PSCORE Report on Internet Shutdowns and Human Rights in the DPRK

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It is well known that the Democratic People's Republic of Korea (the DPRK) is a closed country – a hermit kingdom – where the government continuously and unceasingly censors and restricts information flow in and out of the country. Finding unbiased information on the lived reality of North Koreans is therefore exceptionally difficult, and accessing official documentation and reports on intranet/internet access, and the consequences thereof, is virtually impossible. Because of this information blockade in and out of the country, foreign actors' reports and defectors' testimonies are currently the most reliable sources regarding internet rights and shutdowns in the DPRK.

Furthermore, it has to be specified that in the DPRK, the internet is subordinate to the domestic intranet, the *Kwangmyong.* When discussing the global internet in the DPRK, we're discussing a few selected individuals who are granted special, and monitored, access from the state for specific reasons, such as research or diplomatic issues. While the Kwangmyong is also highly restricted and only accessible for a scarce few, it is a lot more common than the global internet, and therefore the main focus for this report, although the internet will also be discussed. Having its own intranet increases the government's ability to monitor users' activities, restrict available content, and keep foreign actors in the dark of what the Kwangmyong actually contains.[1] Monitoring who has access both to the internet and intranet cements the state's control over its citizens and their access to information, which is why they keep the number of individuals with network access down to a selected few.

Juxtaposed to other nations where internet suppression stems from censorship of existing information and existing platforms, one defector confessed in an interview with PSCORE that "I personally think there is no internet in North Korea", demonstrating that regular citizens are not even aware of the existence of internet in the country.[2] For the few residents who *are* both knowledgeable and able to access the Kwangmyong intranet the actual content is heavily restricted with foreign media being banned and the act of accessing foreign media being punishable by death by a new law the DPRK government passed in December 2020 called "the Reactionary Ideology and Culture Rejection Law".[3] The law criminalises attaining, owning, distributing, or being influenced by foreign media content. Article 27 of the law declares the distribution of videos, movies, or songs from South Korea is punishable by an indefinite period of "reform through labor", or death.[4] This means that the scarce few who have the technological possibility to access foreign media through the internet may face capital punishment for accessing it.

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[1] PSCORE, *The New Frontier of Human Rights - Digital Rights in North Korea.* 2021(a), pp. 27-31.
[2] Han, D. (Alias), Interview by Nam Bada, PSCORE, 2021-05-21.
[3] Williams, M., "North Korea Intensifies War Against Foreign Influence" in *38 North.* 2021-11-10, accessed 2022-02-09. https://www.38north.org/2021/11/north-korea-intensifies-war-against-foreign-influence/
[4] Ibid.

1a) Information on the occurrence of any government-mandated disruptions of access to mobile or telephone communications networks over the past 5 years. Including their duration, geographical scope, whether or not there were official orders for these interventions and whether there were any legal measures taken to reverse the disruptions or to hold accountable those responsible.

Information regarding the specific occurrence of government-mandated disruptions of access to mobile communications networks is challenging to apprehend, but a report from a foreigner residing in Pyongyang in 2017 helps to give some insight on this issue. In April 2017, Simon Cockerell was observing the military parade celebrating Kim Il Sung's birthday and noticed that: "'At about quarter to ten (AM) the whole phone network went down; the 3G for foreigners, the calling, and for the locals […]. The whole network was cut off for about three and a half hours.'".[5] The same happened again later the same day during the celebratory fireworks: "'Two or three minutes before the fireworks began, the phone network went down again and was brought back up again about ten minutes after it ended'".[6] The shutdowns are thought to have been conducted as part of the general security measures surrounding the high-profile anniversary and are therefore perceived as having been carried out on state orders.[7] While it is not clear if the shutdowns also affected urban areas or just the capital (due to the differences between the urban and rural digital access discussed more in 2a below) the occurrence of these shutdowns show the inclination the DPRK state has to restrict connectivity access for the sake of state security. As far as PSCORE has been able to unearth, the shutdowns were not followed by any legal repercussions or further consequences.

The shutdowns were, according to Cockerell, unusual, but he also admits that during his time in the DPRK "'there were times when suddenly internet was unavailable'".[8] The repeated recurrence of network shutdowns can also be seen in an interview with Ahmed El-Noamany, former senior technical director at Koryolink (the DPRK's main cellphone operator).[9] In the interview El-Noamany discloses that he was requested twice during his stay in the DPRK between 2011 and 2013 to shut down the entirety of the Koryolink network, the reason for the shutdowns being the same as for the shutdowns Cockerell disclosed – security matters. He stresses that requests to conduct such large-scale shutdowns, including every feature of the network, were made only twice, hinting at the fact that smaller shutdowns targeting only parts of the network also occurred.[10] Since these shutdowns took place more than five years ago they will not be discussed in further detail; they do, however, demonstrate the DPRK state's habitual inclination to disrupt internet access as well as their use of the companies that operate the communications network to implement said shutdowns.

