

# Report on North Korean human rights violations since 2009

PSCORE (Shin Soo Kyung)

## 1. Introduction

The present report has been constructed on the basis of the concerns surrounding the serious human rights violations perpetrated in the Democratic People's Republic of Korea (DPRK) and for the DPRK's Universal Period Review (UPR) in 2014.

Having undertaken a close examination of the UPR that was submitted in 2009 by the DPRK in response to the UN UPR, it came to our attention that the contents of the report were inconsistent with the reality of the DPRK that we are aware of. Since the beginning of 2013, a total of 11 interviews was conducted with defectors in order to address the accuracy and truthfulness of such matters associated with the report in question<sup>1</sup>.

The selection criteria of the interviewees were limited to those who defected in 2009 or later and have recently re-settled into the Republic of Korea who have either personally experienced or witnessed human rights abuses. The reason behind the specific conditions concerning the interviewees was in order to go beyond merely recounting previous encroachments that have already been made widely known to the international community and to further emphasize the ongoing nature of these serious violations. Contrary to the claims made by the DPRK, this continuing abuse of human rights in the DPRK is the unfortunate 'reality' for its citizens to this very day.

There were many difficulties that arose in the process of conducting the interviews. Firstly, meeting with defectors who departed from DPRK in 2009 or later proved to be a challenge in itself. One of the reasons may have been due to the general tendency of defectors to hold more fear and reluctance towards criticizing the country's regime. In particular, there were many cases where the interviewees were concerned about revealing their identities for the sake of the safety and wellbeing of family members remaining in the DPRK. This situation of defectors' refusing interviews also serves as further evidence in proving that the DPRK continues to control and repress its citizens through imposing guilt by association.

Furthermore, the few defectors who did participate in the interviews hesitated or refused to provide specific details of dates or locations in fear of exposing their identities. As a consequence, a significant number of the testimonies were unable to be used as evidential material despite their important contents.

---

<sup>1</sup> The total number of interviewees was 11 with 9 being male and only 2 being female.

On the other hand, even when some of the interviewees specified the time and place if there was any reason to suspect that the information was inaccurate, after considering it in the context of all the other testimonies, it was excluded from the report where possible. Such stages of the selection process also proved to be difficult.

With the interviews as the main focus, PSCORE will now look into the infringements of human rights since 2009 according to the 'type of abuse'.

## II Body: Focusing on the important cases

### 1. Violation of the right to food

#### (1) Distribution to the general population and nutritional status

##### 1) Situation of the national distribution system

The public food distribution system of the DPRK had already begun to lose its function since the mid-1990s and the consequent suffering that was endured by the citizens who were dependent on the distribution system was not a new fact. It was confirmed from the findings of the interviews that the DPRK is failing to oversee the proper operation of the food distribution system even in recent times. This was with the exception of areas that produced or exported munitions where there was a small amount of food distribution.<sup>2</sup>

"I remember following my mother to the distribution center when I was very young. Other than that, I never saw any distribution center. It entirely disappeared from my mind. Do nations actually provide something? There's hardly anyone who wishes for something like that."<sup>3</sup>

##### 2) Examples of orphans (flower swallows)

There are children in the DPRK known as the 'flower swallows'. These children wander the streets having no parents or been abandoned by their families and the number of these children have been steadily increasing since the worsening economic situation following the death of Kim Jong-il. According to some media reports, the rapid increase of 'flower swallows' angered Kim Jong-un, provoking him to order the arrest of these children and is emerging as a social problem. And whereas the arrest of these 'flower swallows' increase daily, the facilities that can actually take care of them are underdeveloped and with very little financial support from the government, the detained children become severely undernourished.

---

<sup>2</sup> Testimony of defector Lee Sang-chul (alias, male) who defected from Shin-ui-Joo in Pyongan province in 2011

<sup>3</sup> Testimony of defector Hwang Geum-song (alias, male) who defected from Chongjin in North Hamgyong province in 2009

One of the interviewees Lee Gwang-hyuk (alias) had previous experience in living as a 'flower swallow'.<sup>4</sup>When his father suddenly went missing one day and his mother never returned from her search for food in China, Gwang-hyuk and his older brother began to live as 'flower swallows' from 1998. He was eleven years old at the time. After about a month of wandering the streets as a 'flower swallow' he was caught and detained at the 'No.917 Sangmu'<sup>5</sup>for a period of four days where he reported there were approximately 1000 other children just like him. He was then transferred to the 'Chongjin Secondary School'<sup>6</sup> where he stayed for seven years and recalls his experience as follows:

"Anyway, even if we had one bowl of rice we were always hungry back then. Because all the children were so hungry they would eat the dead rats that had been killed with rat poison thrown outside of houses. They would cook it on the fire and eat it with a bit of salt. At first, I couldn't eat it at all but when I finally tried it, it tasted delicious. It was really delicious."

