

Democratic People's Republic of Korea

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

2018 Trafficking in Persons Report

Tier 3

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: Tier 3

The Government of the Democratic People's Republic of Korea (DPRK or North Korea) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore the DPRK remained on Tier 3. The government did not demonstrate any efforts to address human trafficking and the government continued state-sponsored human trafficking through its use of forced labor in prison camps, as part of an established system of political repression, and in labor training centers, facilitation of forced labor of students, and its exportation of forced labor to foreign companies. It used proceeds from state-sponsored forced labor to fund government functions as well as other illicit activity. It did not screen for or protect potential trafficking victims when they were forcibly repatriated from China or other countries.

RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

End the use of forced labor, including in prison camps used as a tool of political repression, and among North Korean workers abroad; end the practice of summary executions and other harsh punishments for victims who are forcibly returned from destination countries; provide assistance to trafficking victims exploited in the DPRK and to North Korean victims forcibly returned from abroad; criminalize human trafficking; investigate and prosecute trafficking cases and convict traffickers in accordance with the rule of law; eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas; cease the monitoring of overseas workers and the garnishing of their wages for the purposes of furthering forced labor; increase transparency by allowing international human rights monitors to evaluate living and working conditions of workers, both domestically and abroad; forge partnerships with international organizations and NGOs to combat human trafficking; allow North Koreans to choose their form of work, and leave their employment at will; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. North Korean laws did not criminalize all forms of human trafficking. Fair trials did not occur in the DPRK, and the government did not provide law enforcement data. The government did not explain what provisions of law, if any, were used to prosecute trafficking offenses or protect victims. During the reporting period, there were no known investigations, prosecutions, or convictions of traffickers. An NGO report indicated traffickers could be sentenced based on the number of

people they exploit, ranging from 10 years to life in forced labor camps, or to the death penalty. The government did not report whether it provided any anti-trafficking training to officials. The government did not report any investigations or prosecutions of government officials for alleged complicity in human trafficking offenses.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking. During the reporting period, the number of North Koreans forcibly returned by Chinese authorities rose significantly. These individuals, including potential trafficking victims, were sent to interrogation centers, where they were subjected to forced labor, torture, forced abortions, and sexual abuse by prison guards, and potentially sent on to prison camps. The government treated returning victims as criminals for crossing the border and North Korean defectors reported instances of the government executing trafficking victims forcibly returned from China. The government reportedly subjected some forcibly repatriated victims who were pregnant to forced abortions, and reports indicated infants born to forcibly repatriated victims while in prison were killed. An estimated 20,000 to 30,000 children born in China to North Korean women and Chinese men are often not registered upon birth, rendering them stateless and vulnerable to possible exploitation. Article 30 of the criminal code partially suspended civil rights of prison camp inmates; government officials used this provision to abuse victims in prison camps.

PREVENTION

The government did not report any efforts to prevent human trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to human trafficking in destination countries. The DPRK made no efforts to raise awareness of human trafficking, train government officials, or screen migrants along the border for signs of trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, the DPRK is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Within North Korea, forced labor is part of an established system of political repression and a pillar of the economic system. The government subjects its nationals to forced labor through mass mobilizations, assigned work based on social class, and in North Korean prison camps. The DPRK holds an estimated 80,000 to 120,000 prisoners in political prison camps and an unknown number of persons in other forms of detention facilities, including re-education through labor camps. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Political prisoners

are subjected to unhygienic living conditions, beatings, torture, rape, a lack of medical care, and insufficient food. Many prisoners do not survive.

The North Korean government operates regional, local, and sub-district level labor camps and forces detainees to work for short periods doing hard labor, receiving little food and subject to abuse, including regular beatings. Authorities reportedly send people to such camps if they are suspected of engaging in simple trading schemes or are unemployed. Officials occasionally sent schoolchildren to work in factories or fields for short periods to assist in completing special projects, such as snow removal on major roads or meeting production goals. The effects of such forced labor on students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies. At the direction of the government, schools force students older than 14 years of age, including those in universities, to work without pay on farms for periods up to a month, twice a year; students who do not meet work quotas set out by schools face physical abuse. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites.

North Korean laborers sent by the government to work abroad, including through bilateral agreements with foreign businesses or governments, also face conditions of forced labor. Credible reports show many North Koreans working overseas are subjected to working excessively long hours in hazardous temperatures with restricted pay for up to three years at a time. North Korean government “minders” restrict and monitor their movement and communications. These workers face threats of government reprisals against them or their relatives in the DPRK if they attempt to escape or complain to outside parties. Workers’ salaries are appropriated and often deposited into accounts controlled by the North Korean government, which justifies its retention of most of the money by claiming various “voluntary” contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work and face punishment if they fail to meet production or work targets. According to NGO reports, the North Korean government withholds 70-90 percent of wages from overseas workers, which generates an annual revenue to the North Korean government of hundreds of millions of dollars (more than a trillion won). Wages of some North Korean workers employed abroad reportedly are withheld until the laborers return home, increasing their vulnerability to coercion and exploitation by authorities. Other reports note these laborers work on average between 12 and 16 hours a day, and sometimes up to 20 hours per day, and are allowed only one or two rest days per month. During the reporting period, UN Security Council resolutions banned other countries from issuing new work authorizations to DPRK laborers and required the expulsion of current DPRK laborers, consistent with international human rights and refugee law, no later than the end of 2019. Even as efforts continue to reduce the number of overseas workers, there were still as many as 100,000 workers earning revenue for the DPRK regime during the reporting period. The majority work in Russia and China, but workers were also reportedly present in Algeria, Angola, Bangladesh, Burma, Cambodia, Equatorial Guinea, Ethiopia, Democratic Republic of the Congo, Ghana, Guinea, Indonesia, Kyrgyzstan, Kuwait, Laos, Libya, Mali, Malaysia, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Oman, Poland, Qatar, Senegal, Singapore, South Sudan, Tanzania, Taiwan, Thailand, the United Arab Emirates, Uruguay, Yemen, and Zambia during the year. Due to international pressure to repatriate DPRK workers as a means of cutting revenue supporting the DPRK’s

unlawful nuclear and missile programs, several countries stopped accepting new DPRK laborers and expelled some workers before or at the conclusion of their work contracts.

The North Korean government's egregious human rights violations can fuel trafficking in neighboring China. Many of the North Korean refugees and asylum-seekers living illegally in China are particularly vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer jobs but subsequently force the women into prostitution, domestic service, agricultural, or other types of work through forced marriages. These women are subjected to sexual exploitation by Chinese or Korean-Chinese men, forced prostitution in brothels or through internet sex sites, or compelled service as hostesses in nightclubs or karaoke bars. These victims often lack identification documents and bear children with Chinese men, which further hinders their ability to escape. If found by Chinese authorities, victims are often forcibly returned to the DPRK where they are subject to harsh punishment, including forced labor in labor camps or death.