*," testimonies of students outside the regular school system confirmed the corresponding situation. Additionally, the Committee on the Rights of the Child remains concerned about further abuse and forced detention children might face due to issues such as poverty and neglect. Additionally, there is no legislative protection of children living in extreme poverty or street situations. Hence, it is urgent to focus on the impact of poverty on North Korean children and improve protective measures.

The current COVID-19 pandemic adds onto the economic difficulties of the DPRK and thus increases the hardship of the general population, which was noted by the UN Special Rapporteur on North Korean Human Rights in his recent report of 2021.<sup>100</sup> There has not been any opportunity to obtain data from the DPRK during COVID-19 due to the country's closure. Since the beginning of the pandemic, they have been affected by economic sanctions, drastic quarantine rules, travel restrictions within their own country, and floods that affected their agricultural plan.

Increasing food insecurity due to the absolute lockdown, forces children and elderly to resort to begging on the streets or to obtain food from neighbouring countries, thereby breaking laws and risking severe punishments, such as execution. The primary responsibility for poverty alleviation lies with the DPRK government. Through allocation of state funds it should be ensured that people, especially children, receive enough food supplies. If the domestic level has been unable to meet the daily food needs of the people, opening up the country borders to accept foreign supplies is considered as absolutely necessary.

Recent examples, such as the case of Taiwan,<sup>101</sup> prove that an exclusive lockdown cannot fundamentally address the needs in order to fight the pandemic, especially when the economic development of a state is rather low. Only through active vaccination and international expertise, correct prevention of the spread of COVID-19 can be ensured and thus protect North Korean people's health and safety in a fundamental sense, ultimately contributing to the welfare of children as being part of the vulnerable population. Active response to the epidemic is not only a responsibility for the people of the DPRK, but also for the people of other countries all around the world.

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<sup>100</sup> Radio Free Asia (RFA), "UN Rights Official Warns of Starvation, Poverty in North Korea From Long COVID-19 Lockdown," *RFA*, March 12, 2021, <https://www.rfa.org/english/news/korea/quintana-03122021180112.html>.

<sup>101</sup> "The key factor in the resurgence of the epidemic in Taiwan (in Chinese)," *Deutsche Welle*, <https://www.dw.com/zh/专访台湾疫情再起的关键因素/a-57576454>

It is therefore inevitable for the country to rely on international aid to obtain COVID-19-tests, vaccines and food supplies in order to manage the current crisis. As mentioned before, children in the DPRK are affected by malnutrition leading to stunting and wasting, lack of hygiene and sanitation, and are at risk of dying due to natural disasters, forced labor and violence. All these issues could be severely improved with the help of international aid. Many of the UPR's recommendations by other countries in all three cycles have been supported by the DPRK. Not only that, but they also claim to have practiced such recommendations, when in fact the data demonstrates the opposite.

Furthermore, there is a concerning lack of data from the DPRK when it comes to the Rights of the Child. UNICEF has had trouble obtaining data in most areas, especially in the fifth dimension of a Fair Chance, which includes SDG 1. It is paramount for institutions to collect data and for the DPRK to allow them to do so. Only aid can be given if the country complies and understands the importance of partnerships for the sustainable development of their country.

The DPRK has shown some positive attitude in dealing with children's problems, but its practices have not been matched. The form of this is that although there are provisions on the protection of children's rights in the relevant laws in DPRK, including the Socialist Constitution, the Law on the Protection and Promotion of the Rights of Children, Child Care Liberal Arts Act and Criminal Law, but in real life, these laws do not restrict the damage of children's rights. Also, the DPRK remains indifferent and irresponsible to the international community's condemnation and constructive suggestions. Few of the UPR and CRC's recommendations have been actually implemented by the DPRK government. The contrast between law and practice, commitment and neglect, and administrative inaction is a comprehensive illustration of the DPRK government's disregard for children's rights. These are all contrary to the SDG's development goals and require the DPRK government to adjust its attitude and actively respond accordingly. The following contents are relevant recommendations to the DPRK government, which we hope can be actively adopted and implemented in the near future.

## Recommendations

### *Recommendations to the DPRK:*

- Follow and implement the UPR suggestions on children's rights, specifically targeting food insecurity and malnutrition in order to comply with the 2030 Agenda for Sustainable Development and to meet the requirements for SDG 2 and 3.
- Follow and implement the CRC recommendations, especially concerning the immediate end to the practice of forced labour and the political mobilization of the population, which in the case of minors hinders access to education. (SDG 8.7)
- Follow and implement its own constitution and acts regarding the protection of children's rights, such as but not limited to the Law on the Protection and Promotion of the Rights of Children Article 43, ensuring children are protected from violence and abuse within DPRK. (SDG 16.2)
- Accept COVID-19 vaccinations from other countries as well as the aid of experts for its storage and distribution, to help combat the spread of the virus, protect DPRK's vulnerable population and finish the global vaccination program, to ensure children no longer suffer from COVID-19 restrictions that lead to food insecurity and lack of education. (SDG 3.8, 3.B)
- Strengthen public health education to address the changing context of global health, including education on how to combat the COVID-19 pandemic, both at school and at home to ensure children's personal hygiene and health. (SDG 3)
- Develop health services and infrastructure, especially in rural areas, to increase the efforts to combat and reduce neonatal and under-5 mortality to achieve SDG target 3.2 by 2030. (SDG 3.2)
- Establish measures and allocate funding to provide access to clean water in schools, homes and other public facilities, possibly through filtration systems, in order to clean polluted water sources and create safe waterways. (SDG 6)
- Accept international aid provided by the UN and other actors and direct them towards fighting food insecurity, malnutrition and ill-health among children;
- Ensure that the expenditure of government finances is focused on the improvement of children's livelihood to ensure the rise of living standards above the poverty line to prevent children being forced to beg and live in street situations. (SDG 1)
- Introduce measurements to improve agriculture output, such as technological and scientific knowledge exchange with other countries to improve the aggregation and

distribution of food supplies within the population to combat food insecurity and malnutrition among children. (SDG 2)