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[5] O'Carroll, C., "North Korea shut down cellphone network twice on Saturday" in *NK News*. April 18, 2017. https://www.nknews.org/2017/04/north-korea-shut-down-cellphone-network-twice-on-saturday/
[6] Ibid.
[7] Ibid.
[8] Ibid.
[9] O'Carroll, C., "Inside North Korea's cell network: ex-Koryolink technical director reveals all" in *NK News*. August 20, 2015. https://www.nknews.org/2015/08/inside-north-koreas-cell-network-ex-koryolink-technical-director-reveals-all/
[10] Ibid.

2a) Data or research on the impact of communication disruptions on economic, social, cultural and political activities. Please indicate if there is any specific disaggregated data on the impact of shutdowns on women, children and specific communities or locations.

The restrictive implementation and availability of the internet has resulted in major hindrances to the human development of civilians residing in the DPRK. Among the social activities that have been severely affected by inequitable internet accessibility and communication disruptions during the COVID-19 pandemic is education. Article 45 of the DPRK Constitution denotes that universal compulsory education for the duration of twelve years in total shall be required, which complements Article 26 of the Universal Declaration of Human Rights (UDHR). [11] Nevertheless, serious issues remain behind the DPRK's facade of 'free education for all': the general lack of access to digital tools for education and the state's dissemination of propaganda through digital media. In addition to this, the existing infrastructure for e-learning in the DPRK further complicates the ability for local students to freely access information and participate in online classes.

As the COVID-19 pandemic outbreak forced the world to shift toward remote education in early 2020, the DPRK also adjusted its curriculum to an online interface. By April 2020, KBS World News reported that the DPRK had postponed its first day of school in order to launch the online educational program called "The Friend of Top Students 2.0". [12] According to Professor Chung Eun-Chang at the Institute for Unification Education:

> "The computer program helps students in lower-level middle schools, higher-level high schools and First Middle School for the gifted. It helps them review their lessons and evaluate their abilities, themselves, through problem solving. Teachers may use the program to help students study. […] They cover various subjects such as the Korean language, history, physical geography, mathematics, English, physics, chemistry and biology. The program is tailored to the nation's 12-year education system."[13]

A propaganda website in the DPRK called Meari further stated that this program has drawn an enthusiastic response from students, teachers, and parents. This program comes at a time when the state extended the vacation period for students to prevent the spread of the infectious disease.[14]

Despite progressive measures by the government to continue academic learning through this online program, poorly developed infrastructure and digital tools to support e-learning in the DPRK remains a grave consequence that has been exacerbated by the COVID-19 pandemic. Although there have been reports of the DPRK installing surveillance cameras with 5G

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[11] Supreme People's Assembly, "DPRK Socialist Constitution," *Second Session of the 14th Supreme People's Assembly, Juche 108,* 2019, Art.45.
[12] KBS World, "Online Learning in N. Korea" in *KBS World.* 2020-04-16
http://world.kbs.co.kr/service/contents_view.htm?lang=e&board_seq=382925
[13] Ibid.
[14] Ibid.

connection along the Chinese border, the main network remains an outdated 3G network.[15] In terms of technology and funds, the DPRK simply cannot afford to build a widespread fourth-generation (4G) telecommunications network, much less an extensive 5G network. The one report PSCORE has been able to unearth regarding WiFi informs that even the public WiFi installed in Pyongyang in 2018 is only connected to the intranet, not the global internet, and, rather unusually, requires a special SIM-card to access.[16] The intranet network Kwangmyong is only limitedly accessible in designated public areas, such as certain libraries and universities, and requires special authorization in order for users to search and download information.[17] In 2017 the total computer penetration rate was 18.7% according to a survey by the United Nations Children's Fund, while the percentage of respondents with access to the intranet at home was only 1.4%.[18]

Despite the initiatives in conducting online classes through televisions and computers in response to the COVID-19 disease control measures, sources from the *DailyNK* revealed that these remote classes are only being offered at some schools in the country, including schools for talented students in Pyongyang.[19] In rural areas or small towns throughout the country, many students do not have computers, or their homes do not get regular supplies of electricity, making it difficult to conduct remote classes.[20] In contrast, students in Pyongyang-based schools are continuing their learning through remote classes, and the parents with the financial means are providing them with expensive tutors for music, mathematics, and science.[21] Based on the aforementioned information, scholars speculate that the DPRK faces high limitations in providing adequate and equitable e-learning to students across the nation during the pandemic.