"Maybe it was the year of 2000 when the most number of children died? There were biscuits that could have been from the US or China, but from the UN anyway, and children started to die the day after they ate the biscuits. Because the children were only used to eating foods that were completely fat-free, they started vomiting and had diarrhea from the oily biscuit until they died from malnutrition. Where there used to be about one child who died every day suddenly there were five or six."

## (2) Food condition in the detention facility

As mentioned above, the food condition of normal citizens including orphaned children is very poor, however, the circumstances in detention facilities such as National Security Agency holding camps and forced labor training camps is much more severe.

One of the defectors Lee Ok-hee (alias) testified about the one meal diet at the 'Chongjin Security Agency holding camp' in 2009 as follows<sup>7</sup>:

"About three spoonful's of peas and corn mixed with salt soup and a little bit of rice flour was all we had. But you couldn't even eat this all at once. The other inmates who were there before us told us to only drink the salt soup while wrapping the remaining rice in a separate plastic bag and have one grain of rice each time we feel hungry. And if you don't do that then you'll die of hunger. That method helped us to survive."

---

<sup>4</sup> Testimony of defector Lee Gwang-hyuk (alias, male) who defected from Chongjin in North Hamgyong province in 2010

<sup>5</sup>'917 Sangmu' is the special investigative team formed under the order of Kim Jong-il to manage the 'flower swallow' children who roamed the streets

<sup>6</sup>A facility in Chongjin similar to an orphanage

<sup>7</sup>Testimony of defector Lee Ok-hee (alias, female) who defected from Chongjin in North Hamgyong province in 2009

It was their strategy in such a severe shortage of total food intake to save the rice in order to eat it grain by grain to ease the hunger pains and also to digest every ounce of food without excreting any of it. In that manner, detainees at holding camps struggle to this extreme in order to escape dying from starvation.

Meanwhile, Son Mi-hyang (alias) who received a preliminary hearing at the National Security Agency interrogation and detention facility (now referred to as 'NSA') in June 2009 testified as follows<sup>8</sup>:

"In the morning it's just mixed corn flour, it's not even rice. When you chew the corn flour there are these fine sand-like grains that you can feel in your mouth. And if you pressed that together, it would only be about three spoons in total. That small portion is only served in the morning and evening as well. In the two months that I was under investigation all they did was beat me and not allow me any water. They didn't provide me with any lunch meals in that time at all."

As the minimum amount of serving size and nutrients necessary for sustaining human life is not met, most detainees suffer malnutrition and ultimately face death in cases of prolonged exposure to various complications.

"80-90% of detained persons are weak and in poor health. When people like this go through winter, ten out of a hundred will die. Due to poor health ... it's all because of malnutrition."<sup>9</sup>

"During my time at the interrogation and detention facility, we buried a twenty-one year old boy named Choi Gun-Cheol in the icy ground. It was February 2010 and it was coldest time. The young boy was weak, his blanket had been taken away from him and he had no proper clothes after trading his good clothes for food when he was hungry. So he froze to death. There were many that died like him. I was at the facility until June 2009 for about seven months and I buried nine bodies in that time. And from February until April 2010 I buried six. When I was at the facility in 2010 there were about 96 male and female detainees so it was about 1.5 persons that died every month."<sup>10</sup>

## 2. Torture and inhuman treatment

### (1) National Security Agency holding camp

As the economic situation worsened and the number of defectors increased, the amount of detainees at the National Security Agency holding camp in the national border regions also increased. This was because people who had

---

<sup>8</sup>Testimony of defector Son Mi-hyang (alias, female) who defected from Kimhyongjik-Gun in Yanggang province in 2009

<sup>9</sup>Testimony of defector Lee Sang-chul (alias, male) who defected from Shin-ui-Joo in Pyongan province in 2011

<sup>10</sup>Testimony of defector Lee Cheol-ho (alias, male) who defected from Chongjin in North Hamgyong province in 2010

attempted defection or had been caught after defection were classified as having committed crimes of a political nature and were transferred to the National Security Agency. From the interviews that we conducted, we received the most amounts of testimonies concerning the pain and suffering experienced at the National Security Agency after having been caught attempting defection. The classification of political prisoners and consequent detention at the National Security Agency based on the logic that attempted or previous defection constitutes 'anti-national treachery' would essentially be the core subject matters of human rights violations, however, we have endeavored to focus on the gross violations of human rights that occurred after the initial detention at the National Security Agency.

#### 1) National Security Agency holding camp at 00 in 2010<sup>11</sup>

"The moment you go in, you just cannot move and you have to sit still. If you move even a little, they check the CCTV and beat you once they pull your neck out of the metal bars."