- Enforce already existing rules and regulations, regarding working age requirements and the protection of children from violence at home and in schools, according to the Criminal Law of the DPRK Articles 191, 207, 271, and 295. (SDG 8.7, SDG 16.2)
- Provide sufficient material and financial support to educational institutions according to Article 8 of the Law on the Protection and Promotion of the Rights of the Children to fight corruption within schools that burden students with economic assignments. (SDG 4.5, SDG 16.2, 16.5)
- Take measures to immediately de-politicize the curriculum, which features improper representations of other nations, historical distortions and the idolization of totalitarian political orders. (SDG 4)
- Orient changes to the curriculum towards the education objectives outlined by the UNESCO's *Recommendations concerning Education for International Understanding*, which advocates for co-operation, peace and education relating to Human Rights and Fundamental Freedoms. (SDG 4.7)
- Promote gender equality between girls and boys at all levels of the education system, including the freedom for girls and boys to choose their courses based on their interests, as guaranteed by DPRK's Law on the Protection and Promotion of the Rights of Children Article 27. (SDG 4.5)
- Allow and provide DPRK children access to digital educational tools such as, but not limited to: the Internet, newspapers, radio and television, to counteract the lack of in-person classes and to enable children to continue their education without disruption due to COVID-19. (SDG 16.10)
- Allow the collection of data in order to adequately evaluate the country's current situation, and visualize the areas where most help is needed related to all SDGs, especially in when it comes to SDG 1. (SDG 17.18)

### ***Recommendations to the International Community:***

- Donate COVID-19 vaccines and aid for their safe storage, together with expertise on how to properly administer them to the DPRK population. (SDG 3.B, SDG 17)
- Actively send medical teams to the DPRK to guide local hospitals in the fight against the pandemic, especially neighboring countries that can provide supplies more quickly, regardless of diplomatic relationships. (SDG 3, 17)

- Actively seek cooperation with the DPRK government to ensure the proper preservation and use of medical supplies through the deployment of foreign medical teams. (SDG 3, 17)
- Actively provide financial aid and in-kind donations, including medical supplies, to a wide range of civil society groups, especially those most vulnerable, such as those living in rural areas in the DPRK. (SDG 3, 17)
- Seek dialogue with the DPRK to negotiate conditions and frameworks for cooperation in regard to accepting international aid, foremost targeting food insecurity, malnutrition and health of children. (SDG 2, 3)
- Collect new data regarding children's rights within the DPRK, especially regarding SDG 1, in order to adequately evaluate the country's current situation and provide aid accordingly. (SDG 1, 17)
- Correctly update the information of UN member states, international bodies such as UNICEF and NGOs gathered on education in the DPRK, by removing the government's claims of free education and acknowledging the incidence of forced labor as an alternative form of tuition. (SDG 4, 17)

# Building a Peaceful and Inclusive Society for Sustainable Development by Ending Exploitation and Corruption

By Open North Korea (ONK)

Under the rule of the Workers' Party, widespread and systematic exploitation of people's cash, resources, and labor is committed through political organizations, to which all people in the DPRK (or North Korea) must belong. This exploitation can be found in every sector of people's lives and represents a critical obstacle to Goal 8 and Goal 16.

The exploitation of cash, resources, and labor from children in elementary and middle schools results in the marginalization of vulnerable groups of children, pushing them outside of the education system. Indeed, it can be estimated that 10-20 percent of underprivileged children in school do not properly receive all educational services.<sup>102</sup> In addition, due to the closure of the northern border with China as a quarantine policy to cope with the COVID-19 pandemic, it is likely that the plight of vulnerable children has become much more serious. This represents a significant challenge to Goals 2, 4, and 16.

The background of this widespread and commonplace exploitation is the underdeveloped economy and the excessive regulations placed on private economic activities. This is a significant obstacle to Goal 8 as well as to Goal 16. Even though the DPRK authorities have recently emphasized "a struggle against power, bureaucracy, and corruption" through the leader's New Year's Statement,<sup>103</sup> and through the actions of the Political Bureau of the Party's Central Committee in 2020,<sup>104</sup> these new policies have mainly led to restrictions on people's cultural and economic lives as well as limitations to freedom of expression and thought. Therefore, it is necessary that the international community cooperate to bring practical improvements in pursuit of the aforementioned goals and also to effectively cope with the damaging human and economic impact of the COVID-19 pandemic.

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<sup>102</sup> It is a result of the research that Open North Korea carried out in 2020. The research is about the systematic exploitation through the political institutions of the DPRK through interviews with 30 escapees who left the country from the year 2014 to 2019. Those who left the DPRK in 2018 were 6, and those who did in 2019 were 11 while those from the border provinces were 20 and the others from inland provinces were 10.

<sup>103</sup> Youngjong Lee, "[North Korea], A full transcript of Kim Jong Un's 2016 New Year's Statement," *JoongAng News Daily*, January 1, 2016, <https://news.joins.com/article/19344937>.

<sup>104</sup> "Central Committee's Political Bureau of the Workers' Party had an expansion meeting," *Rodong Sinmun*, February 29, 2020, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2020-02-29-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2020-02-29-0001)

## 1. Systematic Exploitation of People's Property including Labor and Bribery

**SDG 8** Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

**SDG 16.2** End abuse, exploitation, trafficking and all forms of violence against and torture of children

**SDG 16.5** Substantially reduce corruption and bribery in all their forms

**SDG 16.6** Develop effective, accountable and transparent institutions at all levels

### *Relevant International Commitments*

#### **International Covenant on Civil and Political Rights (ICCPR)**

**Article 1(1)** All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

**Article 1(2)** All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

#### **International Covenant on Economic, Social and Cultural Rights (ICESCR)**

**Article 6(1)** The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

**Article 6(2)** The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

**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:

(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;



**Article 11(1)** The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.108** Continue to promote sustainable economic and social development in order to provide a solid basis for its people to better enjoy all human rights (China)

### **Legislative Framework and Policies**

The Socialist Corporate Responsibility Management System<sup>105</sup> was introduced to strengthen corporate autonomy by amending the Enterprise Act, as a primary part of the “Our Own Style Economic Management System”.

The state-led campaign for “a struggle against power, bureaucracy and corruption” declared in the Supreme Leader’s New Year’s address from 2016 to 2019<sup>106</sup>

The decision of the Central Committee of the Workers’ Party<sup>107</sup>

The amendment of the Criminal Law<sup>108</sup> in 2015 to toughen the punishment for bribery to up to ten years in prison

The policy to “eradicate corruption by investigating abuses of power, bureaucracy, and privilege, as well as all other behavior in the private lives of the public officials” at the 8th Congress of the Workers’ Party in early January 2020<sup>109</sup>

A dedicated department, “the Discipline Investigation Department” was established<sup>110</sup> in the Workers’ Party to monitor corruption of central and local officials.