It is also relevant to discuss students' ability to use the internet even before the pandemic. Kim Geon-Il, a former student at the Institute of Natural Science in Pyongyang who defected from the DPRK in 2017, testified during a PSCORE webinar that despite laptops, mobiles, and tablets being common gadgets at universities ever since 2013, they were rarely connected to the global internet. Only special circumstances would grant a student internet access at the university's library, such as partaking in an international contest. Kim Geon-Il also stressed that no social media or global email-service is available in the DPRK, and all the openly accessible digital devices are constantly and unchangeably on offline mode.[22] This is all to say, the internet technically exists, but accessing it is highly limited and heavily state-controlled, which intensely affects students' ability to attain information.

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[15] Jang, S., "North Korea may be using 5G mobile communications technology to monitor border" in *DailyNK*. 2021-07-13, accessed: 2022-02-09. https://www.dailynk.com/english/north-korea-may-using-5g-mobile-communications-technology-monitor-border/

[16] Williams, M., "North Korea's WiFi story: the 'Mirae' is today" in *North Korean Tech.* 2018-12-05, accessed 2022-02-07. https://www.northkoreatech.org/2018/12/05/north-korea-mirae-wifi-service/

[17] PSCORE 2021(a), p 20.

[18] United Nations Children's Fund (UNICEF), "Multiple Indicator Cluster Survey 2017 - Survey Findings Report - The Democratic People's Republic of Korea," June 2018. https://www.unicef.org/dprk/media/156/file/MICS.pdf

[19] Jang, S. 2021-03-04.

[20] PSCORE 2021(a), p 32.

[21] Jang, S., March 4, 2021.

[22] Kim, G., PSCORE webinar 2021-12-10.

Inequitable digital accessibility has disproportionate impacts on the social activities of certain groups residing in the country. Data from the 2017 multiple indicator cluster survey conducted by the United Nations Children's Fund and the DPRK government revealed that 51% of men had experience with computers compared to 41.7% of women.[23] In terms of using the intranet, 13.9% of men had experience while only 6.2% of women did.[24] An even graver disparity is apparent between urban and rural populations. The survey revealed that 25% of urban residents own a computer compared to only 8.3% of rural households.[25] According to a PSCORE interview with a North Korean defector in 2021, "the south side of North Korea – Hwanghae-do and Pyeongan-do Island probably exceeded 50%, maybe around 60-70% [of access to mobile phones]. On the north side, it was less than 50%, maybe around 30%, because it is financially difficult. Buying one cell phone costs a year's worth of rice."[26] Some of the defectors come from rural areas or areas far away from the borders to China and South Korea where it is more difficult to access foreign content and defect. As a result, where one grows up has a large impact on digital accessibility and income in the DPRK.[27]

A further debilitating feature of the DPRK's network suppression is its social class system – the *songbun* system. The songbun categorises citizens into three broad classes: *core*, *wavering*, and *hostile*.[28] These three classes are outlines of a more detailed system with over 50 subclasses, creating inequitable rights and possibilities within each class.[29] The general population, or wavering class, does not have easy access to the intranet or state-sanctioned technology and media, which is mainly the result of the government's deliberate limitation of exposure to digital content.[30] Simultaneously, a high songbun status does not ensure internet nor intranet access; only a selected few, even from the most elite group, are granted access. Who is granted access by the government is based in some part on songbun status, but also largely on political position and reason for requesting access, since one must apply for two separate permits — one covering the ownership of the electronic device, the other granting internet/intranet access — before being allowed to connect.[31] The selected few individuals who are allowed full internet access are estimated to be "a dozen or more families" as well as a "handful of foreigners such as diplomats who benefit from limited Internet access."[32]

[23] Jang, S., March 4, 2021.
[24] Ibid.
[25] UNICEF, June 2018
[26] Choi Eun-Hye, Interview by Nam Bada, PSCORE, 2021-05-19.
[27] PSCORE 2021(a), p 59.
[28] Lee, K., Kim, S., Ji, S., Jeong, E. and Rim, Y. "White Paper on Human Rights in North Korea," Korea Institute for National Unification, 2020.
[29] Park, Y., *In Order to Live*, p. 41; & Em, P. and Ward, P. "City Profile: Is Pyongyang a Post-Socialist City?" *Cities - The International Journal of Urban Policies and Planning*, 2021, Vol.108, p. 3.
[30] Williams, M. "Digital Trenches: North Korea's Information Counter-offensive," *Committee for Human Rights in North Korea*, 2019, p. 76.
[31] Abt, F. "North Korea's Illicit Internet," *The Diplomat,* 2016. https://thediplomat.com/2016/06/north-koreas-illicit-internet/
[32] Kretchun, N., Lee, C., & Tuohy, S. "Compromising Connectivity," *Intermedia*, 2017, p. 58.