"The most unforgettable torture I experienced there was when they made me go into a rectangular box with one meter by one meter dimensions. You have to get on your knees and bend in order to get in. If you can't get in all the way then they kick you until you fit. Then they lock the door. At best they make you stay in there from forty minutes to one hour. When you're in there for one hour you get no blood circulation but you can't even feel it, because there are other pains that's so strong. It was March at the time and North Korea was really cold then as well. And you have to stand in that weather in just your underwear before heading back inside. It's like the feeling of your skin hitting freezing metal and the metal is ripping your skin. Anyway, it's like that; it's really hard. So you yell out 'I'm sorry! I'll write the affidavit again!' Then you don't even realize that you've lost consciousness inside the box because you're so cold. When you gain consciousness again they must've moved you because you're back in the cell. So when I went into that box I had these thoughts. I'll have to black out quickly. I need to pass out and fall quickly. Then I won't know the hardship. But trying to lose consciousness was really hard. There must be some sort of time in fainting. It seems that you have to be in that box for about forty minutes in order to lose consciousness for roughly twenty minutes."

"One time, they hit me in the back of the neck with the hook they use to prod burning coal and ash. But since the pain comes first, I didn't even feel how hot it was. They were hitting me when the hook must have been pointing forward. I felt the hook stick into my spine and I felt my breath knocked out of me. I couldn't sleep at all that night. The next day it became infected and the inflammation spread; I felt like I was really going to die then."

#### 2) 2009, 'Chongjin Security Agency holding camp'

---

<sup>11</sup>Testimony of defector Lee Gwang-hyuk (alias, male) who defected from Chongjin in North Hamgyong province in 2010

“If I returned to my hometown, it would be revealed that my entire family was in China and they would be repatriated back as well so I didn’t give them a proper address. So then this young nineteen-year-old officer yelled things like ‘ you ‘ganna<sup>12</sup>, you’re in for it now, why did you lie, you can die today’ and started beating me, and I really thought my bones were being re-ordered. Was it then that my head started bleeding? He grabbed my head and hit it against the wall. Then he started stamping on my head with his foot wearing his shoes. My head was bleeding and there was blood everywhere ...”<sup>13</sup>

“I think it was February in 2009. A guard told me off for smoking a cigarette. So I said ‘sorry’ but he said that my actions were insincere. Then he just called me over and started hitting me with his fists. It felt worse being hit by someone who was the right age to be my nephew. So my facial expression changed a little since I was quite discomforted by the thought. Then he hit me for that and I lost a tooth.”<sup>14</sup>

3) 2009, 2010 ‘Saebyol Security Agency holding camp’ interrogation and detention facility<sup>15</sup>

“You know, sometimes people snore in their sleep. But they make you wake up suddenly if someone is snoring and they order the officers to find the people snoring. And they don’t let you go back to sleep until they find whom that person is. They make you repeatedly stand up and sit back down then you have to lie own with your feet in the air until they tell you to stop. If you can’t hold your legs up properly then they tell you to extend your feet out the metal bars and they hit your feet with a wooden stick. And they even withhold one meal as punishment. Just because you snored ...”

“Maybe it was the sixth of January, I was wearing socks in my sleep but it was so cold that they still got frostbite. The officers were wearing coats made out of leather and dog fur because it was cold and they made us sit there in that freezing temperature in just our under clothes when they got annoyed at the sounds that actually their leather jackets were making. They made me take it off with my own hands.”

“They told me that I was in alliance with South Korean in the process of the preliminary hearing. And when I said I wasn’t, the officer started hitting me with a 1.5m oak branch that about 30mm thick without caring where they actually hit. He yelled at me ‘watch who you’re talking back to, you son of a bitch’ and that’s when they hit my forehead and it shattered. Then because I yelled out in pain, he kicked me in the ribs on my right side with his military boots and I’m not sure

---

<sup>12</sup>A derogatory term used for women in the DPRK

<sup>13</sup>Testimony of defector Son Mi-hyang (alias, female) who defected from Kimhyongjik-Gun in Yanggang province in 2009

<sup>14</sup>Testimony of defector Lee Cheol-ho (alias, male) who defected from Chongjin in North Hamgyong province in 2010

<sup>15</sup>Testimony of defector Lee Cheol-ho (alias, male) who defected from Chongjin in North Hamgyong province in 2010

whether he kicked me twice or thrice but he broke one of my ribs and two were fractured. Then he finally stopped hitting me because I couldn't breathe and had blood in my mouth."

4) 2009, Interrogation process at 00 National Security Agency holding camp<sup>16</sup>

"When you first go in for interrogation they start by beating you so you can't make a sound. And they don't do it alone. Two or three start hitting you. They hit so hard with their boots. That's when my teeth (four front upper teeth) all fell out. These teeth aren't mine right now. I got these when I came to South Korea."