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<sup>105</sup> The DPRK Enterprise Act, Article 29 “*Exercising correctly the management right of the enterprise is an important requirement for the accurate implementation of the socialist enterprise responsibility management system.*” (May 21, 2015, Supreme People’s Assembly’s standing committee, amended and adjusted)

<sup>106</sup> Kim Jong Un, “The New Year’s Statement,” *Rodong Sinmun*, January 1, 2019, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2019-01-01-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2019-01-01-0001)

<sup>107</sup> “Central Committee’s Political Bureau of the Workers’ Party had an expansion meeting,” *Rodong Sinmun*, February 29, 2020, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2020-02-29-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2020-02-29-0001)

<sup>108</sup> The DPRK Criminal Law, Article 230 (Bribery) “A person who receives a bribe shall be punished by a short-term labor training sentence for not more than one year. In particular, in the case of receiving a large amount of bribes, the punishment is a labor prison sentence (*rodong kyohwahyeong, which is an ordinary imprisonment sentence by labor*) for less than 5 years. In severe cases, the punishment is imprisonment for not less than 5 years but not more than 10 years.” (July 22, 2015, Supreme People’s Assembly’s standing committee, amended and adjusted.)

<sup>109</sup> Kim Jong Un, “The conclusions of the 8th Workers’ Party Congress of the DPRK,” *Rodong Sinmun*, January 13, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-01-13-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-01-13-0001)

<sup>110</sup> Young Jeon Kwon, “The North sets up Discipline Investigation Department in the Party,” *Yonhap News*, January 11, 2021, <https://www.yna.co.kr/view/AKR20210111088000504>

## Review of Implementation

Under the declaration of “unemployment has forever disappeared” in Article 5 of the Socialist Labor Law of the DPRK, and Article 29 of the DPRK’s Socialist Constitution, all workers, including public officials, have to be registered as employees and go to work without receiving proper salaries - some laborers are forced to offer 30 times the official monthly salary at the official workplace. Instead, they can earn real income through unofficial jobs in grey markets. Money that laborers are forced to pay their companies is referred to as “earnings” or “8.3 money”.

*I had never received monthly wages, which was 1,500 won (0.2 dollars). In my salary statement’s breakdown, a negative monthly salary statement was issued with various details such as relief, insurance, and greenhouse construction costs for Kim Jong Il-flower cultivation. It had even come out to minus 10,000 won. I paid 50 Yuan (about 7.5 dollars) a month to the company in the name of ‘earnings’, while one of my male colleagues paid 100 yuan (15 dollars). I earned around 500 Yuan a month at jangmadang (a market) by selling goods for a living instead of working at the factory where I had to work. (A female interviewee who used to work at a munition factory and left North Korea in 2019.)*

*My husband was a director at a state enterprise, a pig breeding house, but he never received a salary. His official salary was 3,000 won (0.3 dollars). However, ‘8.3 money’ that he paid to the enterprise was a total of 500 Yuan (72 dollars) for a year, and 10 out of 150 employees were the people who were chosen to pay 8.3 money.” (A female interviewee who used to be a housewife and left North Korea in 2019.)*

Meanwhile, everyone living in the country is the target of such exploitation through political organizations under the rule of the Workers’ Party, such as through the Korean Children’s Union<sup>111</sup> or the Socialist Patriotic Youth League<sup>112</sup> (“Youth League”), the Socialist Women’s Union of Korea<sup>113</sup> (“Women’s Union”) and *inminban* (people’s unit, an administrative unit composed of 20 to 40 households). While those organizations exploit women and children for cash, resources, and labor, all other adults are subject to similar exploitation through the General Federation of Trade Unions of Korea<sup>114</sup> and the Union of Agricultural Workers of Korea<sup>115</sup>. Such exploitation takes place in the name of “social assignments” and “labor mobilization” imposed on the people for the purpose of the national construction projects, support for the People’s Army, and annual farming.

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<sup>111</sup> Korean Children’s Union is a political organization which is mandatory for 6-12 year old and 2nd grade elementary to middle schoolers to join.

<sup>112</sup> Socialist Patriotic Youth League, the biggest organization where North Korean citizens aged between 13 to 29 are obliged to join.

<sup>113</sup> A subsidiary political organization of the North Korean Workers’ Party in which housewives over 29, who are non-members of the Party, are obliged to join.

<sup>114</sup> A subsidiary political organization of the North Korean Workers’ Party in which all laborers, technicians and office workers aged 29 or above are obliged to join.

<sup>115</sup> A political organization of farm workers, also a subsidiary of the Workers’ Party.

*In 2016, I filled out all the 'economic assignments' in the housekeeping book and calculated a year's worth of money, and the amount I paid the women's union was about 300,000 won (37 dollars) in a year. Plus, I paid 200,000 won for the people's unit. It is said to provide support for the construction of power plants and the army, including five-handcart volume of rocks, ten-handcart sand, five-handcart mud, and 20 kilograms of cement. If you don't pay, the chairwoman of the women's union came home to urge you to pay no matter what. You can't stand it. The economic assignments of the people's unit are almost a daily task, and it costs thousands of won every day. The economic assignments submitted to the women's union are much more than the one sent to the people's unit because the former is politically stronger than the people's unit. However, many times assignments for both were overlapped. (A female interviewee who left North Korea in 2016)*

Besides these “social assignments,” there is another form of political or social duty for the people, “labor mobilization.”

*There have been three or four mobilizations a week. People are mobilized for farming at collective farms, mulberry farming, and building construction. To raise a school building to the fourth floor, Women's Union members carried sacks of cement up to the fourth floor and loaded it. The Women's Union took charge of the building themselves. By changing the system to the 12-year compulsory education system, middle school buildings needed to be enlarged, which was our task. We were mobilized to construction of an apartment complex. People called the Women's Union '365 days Shock Brigade (dolgyeokdae).' We had to go to work unconditionally. Or you have to pay someone as your proxy and let someone work there. (A female interviewee who left North Korea in 2017)*

*The amount varies depending on the difference in labor intensity, but the average amount is usually 2,000 to 5,000 won (0.6 dollars) for housewives to get out of labor mobilization during the daytime.” (A female interviewee who used to work at a munition factory and left North Korea in 2019)*

*Given to the chairwoman of the people's unit 25 yuan (3.6 dollars) per month, you are excluded from all kinds of construction mobilizations with the exception of cleaning the streets and guarding the neighborhood. (A female interviewee who used to sell goods at jangmadang (market) and left North Korea in late 2018)*

Remedies to stop exploitation practices should grant economic growth. In that sense, it is worth studying the state efforts like the “Socialist Corporate Responsibility Management System” to strengthen corporate autonomy and campaign for “a struggle against power, bureaucracy and corruption.” Yet, production activities tailored to the state's indicators or plans are factors that hinder corporate autonomy.<sup>116</sup> Those who left the country between 2016 and 2019 said that the rigidity of economic activities established by the burden of social

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<sup>116</sup> Soek Ki Lee et al., *Study on North Korean Economic Reform in the Kim Jong Un Era - focusing on Economic Management Way in Our Own Way* 김정은 시대 북한 경제개혁 연구 - ‘우리식 경제관리방법’을 중심으로 (Seoul: Korea Institute for Industrial Economics and Trade, 2018), 167-171.

assignments and planned economy's nature has caused serious social problems, such as bribery, distortion of markets, etc.

From 2016 to 2019, the authorities emphasized the necessity of “a struggle against power, bureaucracy and corruption” in its New Year’s address, highlighting its pursuit of the people-first principle. At the end of February 2020, the Central Committee of the Workers’ Party of Korea held the expansion meeting of the Political Bureau and reported that “the CC made a decision to dismantle the education facility for party elites of the party committee, which caused the corruption phenomenon, and to apply the appropriate punishment.”

Unfortunately, such efforts have not yet led to systematic reform for lightening people’s burdens and duties. Still, they resulted partially in the emphasis of an “Our Own Style Economic Management System” and self-supporting economy.<sup>117</sup> In that context, the state-led nationwide campaigns to raise rabbits and provide scrap metal should be discussed. The target populations for these campaigns are all people in the DPRK, including children.<sup>118</sup> It is assumed to be part of efforts to confront the COVID-19 pandemic and economic hardship, given that a Rodong Sinmun editorial noted that the people have been urging a march for ‘self-supporting revitalization’ to overcome the pandemic covering the whole world and natural disasters.<sup>119</sup>

As heavy “social assignments” and “labor mobilization” saddle the people with limitations of private economic activities, the rigidity of job turnover, employment, and corporate management leads to unnecessary financial losses by propping up state-owned enterprises with “8.3 money” provided by the private economic actors. Even under the socialist planned economy, it is almost as if people were paying huge amounts of quasi-taxes in the names of “earnings” or “8.3 money,” and “social assignments.”

## 2. Violence against a Vulnerable Class of Children

**SDG 2.1** By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round

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<sup>117</sup> “Let’s fulfill completely the primary policies discussed at the 3rd Plenary Meeting of 8th Central Committee of WPK with the fighting spirit of all the people and the party,” *Rodong Sinmun*, June 21, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-06-21-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-06-21-0001)

<sup>118</sup> “Let’s always get ready for the socialist fatherland while waving the Children Union’s flag with high dignity!” *Rodong Sinmun*, June 6, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-06-06-0029](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-06-06-0029)

“The strong support for the steel industry,” *Rodong Sinmun*, June 10, 2021 [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-06-10-0005](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-06-10-0005)

<sup>119</sup> “Self-supporting revitalization is our people’s unique fighting spirit,” *Rodong Sinmun*, December 28, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2020-12-28-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2020-12-28-0001)

**SDG 2.a** Increase investment, including through enhanced international cooperation, in rural infrastructure, agricultural research and extension services, technology development and plant and livestock gene banks in order to enhance agricultural productive capacity in developing countries, in particular least developed countries

**SDG 4.1** By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes

**SDG 16.2** End abuse, exploitation, trafficking and all forms of violence against and torture of children

### ***Relevant International Commitments***

#### **International Covenant on Civil and Political Rights (ICCPR)**

**Article 8, 3. (a)** No one shall be required to perform forced or compulsory labour

#### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.102** Maintain the design of action to guarantee the well-being of its population, in particular children, women, older persons and persons with disabilities, in its economic and social development plans (Cuba)

**126.106** Further strengthen programmes to protect the rights of vulnerable groups including women, children, persons with disabilities and the elderly (Philippines)

**126.107** Expand the measures designed to uplift the well-being of women, children, persons with disabilities and elderly people (Zimbabwe)

**126.155** Enhance measures to ensure the availability and accessibility of essential services for all and the enjoyment of rights by women, children and persons with disabilities (Nepal)

**126.157** Intensify efforts in ensuring the rights to food and health for all people in the country, with priorities given to vulnerable or specific groups such as children, women, persons with disabilities and older persons (Thailand)

**126.174** Strengthen measures to address the gaps in the promotion and protection of the rights of women and children (Bhutan)

#### **Convention on the Rights of the Child (CRC)**

**Articles 28-31** Education, including vocational training and guidance

### ***Legislative Framework and Policies***

The adoption of the Act on General Secondary Education, in 2011, the Ordinance on the Enforcement of Universal 12-year Compulsory Education, in 2012, and the

Education Strategy (2015-2032), in 2014 were noted at the fifth periodic observation<sup>120</sup> in 2017

A state-led campaign to raise rabbits as a “primary assignment” aimed at all the people<sup>121</sup>

### **Review of Implementation**

The concluding observations on the fifth periodic report of the UN's Committee on the Rights of the Child (CRC) in 2017 express concern that children spend a significant amount of time doing various types of work, such as farming and construction. They also expressed concern about the burden of the “economic assignments,” to which children of schools must devote time and resources<sup>122</sup>.

These economic assignments are imposed on every student by schools or the Korean Children's Union- similarly to how adults receive assignments through their workplaces and people's units. The biggest problem with the exploitation of cash, resources, labor, and bribes found in schools is that it marginalizes vulnerable children and pushes them out of the education system. It appears that, on average, 10-20% of underprivileged children in classrooms are neglected from educational services. It is because these students are not able to offer cash or other goods to schools when they are asked to do so. Therefore, teachers criticize and push those students hard.

There were also testimonies that students who were unable to complete the economic tasks were threatened by teachers, for example, by not returning the student's bag.

*There are many kinds of children's economic assignments such as mushroom picking and wild-berry picking. If you didn't submit the assignments, the school teacher didn't return backpacks to the students. In a class of 30 students in middle school, 5-6 students do not go to school because of such a burden. (A mother of a daughter and son who were middle school students left North Korea in 2019)*

*My daughter only graduated from elementary school. Since there was so much required by the school, she could not go to school properly. Her teacher raised her up, scolded, and criticized her that she didn't submit as much as the school required. She said she was so humiliated that she didn't go to school. My son put up with such difficulties, so he narrowly graduated from middle school. (A father of a daughter and son in their teens back in North Korea)*

*The school forced us to pay something 7-8 times a month. I thought it would be better to drop out because school kept pushing us to pay. (A former student of middle school in North Korea who left the country in early 2019)*

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<sup>120</sup> UN Committee on the Rights of the Child (CRC), *Concluding observations on the fifth periodic report of the Democratic People's Republic of Korea*, 23 October 2017, CRC/C/PRK/CO/5, para 45.