"After they beat you for some time, they give you a paper to write your affidavit. Then you have to write you did on what day and so on. But you have to recall everything in your mind. If you make any sort of mistake in writing compared to the day before and the day before that then you get beaten again while they say things like 'why are you getting this wrong' and 'say it again' ... I mean, sometimes people can get confused, right? That's why you just have to memorize it and write it down exactly the same. But then they say you're wicked and they hit you again. You get hit whether you write it the same or write it differently. You just get hit."

(2) People's Safety Agency (formerly the Ministry of Public Security (MPS))

The People's Safety Agency is supposedly an agency that maintains peace and order in the public and protects the lives and property of the country and its people; however, in reality, it is known as playing a significant role in maintaining the regime by monitoring the people. Although the People's Safety Agency's abuse of human rights is not as extreme as the National Security Agency, which deals specifically with political crimes, according to Son Mi-hyang who was a defector detained at the People's Safety Agency until 2009 the treatment she experienced was also one that was very harsh.<sup>17</sup>

"Sir, I really didn't eat much for lunch. Could you please give me some lunch?" Even knowing what kind of beating was awaiting me if I ask this of an officer, I couldn't help myself because I was so hungry. So then he told me to put my 'hands out'. So I brought my hands forward thinking maybe I was getting food but then he told me to 'flip it over'. Then he hit the back of my hands to the point that my bones were completely crushed."

"After work ends at ten in the evening, they make us do a session of 'lifestyle unification'<sup>18</sup>. Then we go to sleep but only after about ten minutes, they yell at us to wake up. Then they order us to move a huge pile of wood for no reason. There is no purpose and they tell us that we have to do it because we have to be

---

<sup>16</sup>Testimony of defector Son Mi-hyang (alias, female) who defected from Kimhyongjik-Gun in Yanggang province in 2009

<sup>17</sup>Testimony of defector Son Mi-hyang (alias, female) who defected from Kimhyongjik-Gun in Yanggang province in 2009

<sup>18</sup>A criticism session where citizens of the DPRK have to monitor each other and are forced to criticize themselves and each other

punished for our crimes. After we move that this way and that way all night, it gets to around one or two o'clock in the morning. And when we head back in to sleep and try to get some rest they wake us up at five o'clock and we have to shout out the rallying cries as we run."

"They don't even let you go to the toilet when you need to during the first week of your detention. They know that the women, who go to China and come back, wrap money in thin vinyl sheets and swallow it. So the officers stand outside the toilets and make you touch your own stool to check if anything has come out. They make you do it with your bare hands. Then there isn't any soap either. They just make you wash your hands with water. You have to do that for about ten days."

### (3) Prison labor facility

Prison labor facilities are usually where people who have committed general crimes, as opposed to political crimes, are detained and reeducated. In North Korea, however, where the rule of law does not exist, unfair treatment is carried out against these general offenders as well. According to a defector Lee Sang-chul (alias) who was detained at the prison labor facility in the North Pyongan province from 2007 until 2010 the detainees are forced to complete extreme amounts of labor for the excuse of reeducation and many people are injured or even die as a consequence.<sup>19</sup>

"We were coming down after cutting down some wood but the slope was so steep that a whole log fell down on someone and the bones in their legs were completely broken."

"If you go to a prison labor facility, there are sections specifically categorized as 1, 2 and 3. I was at section 2 where we had to mine. The work is the hardest here and there are many people who die by falling into the pits. My friends stumbled and fell as well and they because they get hit from one side to the other on the way down ... you can't even recognize the bodies. At the time, it was common for about forty detainees to die in the mines every month."

### (4) Forced labor training camp

As the number of offenders committing acts against the rules of the DPRK increased and the prison labor facilities could no longer accommodate them all, Kim Jong-il around 1990 commanded the commencement of forced labor training camps for those who committed minor offences. Following this order, Article 31 of the penal code stated 'the forced labor-training sentence will proceed by sending the offenders to a designated location and allocating labor. The period of the sentence will be from six months to two years.' Thus, it was the intention to sentence a comparatively shorter period of detention for minor offences yet re-educate the minds of the offenders in the short time. As the

---

<sup>19</sup>Testimony of defector Lee Sang-chul (alias, male) who defected from Shin-ui-Joo in Pyongan province in 2011



detainees were there for minor offences and subsequently have fewer restrictions in comparison to other detention facilities, it does not mean that detainees experience any less pain and hardships during their time of detention. The testimonies we gained from our interviews with the defectors confirmed the severe labor conditions and inhumane treatment that they experienced in the forced labor training camps as well.