<sup>121</sup> “Let's implement intensively the project of raising rabbits as a crucial policy assignment,” *Rodong Sinmun*, May 12, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-05-12-0022](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-05-12-0022)

<sup>122</sup> CRC/C/PRK/CO/5, para 45 (a), (b), (c), (d), (e), and (f)

*My mom passed away when I was a kid, and my dad and I lived together. My dad worked at a collective farm, so it was obviously not enough for a living. Therefore, I had to earn money by collecting and selling tree bark and grass roots, so I couldn't go to school. I wanted to, but the family situation was too bad to go to school. (A teenager who left the country in 2017)*

*One or two students in a class couldn't attend school at all because they were too poor to live. Other than that, there were about five students who were not satisfied with paying a lot of stuff. Such students go to school once in a while. (A mother of two middle school students who escaped from the country in 2017)*

In contrast, the top 20 percent of students pay money for teachers' living expenses and receive various benefits, such as political gains, good grades, and other conveniences in school life in exchange.

*The class executives include the class leader and the division chairman of the Korean Children's Union, and one or two chairmen of the elementary group of Sarocheong (Socialist Youth League) from the first grade of junior high school. These students take full responsibility for and support the living expenses of the homeroom teacher, such as food, firewood, all household matters, etc. When I let my kid work as the chairman of the division for two years, the homeroom teacher was an unmarried female teacher living with her mother, so I didn't have to do much. I gave her about 500 yuan (about 73 dollars) a year. In addition, the teacher had a garden of 1 Choengbo (300m<sup>2</sup>), and my husband organized his subordinates to do her farming. In the case of other classes, a teacher who is married and has a family demands more, and I heard that parents need about 1,000 yuan a year to take care of their teachers. (A mother of a middle school student who left North Korea in 2017)*

Besides these financial burdens on the school children and their parents, students older than 4th graders at middle school are required to participate in the "rural support battle," where they have to stay and farm near the collective farm for at least a month during the busy farming season. In principle, all students should be mobilized, but 15-20% of students in one class can dedicate around 43-60 dollars (420 yuan) to be exempted from rural mobilization.

*Offering 300 yuan to school can exclude students from the rural support battle. (A father of middle school students left North Korean in May, 2019)*

*If you don't want to be mobilized as a rural worker for a month, you can pay two tons of coal. A ton is US\$30, so you can pay US\$60. About three people in a class pay this money and avoid mobilization for farming. (A mother of middle school students who left in April, 2017)*

An article on the four-page of the Rodong Sinmun, "Young Patriots and Little Construction Workers<sup>123</sup>," shows well how the DPRK authorities effectively urge the children to carry out the "economic assignments":

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<sup>123</sup> "Young Patriots and Little Construction Workers," *Rodong Sinmun*, June 6, 2019, 4, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2019-06-06-0023](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2019-06-06-0023)

*The beautiful conducts of those who collected voluntarily scrap metal and sent them to the Chonrimsa Steel Complex are a realization of commendable minds of our young patriots and little construction workers. They intended to contribute to the construction of a socialist powerful country.*

The nationwide campaign based on the idea of “self-supporting economy” to encourage the people to fight against the pandemic appears to be imposed on the children as well in accordance with an article of Rodong Sinmun. It says:

*Kilju Technological Middle School in Kilju-gun and many other schools have thoroughly established veterinary quarantine measures such as rabbit screening and cage disinfection, and are increasing the number of rabbits by exchanging their experiences. In addition, the Rabbit Raising Campaign has been vigorously carried out among officials, workers, students, and youths from various units across the country and continues to achieve their results.<sup>124</sup>*

Rabbit skin is an important resource for foreign currency earning, so it is imposed as a kind of “economic assignment” on the people including children.

*As a foreign currency-earning task, each student has to pay two rabbit skins a year, each of which costs 3,000 won (about 0.4 dollars). For 10-20 kg of scrap metal, 15-20 yuan is required, and for 500g of scrap metal, 5,000 won is required. From December to early February, each student has to pay 300-400kg of feces, but they usually pay a barrel of 4.5 liters of oil instead. A barrel of oil costs 50 yuan (7.5 dollars). In addition, about 3,000 won is paid each time the Party request was made to support construction projects, including constructions of the Baekdu Mountain Military-first Power Plant, Samsu Power Plant, and railroad constructions in the province. About 30 out of 39 students attended the class. Those who didn't attend are students who can't come because of their family's economic situation and the financial burden. (A father of middle school students who left North Korea in 2016)*

The submission of various economic assignments through schools is one of the most significant factors that hinder vulnerable children from attending school, so it should be abolished. Instead, incorporating the economic assignment through schools into the ones submitted by the People's Unit can reduce incidental social costs because of procedural efficiency and simplification. Moreover, it can lighten the economic burdens of students, which can allow vulnerable students to return to school. At the Third Universal Periodic Review (UPR), North Korea noted the recommendation to protect children from all forms of exploitation through schools. Therefore, the abolition of the economic assignment submission through schools will be a noticeable opportunity to implement the recommendations of the UPR and CRC.

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<sup>124</sup> “The Rabbit Raising Campaign vigorously conducted,” *Rodong Sinmun*, May 20, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-05-20-0031](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-05-20-0031)



### 3. Excessive Regulations and Censorship on Private Economic Activities

**SDG 8.2** Achieve higher levels of economic productivity through diversification, technological upgrading and innovation, including through a focus on high-value added and labour-intensive sectors

**SDG 8.3** Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services

**SDG 8.5** By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value

**SDG 16.3** Promote the rule of law at the national and international levels and ensure equal access to justice for all

#### *Relevant International Commitments*

##### **International Covenant on Civil and Political Rights (ICCPR)**

**Article 12(2)** Everyone shall be free to leave any country, including his own.

**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.

**Article 19(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.

##### **UPR Third Cycle Recommendations Accepted by the DPRK**

**126.113** Fulfil treaty obligations under the International Covenant on Civil and Political Rights and allow the population to exercise all civil and political rights, including freedom of expression, access to information and ability to travel, within and outside the country (Italy)

**126.114** Fulfil treaty obligations under the International Covenant on Civil and Political Rights and allow the population to exercise all civil and political rights, including freedom of expression, access to information and ability to travel (Croatia)

**126.135** Ensure the freedom of movement of all citizens of the Democratic People's Republic of Korea in the country and abroad (France)

**126.144** Promote freedom of opinion and expression and the right to privacy (Iraq)

### **Legislative Framework and Policies**

At the conclusion of the 6th Party Cell Secretaries' Conference, the tenth duty of the Party Cell was indicated to "struggle intensively against non- and anti-socialist phenomenon."<sup>125</sup>

The law on rejecting the reactionary ideology and culture was enacted at the 12th Plenary Meeting of 14th Presidium of DPRK Supreme People's Assembly<sup>126</sup>

### **Review of Implementation**

The overused privileges of public officials is one of the main causes of bribery and corruption in everyday life. In addition, excessive regulations, crackdowns, and restrictions on people's lives are to blame. Indeed, the crackdown on "anti-socialist behaviors" in all areas, including economic, social, and cultural life, has been excessive. The targets of crackdowns include exotic or novel ways of talking, fashion, and hairstyle, residence relocation, choice of occupation, private business, transport items, etc. However, these restrictions do not reflect ordinary people's daily lives in reality. Moreover, the ambiguity of regulations and related laws such as the Criminal Law leads to arbitrary law enforcement of the officials of the PSM (People's Safety Ministry) and SSM (State by overusing their discretion of the authority)<sup>127</sup>.

*The authorities regulate motorcycles from riding without footrests like bicycles. Therefore, my husband had to modify a motorcycle imported from China to attach pedals, but it was ridiculously inconvenient, so he got caught running without using the pedals and gave 50 yuan (7 dollars) to the officers of the PSM. In order not to get caught, people get off the motorcycle in front of the PSM officers and walk or ride the motorcycle manually as if they rode a bicycle. It costs 100 yuan to attach pedals to a motorcycle. The second daughter of mine was arrested for growing her hair long and was released by giving 100 yuan. It is regulated as an act of anti-socialism that women grow their hair. They also crackdown on wearing skinny pants. (A mother of two daughters who left North Korea in 2017)*

*If you are caught by an SSM officer while watching a South Korean movie or a movie of any enemy countries, an anti-state crime is applied. However, you can cover it up for about 1,000-2,000 dollars on site. With 500 dollars, you can cover up watching pornography, but I*

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<sup>125</sup> "Conclusions of the 6th Conference of the Workers' Party Cell Secretaries Made by the Supreme Leader Kim Jong Un," *Rodong Sinmun*, April 9, 2021, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2021-04-09-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2021-04-09-0001)

<sup>126</sup> "The 12th Plenary Meeting of 14th Presidium of DPRK Supreme People's Assembly Was Held," *Rodong Sinmun*, December 5, 2020, [www.rodong.rep.kp/ko/index.php?strPageID=SF01\\_02\\_01&newsID=2020-12-05-0001](http://www.rodong.rep.kp/ko/index.php?strPageID=SF01_02_01&newsID=2020-12-05-0001)

<sup>127</sup> UN Commission of Inquiry on human rights in the DPRK, *The Report of the COI on human rights in the DPRK*, February 17, 2014, A/HRC/25/63.

heard that in Pyongyang people need 2,000 dollars in such a case. (An interviewee who used to be an officer of the SSD and left the country in 2016)

Such regulations and crackdown on people's behaviors and daily lives stifle economic activities. Officers from both the PSM and SSM are assigned to *jangmadang* markets<sup>128</sup>. The *jangmadang* officer of the PSM is primarily responsible for censoring and cracking down on items that are prohibited for sale. Details of items banned in *jangmadang* or acts that are subject to crackdown are the following, according to the interviewees who used to do business in *jangmadang*:

- Made-in-South Korea goods, or items with South Korean labels: Although it is a banned product, consumers hope to purchase it without damaging the South Korean tag because of their desire to show off.
- Products with naked women's photos on underwear boxes: Chinese and South Korean-made underwear boxes are printed with nude photos of models, and these photos are needed to be recognized as more "valuable" products among consumers. However, the photos on the counter's display box have to be cut out and arranged on the top while the products to be sold are kept under the counter without damaging the box packaging.
- Products with special designs (such as colorful clothes), and American products
- Trade in foreign currency (yuans or dollars: even though no one uses North Korean won for transactions, officers of the PSM crackdown on transactions in yuan. Therefore, people who do sales secretly exchange foreign currency by hiding behind an object while observing if there is an officer nearby.
- Street merchants on the ground, any sales activities outside of the registered counters at *jangmadang* e.g. sales in the back alley

There is a saying that "merchants can take advantage or profits only to sell what the authorities say not to sell." As goods made in the Republic of Korea, (South Korea) are in high demand, they can be sold more expensively, bringing greater risk. Therefore, it is a general practice to appease officers' crackdown by giving one to three cartons of cigarettes when they are caught. In addition, there was a case where 10 dollars was given to a PSM officer in charge of the market about once a month for stable sales operation without major problems. One of the interviewees, who was in charge of monitoring and censorship of a market, received 50-100 dollars a month from South Korean-merchandise sellers and protected them from facing major political problems.

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<sup>128</sup> *Jangmadang*, is a general term for all farmers' markets, street markets, and general markets. It excludes state-run stores and department stores.

Even though commodity distribution is a basic element for business, there are transportation regulations, which are not economically friendly. For instance, mass sale by a truck is banned as a anti-socialist behavior<sup>129</sup>.

*When loading grain for sale in a container, a prosecutor came to crack down on it. If you pay 200 yuan (about \$30) at the spot, he will overlook it. They sometimes ask for more money if they think the amount of money they got was less compared to the trade scale. Then, both sides haggled over the amount of bribes. Since the total amount is 300 yuan that the merchant earned, the prosecutor asked to share 150 yuan each. There are two or three times of crackdowns a month. Then I gave 150-200 yuan every time they came. You have to think that you are paying half of what you sell grain or other goods by truck. The head of the local grain sales office, which is a state institute, always reported to the PSM office or the prosecution office for a crackdown. (An interviewee who used to sell grain by truck and left North Korean in 2019)*

*The train has two or three train cargo members under one cargo supervisor and handles the luggage. If you give 10,000 won (about 1.5 dollars) to a cargo supervisor per box (about 50x60x70cm in volume) or a sack of similar volume, he can load and unload the cargo when it arrives. If you don't give him money, they bother you with rules and conditions. There is a limit on the number, weight, and size of cargo that can be sent by one person, so the train crew arbitrarily took issue with that. We, the businessmen, put in as much as we can in a box or sack because it is advantageous to put as much goods as possible. That way can be a problem by citing the weight limit or something. But if you give money, it doesn't matter much. On one trip, I carried 10-15 boxes of sea food materials. When arriving at the station, the officer of the inspection team of the railway safety department came out to take care of my products when I called him for help. I gave 10 yuan (1.5 dollars) for it. He protected me from other officers' censors on my goods. I usually had a good relationship by giving them an allowance once a month to drink. I gave him about five yuan in pocket money. (A former merchant at jangmadang and also wholesaler who left North Korea in 2018)*

Censors and crackdown are not carried out only on the target of unregistered private economic activities, but on official activity as well. Therefore, overall regulations on economic activities cause more corruption, which become crucial obstacles to the people's adequate standard of living.