1) July 2009, Forced labor at 00 training camp<sup>20</sup>

“Because we didn’t eat enough. And even when there were people who looked like they would fall over if the wind blew and die, they refused to send them to the hospital wing. Even when we looked at it objectively, the person clearly looked like they couldn’t walk but the officers at the camp said they were faking it and sent them off to the fields to work for the day.”

“There was a farming course at the camp and that’s where the patients went by themselves. I was sick too and went there and I saw all sorts of patients. I’m not sure if it was epilepsy but one of them started foaming around the mouth and fainted. But even then they just allowed the person to be stable again before sending him off for more labor.”

“I had a cecum surgery and didn’t receive any further medical attention and had to return to work even when it wasn’t fully healed. My health obviously continued to deteriorate. It was human living hell.”

2) Two years detention at a forced labor training camp<sup>21</sup>

“I had a record of escaping previously so I was frequently physically assaulted at the forced labor training camp. When they hit they would specifically aim at my knees with their boots. They threatened me by saying ‘Try escaping one more time. Next time, I’ll actually break your shins’.”

“I had just been released from the interrogation and detention facility with this illness and couldn’t even walk properly and they made me carry about 60-70kg of cement on purpose. They said that they had to drain any life left in me to prevent me from trying to run again.”

As mentioned above, the treatment detainees experience at various detention facilities are so severe that it is difficult to describe. Through the 2009 UPR of the DPRK, it conveyed its position that ‘respect for persons is a requirement as set forth in the Constitution, insults and slander against personal dignity constitute crimes under the criminal law provisions and perpetrators are liable to the sections of the Compensation for Damage Law’. However, due to the complete exclusion of detainees either formally or informally in detention facilities from

---

<sup>20</sup>Testimony of defector Shim Jin-gil (alias, male) who defected from Hoeryong in North Hamgyong province in 2010

<sup>21</sup>Testimony of defector Lee Cheol-ho (alias, male) who defected from Chongjin in North Hamgyong province in 2010

the definition of 'persons' as mentioned above, the right to dignity has been deprived.

Furthermore, 'the Code of Criminal Procedure strictly prohibits employing coercive methods such as torture and physical assault in order to induce confessions or statements ... Victims of torture and other coercive interrogation methods are capable of receiving due compensation'. Despite this position, the above-mentioned cases evidently show that serious cases of violations continue to emerge even after 2009.

Regardless of whether the authorities at the national level are ordering the human rights abuses corresponding to the cases mentioned above or not, it is true that administrators at each detention facility are exploiting their own authorities in this corrupted state of the law and attempting human rights abuses in various ways and the government is continuing to overlook these infringements.

### 3. Discrimination against women

In 2001, North Korea joined the United Nations' Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

In 2005 a North Korean delegation was dispatched for the first time to the United Nations' Committee on the Elimination of All Forms of Discrimination against Women. They emphasized that women enjoy equal rights to men in North Korea. In 2009, according to various performance reports on International Human Rights Covenants, it was made clear that the role of National Human Rights apparatus was being executed faithfully in order to meet the standards of the committee as well as the National Coordination Committee.

However, according to the results of our interviews, we can see that up until the present day there has been a wide-range of gender discrimination and assault in various areas of society. As North Korean society becomes more unstable and difficult to live in, the biggest victims are of course women and children. This also applies without exception to weaker members of North Korean society, like the elderly.

#### 1) Violations of Expectant Mothers

According to the National Human Rights Report submitted by North Korea in 2009, 'The government is paying special interest to the development of the areas of female health promotion, protection and the health of expectant mothers. Policy related to the public health of citizens is as follows; all women will receive consistent attention from obstetricians, who will give responsible care. Over 98% of pregnant women giving birth receive expert assistance. The mortality rate for mothers in 2006 was 96.3 deaths for every 100,000 births.'

However, according to the testimony of Son MiHyang\* (name changed to protect identity), a midwife in North Korea until 2008, the state of care for expectant mothers in North Korea is woefully inadequate.

“The National Security and Protection Law states that healthcare treatment is free of charge. This means that if you go to the hospital and receive treatment it will be entirely free. You don’t have to pay anything, but of course you not only have to see a doctor but you also need medicine. There is no medicine. When a woman hemorrhages while giving birth, you need medicine to stop the bleeding. As this kind of anti-hemorrhagic medicine induces contractions, you are able to push the baby out and the birth is easier. However this kind of medicine is not available at the hospitals. You have to go to the market and buy it yourself. Of course, those with no money cannot purchase it and must bear the pain. If they develop a fever they must bear that also.”

“As giving birth naturally is difficult, there are instances where women need surgery. There have been many instances of death in this case. The majority are evacuated to an army hospital. However, while you can be admitted to these hospitals, purchasing the medicine becomes the personal responsibility of the patient. This is a real burden, and without money it’s so difficult.”