*Officers visit even foreign currency-earning stores (an official state-run store) once a month. Then the businessmen have to pay 50 dollars for gasoline and serve dinner for them. It costs about \$200 if they had dinner happily. Sometimes, when the authorities got a report from neighbors that a foreign currency-earning store dealt with South Korean goods, they came to check out. However, since I had a good connection with the officers by giving regular bribes to them, they usually turned a blind eye on my business. (A former trader who left North Korea in 2014)*

*When running a private business, you need guardianship of one among the SSM, PSM, or the Military Security Command, which is expressed as 'wearing a hat of an institute.' This is because*

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<sup>129</sup> Youjin Kim, "Trucker sales using vehicles over 1 ton is anti-socialist act, stronger crackdown planned," Daily NK, April 2, 2019, [www.dailynk.com/북한-한돈-이상-트럭-장사는-비사회주의-행위-단/](http://www.dailynk.com/북한-한돈-이상-트럭-장사는-비사회주의-행위-단/)

*it can be safe from various censorship and any tentative political issues only when they are protected by a legal agency with power. When I was running a table tennis room, he 'wore a SSM's hat.' Therefore, I had to buy dinner once a month for the SSM officers who were in charge of the institute, in which I registered my business, and also another vice-director of the SSM covering a neighboring district, because they took care of my business from other obstacles. I usually \$70-80 on a single meal for each. With regular bribes, I was able to keep the connections with officers of the PSM. It is convenient because the legal officers provide information such as 'the people's unit brought up a problem for you' in advance when having a good relationship with them. Every time I meet the officer of the SSM who looks after me, I give a stick (carton) of '727' cigarettes for 40 dollars.*

Since the law on rejecting the reactionary ideology and culture was enacted in early December, 2020, Leader Kim Jong Un has emphasized neat and tidy fashion, hairstyle, words, and action several times as the struggle against non- and anti-socialist culture. In the conclusion of the 6th Conference of the Workers' Party Cell Secretaries, it was pointed out that implementation of the struggle against non- and anti-socialist phenomenon is one of the ten tasks for the Party Cell Secretaries and they have to intensively conduct the fight against corruption, bureaucracy, power, etc. However, given that corruption has become more severe due to excessive regulations on people's economic, social, and cultural activities, policies to sweep out anti-socialist phenomena contradict the campaign to eradicate corruption. Instead, a remedy for corruption should start with a wage increase of the officers of the PSM and SSM through economic growth and sustainable development.

## Recommendations

### *Recommendations to the DPRK:*

- All national economic “assignments” through schools must be immediately abolished to protect vulnerable children who cannot go to school. Instead, economic assignments from children can be merged into the ones submitted by each household through the People's Unit.
- The forced mobilization of children, which makes children stay near cooperative farms for one month and farm for more than 10 hours a day during the busy farming season, should be terminated immediately. To that end, the mechanization of cooperative farms must be hastened with the cooperation of the FAO, which is participating in the United Nations Strategic Framework 2017-2021.
- The finance reforms should be strengthened to secure educational finances through economic vitalization. The authorities should take responsibility for the education budget to cover school management and operating expenses for elementary and junior high schools.
- The authorities have to raise the salaries of elementary and junior high school teachers based on market price levels<sup>130</sup> to remove the financial need for parents to provide cash or labor to support teachers' livelihoods.
- The salaries of the PSM and SSM officers in charge of public affairs must be increased. In addition, bribery by officers should be eradicated through a comprehensive surveillance system on the PSM, SSM, and other legal institutes by law enforcement. As part of a campaign against solicitation and bribery, authorities must utilize an incentive policy for teachers or officials of legal institutes.
- The overlapping tasks of security and censorship of the people's daily lives by the SSM, PSM, and prosecution<sup>131</sup> should be integrated or partially abolished. Local security tasks of the PSM need to be improved to focus on security-oriented work, and the security system of the SSM, excluding some particular areas such as borders and Pyongyang, should reduce its monitoring of citizens, with the goal of ultimately

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<sup>130</sup> According to Daily NK, the official monthly salary for teachers is 4,000 North Korean won, which is equivalent to around 0.8 US dollars. The market price is widely known to be a hundred times higher than the state price. For details, please refer to:

Donghui Moon, “Teachers leaving school due to increased pressure,” *Daily NK*, April 10, 2019,

<https://www.dailynk.com/월급-그대론데-역량-강화만-압박-결국-떠나는-北교/>

Mijin Kang, “State price table appearing in mills,” *Daily NK*, January 4, 2019,

<https://www.dailynk.com/북한-제분소에-등장한-국정가격표-김정은/>

<sup>131</sup> The Prosecution Surveillance Law, Act 15, (Surveillance of the compliance of the citizen “Prosecutors must monitor whether citizens accurately abide by constitutional obligations and the laws of the state.”, (April 24, 2012, Supreme People's Assembly's standing committee, amended and adjusted)

abolishing it in the long term. The prosecution's role of monitoring residents should be abolished immediately. The SSM still utilizes selected civilians as secret informants to monitor the lives of residents. This type of monitoring system has to be discarded, and the SSM should carry out reforms to become a national intelligence agency, divesting itself of the watchdog's role over the people's every move. As part of the campaign to eradicate corruption and bureaucracy, the authorities should reduce the number of SSM officers and seek a way to assign some of these personnel to other duties to monitor the corrupt activities of high-ranking central and local officials.

- It is necessary to legalize the quasi-tax practice of taking cash and resources from the public through the following approaches: (1) It is reasonable to give the full authority to use the costs for the market stands and seats to the local government (People's Committee of Province). (2) The guard posts controlled by the SSM and PSM between the provinces should be replaced with ones responsible for road traffic, and transit costs given to the officers of the guard posts should be collected as toll gate fees. (3) Workers who make profits in private economic areas other than their allocated workplaces as "8.3 workers" should be allowed to register private businesses. The tax system should be introduced so that the state administrative agency directly receives these "revenues." (4) Economic assignments, such as collections of cash and goods by schools, workplaces, and People's Units, should be integrated into collections made through the People's Units.
- The practice of smuggling should be partially legalized. Leaving smuggling as a matter for the gray market creates a national loss in the long term. It is necessary, therefore, to reduce smuggling and expand the legal space for trade gradually. North Korea needs to drastically expand the free trade zone with China and establish a large number of small customs offices at the border that can legally import and export daily necessities to reduce the impact on residents' livelihoods, were smuggling to be suddenly limited. In addition, the regulations on trade permits should be expanded to give more opportunities to ordinary citizens to participate in trade if they have the ability.
- North Korea should gradually reduce the number of public officials. The authorities need to consolidate and abolish sectors or departments in which the roles and functions overlap. Some enterprises have more administrators who supervise workers ideologically compared to officials who actually participate in economic activities. The authorities need to reduce the number of non-productive workers assigned for political reasons in enterprises. Therefore, it is necessary to reduce the number of officers of the customs office and the foreign affairs office of the SSM, which is in charge of the flow of goods into and out of the country. Reducing the number of unnecessary public officials can improve the efficiency of national fiscal operations and help eradicate bribery through the simplification of administrative procedures.