“The treatment equipment is totally outdated. When an abortion is performed, if the patient is able to breathe into an inhaler it’s easy, and they don’t feel pain. Yet even up until I left in 2009, everyone was using old, traditional methods. The uterus wall would be scraped until there was a heavy sound, and the fetus would be removed in this way. This would be performed with no pain relief, and would be extremely painful for the patient.”

There have been testimonies related to pregnant woman incarcerated in a detention center or standing trial. Far from receiving protection, these women instead suffer cruel torture, or are forced into hard labor.

“There are no women who survive being caught by the Security Police. There are many who arrive pregnant, and without question they all drop away. Harshly pronouncing that ‘no blood of the Han Chinese is allowed to be continued’, women are forced into hard labor such as running while carrying huge logs. All women lose their babies. One time a woman miscarried at the latrines, and there was blood everywhere. She could not get up and just collapsed there. Luckily at the time it was winter, so she didn’t die after falling in the excrement. If it had been summer she would have been covered in it and would have died on the spot. As she had lost so much blood and hadn’t eaten, she later contracted paratyphoid fever and died. Miscarriage, loss of blood, not being able to eat, and having no medical treatment whatsoever means that most pregnant women cannot survive.”

“In April of 2010 in the Songpyeong district of Chongjin I was stationed at a provincial holding camp. There was one 19-year-old woman there who had been caught in China and brought back. But she had been forced to undergo hard labor and had miscarried. She couldn’t receive treatment even though treatment

is always required in this circumstance, no matter how strong your body may be. She grew terribly weak and couldn't eat, and she died."

"In the Military Security Department there was one person I saw a pregnant women. Because of harsh forced labors, she was naturally miscarriage. Then I saw other two pregnant women, and they were running with holding very heavy sticks. Officers treat pregnant women more harsh and ruthless because they impregnated by Chinese men.

## 2) Female Sexual Objectification and Sexual Assault

The Article Six of CEDAW states that 'State Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.'

Accordingly, as a signatory to CEDAW North Korea has a legal obligation to tackle prostitution and sexual assault, but as economic circumstances have deteriorated, citizens face the problem of simply surviving with enough to eat. It is now a widespread notion that the female body is 'something to trade for a meal', or 'a way to engage in commerce'.

"In the markets, the goods on sale are regulated. According to the regulations, the only thing allowed to sell was an agricultural product. If you want to sell products from South Korea or China you have to pay money to the security guards in charge of the area, and then to individual labor groups. If money is not given then young people have to sell their bodies instead. So it's a good thing if you are able to get friendly with one person, as long as that person holds a lot of power."

Of course, other nations who are signatories to CEDAW have not implemented all of the stipulated regulations. Even in South Korea women suffer from exploitation through prostitution. However in North Korea there exists the sexual objectification of women's bodies and the institutionalization of sexual assault in detention centers. These occur brazenly under the pretext of governmental powers of 'investigation' and 'regulation'. That no objections may be raised to this situation means it is a very serious situation indeed.

"Any women who go to Safe agencies are sexually abused. As investigations, all women are naked and male officers put their hands on women's Virginia without changing their gloves."

'You! Come out here! Take off your clothes'. You have to take them off right there and then. When officers want sexual relationship, there is no way to refuse it because I know if I reject, they will kill me by using their titles and state power. So even though it is painful and horrifying, I give my body to them. Everyone thinks there is no right to express for sinners/criminals in the DPRK.

"There was one girl who did artistic gymnastics at my facility. She was really pretty. She was 26 years old and had been caught smuggling. All officers gave her punishment to her. She had to raise one leg and hold her arms out wide in

the posture of a flying bird. She had to stand like that from breakfast time to lunchtime. That's a very painful thing to do. She always sweated a lot. If her position collapsed, she would be beaten again. But from one day, she started to go out and return after few hours. Afterwards she did not receive that kind of punishment any longer. Later, I asked her 'Did you go out last night?' Then, she kept crying and could only repeat the same phrase 'those sons of bitches, oh, those sons of bitches'. Later, she tried to kill herself by swallowing spoon head, then she was puking blood and then she had surgery, as she got sick absent. Then I never saw her after... Her name was Oak.... and that time was in 2009.

#### 4. Violation of the rights to life

The DPRK government states "execution is only for the 5 categorized extreme crimes." Anti-national crimes (protest and attack against the country), terrorism (damaging/ killing people or officers), betray of Nation (defecting to other country, spying, and etc.), betray of nationality (selling profits of the DPRK to imperialism enemies) and arbitrary murder (from greed, jealous, and other motivations). However, crimes that not listed above also deserve execution. For example, eating farming cows and stealing public wires are considered as stealing the national properties." Therefore, the DPRK government not only politically control people, but also the control are deeply rooted in people's lives.

The following interviews clearly shows the falseness of the DPRK's claims on its UPR report that " Pregnant women and below 18 years old cannot be executed" and it also contradicts with the DPRK constitution Article 29.

##### (1) Execution of pregnant women

"One of my college colleagues was pregnant, and she and her friends ate a cow that she raised at her family farm. I heard that she was afraid to get caught by her dad, so she killed her father. He had some mental problem. I don't know whether this story is true, or the government made it up, but my friend and 5 other her family members were all publicly executed. I expected the government could give less harsh treatment to my friend since she was pregnant. But, it could not be an excuse. She died from public execution. "

##### (2) Execution of ages below 18

"Long time ago, the DPRK government awarded people who operates orphan villages. It probably came from the ethical politics. However, after great hunger rally, the orphan village also could not get enough support from the government. So, in order to get more support, the operators/owners of the orphan village just received as many homeless orphans as possible. When I lived in Musan, I knew one house doing the orphan village; there were 17 people at one house. The support from government cannot afford those children. One day, one boy from the house and two other homeless children stole public wire lines. People often steal and sell those since wires can be sold as irons. So, the telephone system shut down, and the two homeless boys got caught, and publicly executed at a market place. The other boy ran away, but later found as dead at his orphan

house dangle his head. There was no other option for him to escape the execution, so he just committed the suicide.”

### (3) Execution Situation Post 2009

According to pieces of various media sources, in recent years, North Korea claimed to become conscious of some of the criticisms from the international community for its public executions, and has since reduced the frequency of public executions. However, according to our surveys and investigations, 4 people for drug cases in April 2010 and 3 people for trafficking and murder cases in October 2010 were publicly executed in Chongjin, both times after the year of 2009. This shows that in reality, public executions still occur from time to time. In addition, when considering the political nature of the crimes and what sort of ideological influences the executions cause on the fear of the people, we can guess how seriously the North Korean people are experiencing threats and violations to their right to life.

“Actually getting publicly executed (shot) has to do with drugs and things like that, but because of its political nature now they take you away in the middle of the night so that even your close neighbors don’t know. When I worked at the Morning Star Agency, at 10 o’clock at night, when everyone heard the password, “storm” being passed down, even if they were sleeping, all of them stampeded out. Then, a woman in her mid-50s and another woman about 23 years old were brought back and assigned to the Political Prisoner’s Correction Camp. The National Security Agency would load up the car with only basic necessities and before sending them to prison and the next day at 5 o’clock in the morning they would be sent to some prison camp. Even if it’s not public, if you even covertly show a sign of having complaints about the regime, or due to a political problem stand out, you will be immediately and unexpectedly kidnapped.”

## 5. Arbitrary detention

### (1) Detention Period Extended<sup>22</sup>

“There were agency regulations. If after 10 days of detention and there was no crime, they had to let us out. But these people tried to do whatever it took to keep me there as a political criminal and they investigated me until they had to release me the last day before it became 10 days. They wouldn’t let me sleep at the detention house but at the security guardhouse in a place that is completely blocked with metal lattices. Then, they come again the next day and take me to the detention house. That way they don’t get in trouble for passing the 10 days limit. With that they would reinvestigate me and they kept me there for two months.”

### (2) Violations of Trial Proceedings

In the 2009 UPR from the DPRK, there are “Rights to Fair Trial,” the principles, procedures, methods, and et cetera are set forth in detail. However, in reality, all these things exist only nominally. Prisoners are

---

<sup>22</sup> Testimony: Resided in 양강도김형직군 (Yang-gang, Gimhyeongjik), defected in 2009, Son MiHyang

(Alias, F)

even deprived of the right to a fair trial. You have no other option but conform to the judge's ruling. Chul Ho Lee (Alias, M) a defector, who had a trial at the Po-Hang Area's People's Court, June 2010, recalls of his trial experience while he was there.<sup>23</sup>

#### 1) Court Administrator

"At the court in the area of Po-hyang, the lawyers there are like employees. The judge and the regular audiences are from some enterprises that only come to the court when they are sent. Therefore, the people that run the courthouse are not the judges but the lawyers. That is why you can't tell if the lawyers are there to protect the accused, to be like the prosecutor, or just helping the judge. It is all just formalities to have a lawyer. This is the same at any court house."

#### 2) Pretrial Lawyer Privilege and Interview Process

"I didn't know that there was such a thing as a lawyer, how could I appoint one. Before the trial, someone came and told me, 'I am your lawyer who was assigned your case.' Then he asked me if I had been hit during the investigation, if I was pushed for a certain answer, whether or not my body condition was okay. At that time I had been hit by the agency and had appealed. Then he said, "Hey, I got it, bastard, so why would you do something to get killed you," and he actually blamed me."