- In the Administrative Penalty Act, the provision of “punishment of unemployed persons” should be removed, and the act of cracking down and punishing unemployed persons should be eliminated to activate workers' free individual economic activities. In particular, enterprises with more than 50% of workers paying “revenues” or “8.3 money” by conducting external economic activities should be closed to guarantee the opportunities of their workers to work in other areas of the economy. Starting from a small scale, the registration of private companies should be gradually allowed to ensure the efficiency of economic activities.
- It is necessary to eradicate the practice of giving gifts to superiors and people with power on holidays, which is perceived commonly as normal moral behavior. In order to create a social atmosphere that does not rely on soliciting bribes across the country, the authorities should first abolish the practice of giving gifts on Kim Il Sung’s birthday.
- Along with the reforms and improvement of related laws and systems, campaigns and education are needed to break down the system of bribery, which has become conventional for a long time in all areas of people’s daily life. Teachers and security officials need professional and intensive education on the rule of law. Education on the rule of law and human rights that instill a positive mindset for youth, including students, must be conducted. The People's Units should also be the target of education. The North Korean authorities must sign and ratify the UN Convention against Corruption and receive training from international professional educators.

### ***Recommendations to the International Community:***

- Relevant United Nations organizations should pay attention to and monitor the exploitation of people’s cash, resources, and labor by the North Korean authorities. Support from the “Social Development Services” of the United Nations Strategic Framework 2017-2021 is needed for the most vulnerable, who are being pushed out of schools and official workplaces. In particular, international cooperation efforts should work to develop effective, accountable, and transparent institutions (SDG 16.6) for equipping educational infrastructures with high-quality educational opportunities for vulnerable children.
- Relevant UN mechanisms should take practical measures to end the practice of North Korean children being mobilized for month-long farming during the busy farming season, which deprives them of the right to education and health as victims of forced labor. With the cooperation of the FAO and others participating in the United Nations Strategic Framework 2017-2021, the agricultural mechanization project of North Korea’s collective farms should be promoted to abolish the forced mobilization of children.
- To support North Korean authorities' efforts to eradicate corruption, technical support for education and campaigns to eliminate corruption tailored to public officials should



be provided. As far as the “Social Development Services” among the strategic priorities of the UN Strategic Framework 2017-2021 is concerned, it is necessary for the participants of the related UN mechanisms to devise cooperation measures to raise awareness and bring about solutions to combat corruption among North Koreans.

- International organizations or related countries that will carry out North Korean development cooperation projects or economic support should include training to raise awareness of corruption for North Korean participants and workers as a necessary project condition. This measure is required for the long-term and stable development of North Korea and for enhancing international cooperation. Therefore, it is necessary to require educational training about anti-corruption as a condition of international support and collaboration.
- Countries with diplomatic relations with North Korea and related mechanisms, such as humanitarian organizations, should urge North Korea to join the UN Convention against Corruption in order for North Korea to receive international monitoring and other kinds of support from the international community in preventing corruption.

# CONCLUSION

## KEY RECOMMENDATIONS

The DPRK government has shown promising developments in working towards implementing the Sustainable Development Goals through its participation in the 2021 High Level Political Forum and submission of its first Voluntary National Review. Through working towards the SDGs, the DPRK government has an opportunity to guarantee the well-being of its population through a human rights based approach. The SDGs are a transformative roadmap for peace, prosperity, people and planet, which needs commitment and partnership from both the DPRK government and other stakeholders. The following recommendations call for greater collaboration for the 2030 Agenda with SDG 17 in particular. We call on the DPRK Government, the ROK Government, the international community working in and outside of the DPRK to streamline efforts into monitoring and evaluation to ensure the effective implementation of the SDGs that leaves no one behind.

### *Recommendations to the DPRK Government:*

- Carry out research and release statistical and other data that will allow for monitoring, reporting and evaluating. The DPRK government should strengthen the data ecosystem by generating data and sufficient data and having a robust mechanism to timely report progress for course correction.
- Create an enabling environment for civil society organizations that are independent from the government by engaging with regional CSOs and granting access to organizations working on human rights issues.
- Encourage and facilitate the participation and agency of vulnerable groups at all levels of governance and in all processes to ensure that no one is left behind.
- Ensure international agencies' free and unimpeded access to the population and provide data disaggregated by sex and age, and any other variable necessary to identify the most vulnerable.
- Guarantee access to all special procedure mandate holders, in particular the United Nations Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea.

- Submit the required documents to the global COVAX sharing programme and engage in the consultations on vaccines to begin COVID-19 inoculations for all citizens.
- Abide by period reporting and international human rights commitments under conventions and implement its obligations under the human rights instruments to which it is a party.
- Participate in inter-governmental discussions such as, but not limited to, IMO, IAO, UNESCAP, UNESCO and UN's Funds and Programmes.
- Facilitate awareness-raising activities and training programmes on human rights and the global goals.
- Undertake a nationwide census with funding and guidance from the UN Population Fund.

***Recommendations to the ROK Government:***

- Ensure that a human rights-based approach is applied to all humanitarian assistance and development cooperation projects in North Korea.
- Incorporate human rights terminology in all dialogue with the DPRK government to implement international norms and standards.

***Recommendations to CSOs and INGOs working in the DPRK:***

- Monitor the implementation process of projects as per the enhanced humanitarian programme cycle methodology.
- Train DPRK officials and institutions in the implementation of international norms and standards with a human rights-based approach to the SDGs.
- Support the DPRK in fulfilling its commitments to implement the Universal Periodic Review recommendations and its reporting.
- Share and transfer international principles and values, standards and know-how to the DPRK.
- Reinforce national efforts to improve the well-being of the vulnerable groups.
- Ensure that all assistance and projects support the most vulnerable groups in North Korea.

### ***Recommendations to the International Community:***

- Provide funding to the international agencies that apply a human rights-based approach in the implementation of their humanitarian assistance and development programmes.
- Continue to call for the DPRK government to engage in genuine dialogue with the Human Rights Council, OHCHR and United Nations mechanisms and allow for the unhindered access of independent human rights monitors in the country.
- Support efforts to promote accountability in DPRK through the work of OHCHR and civil society organizations on accountability issues.

**A Human Rights-based Approach to the SDGs in the DPRK:**  
**Focusing on vulnerable groups and calling for collective efforts in times of COVID-19**

Working Group for Human Rights and SDGs in North Korea