#### 3) Trial

"What I was in trial there was one public judge, two regular people, a prosecutor, a lawyer, all together 5 people. There were no witnesses there. Instead, the two convoy guards that were in charge of me at the detention prison were sat at the witness stand. Then the prosecutor just read all my wrongdoings and said, "Guilty! Due to these reasons he will get such and such amount increase in years." The lawyer would not protect me but he would accuse and insult with along with the prosecutor. They would say didn't know how to even be thankful to the government and that it is right I get the judgment of the people... that is the position and attitude of North Korean lawyers. That is why you can't really tell the difference between the lawyer and prosecutor. Then at the end they asked me if I had any last words. But with the lawyer not even on my side what would I say? Saying you have nothing to say at all is the best choice."

#### 4) Appeals

"After the verdict there is about 10 days for appeals. During that time you have the right to turn over the verdict if you feel that it is unfair and that the verdict is wrong. But the guards tell me, "It's better that you don't appeal. We've never seen anyone win his or her appeal that did appeal. Actually most of them get two times the original punishment. It's better to just be satisfied with your current verdict." That's what they said, that's why I didn't appeal."

#### 6. Others

##### (1) Violations on Human Health Rights

---

<sup>23</sup> Testimony: Resided inHamKyung, Chongjin, defected in 2010, Chul Ho Lee (Alias, M)

According to the 2009 Country Report on Human Rights in North Korea, “In the Democratic People’s Republic of Korea, everyone receives both practical and medical services free of charge equally in all sectors.” However, unlike this claim, the interview testimonies of North Korean defectors, both ordinary people and prisoners in detention cannot get medicine at the hospital and therefore must get them in the marketplace. If they do not do this, the reality is that they cannot receive any medical help.

“If you have malnutrition you can get out on sick bail for about a day... but they don’t let you go unless you are about to die. Until you are dead, you can’t leave. You can’t get treated at the hospital. Back in 2004 when I first went in, there was at least something like a treatment. They would at least give you some painkillers or a little bit of Aspirin. But near the end of 2009 when I went in, there was no treatment. For starters, there is no medicine at hospitals but only provide diagnose, you need to go buy your medicine in the marketplace.”<sup>24</sup>

## (2) Violations on Human Labor Rights

The official name of the shock troops is “Fast-paced Youth Troops,” literally referring to young men that join major projects or other difficult and hard national labor groups. Namely, they are not criminals who have committed wrongdoings, but young men that come from penniless and powerless family backgrounds who either get drafted or sign up themselves. Nevertheless, the working environment for these shock troops is very poor and equivalent to the conditions to the labor camps. As according to the interview testimony of North Korean defector, KwangHyuk Lee (Pseudonym) who was part of the shock troops for 3 years till the year of 2009, the claims made by North Korea that “Pay is given according to the type and amount of labor” and that “Safety materials and equipment are sufficiently given,” are both claims that the shock troops have even a hard time imagining could be true.

“The school kids are all raised by the country, aren’t they? It is in our mindset that we must work for the country. Everyone serve military or shock troops. I was placed for the No.517 shock troop\ but until 2009 I worked for 3 years. It’s my opinion but if you don’t escape, you’ll probably end up working there (at the shock troops) until you die. I worked for 3 years until my hands were blistering. From morning till 10 o’clock in the evening you must work. From a bit ago, I read 8 hours work? For the shock troops, we had no set working hours. Whether it rained or snowed... on the days it rained that is the day that we die. You know what happens when we rest on that day? Whether it rains or snows, we must work more on the next day.”

## III. Conclusion

As seen and mentioned above, even after the year of 2009, infringement of North Korean human rights of has been deteriorated. The North Korean authorities have treated defection itself as “homeland treason” and have incarcerated people for it. The authorities have established special facilities similar to “labor camps,” have kept them

---

<sup>24</sup>Testimony: Resided in 양강도김형직군 (Yangk-gang, Gimhyeongjik), defected in 2009, Son MiHyang (Alias, F)



actively running, and through it have executed official actions using their leadership to violate the human rights of the people and oppress them. All this runs as contradictory to the UPR report submitted to the United Nations Human Rights Council by North Korea in 2009. Although the report did not represent the official position of the North Korean regime, it calls into question the inadequacy of the North Korean regime's legal system and also the ambiguity of the law provisions that prove to be unfavorable to its residents due to the fact that the officials arbitrarily interpret the law. Furthermore, there is the collapse of the law, the abuse of power by public officials on residents, and the worsening reality of severe human rights abuse that have been taking place.

Therefore, we urge the international community to understand the realities of the North Korean people mentioned and to realize the level of seriousness, and also to intervene in the issue more aggressively by filing a complaint with the North Korean authorities. We hope that this report can somehow help alleviate and restore the human rights of the North Koreans.