

North Korea

North Korea remains one of the most repressive authoritarian states in the world, ruled for seven decades by the Kim family and the Worker's Party of Korea. During his fifth year in power, Kim Jong-Un continued to generate fearful obedience by using public executions, arbitrary detention, and forced labor; tightening travel restrictions to prevent North Koreans from escaping and seeking refuge overseas; and systematically persecuting those with religious contacts inside and outside the country.

A 2014 United Nations Commission of Inquiry (COI) report on human rights in North Korea stated that systematic, widespread, and gross human rights violations committed by the government included murder, enslavement, torture, imprisonment, rape, forced abortion, and other sexual violence, and constituted crimes against humanity.

On December 10, 2015, the UN Security Council discussed North Korea's bleak human rights record as a formal agenda item for the second year in a row, following the COI's recommendations.

On March 23, the UN Human Rights Council adopted a resolution condemning human rights abuses in North Korea. It authorized the creation of a group of independent experts tasked with finding practical ways to hold rights violators in North Korea accountable and recommending practical accountability mechanisms, including the International Criminal Court, to secure truth and justice for victims. Lawyers Sonja Biserko and Sara Hossain joined the panel, supporting Tomas Ojea Quintana, the new special rapporteur on human rights in North Korea.

North Korea has ratified four key international human rights treaties and its constitution includes rights protections. In reality, the government curtails all basic human rights, including freedom of expression, assembly, and association, and freedom to practice religion. It prohibits any organized political opposition, independent media, free trade

unions, and independent civil society organizations. Arbitrary arrest, torture in custody, forced labor, and public executions maintain an environment of fear and control.

North Korea discriminates against individuals and their families on political grounds in key areas such as employment, residence, and schooling through “songbun,” the country’s socio-political classification system that from its creation grouped people into “loyal,” “wavering,” or “hostile” classes. This classification has been restructured several times, but continues to enable the government to privilege or disadvantage people based largely on family background, personal performance, and perceived political loyalty.

However, pervasive corruption enables some room to maneuver around the strictures of the songbun system, even while it burdens people as government officials regularly demand and receive bribes from those seeking permissions, pursuing market activities, or wishing to travel inside or outside the country.

Tighter Border

In 2016, Kim Jong-Un’s government increased efforts to stop North Koreans from crossing into China without permission. Some tactics included building barbed-wire fences on the northern border; persecuting those caught in North Korea using Chinese cellphones to communicate with people in China or South Korea; and increasing efforts to block Chinese cell phone services near the border.

Both North Korea and China have increased patrols and established barriers to crossing the border. The Chinese and North Korean governments have also targeted and broken up broker networks in China, meaning fewer people are willing to guide North Koreans on the arduous journey to escape through China.

China is a state party to the Refugee Convention of 1951 and its 1967 protocol, but it considers all North Koreans in China to be “illegal aliens” and routinely repatriates them without consideration of their claim to asylum. Human Rights Watch believes all North Koreans fleeing into China should be considered refugees, whatever their motivation for flight, because of the certain prospect of severe punishment if they are returned.

Fleeing North Korean women are frequently forced into marriages with Chinese men, or into the sex trade. Even if they have lived in China for years, they face possible arrest and repatriation at any time. Many children from these unrecognized marriages lack legal identity or access to education or health services in China.

Former security officials who left North Korea told Human Rights Watch that North Koreans handed back by China face interrogation, torture, sexual abuse, and forced labor. North Koreans in exile with contacts inside the country told Human Rights Watch that people caught trying to reach South Korea are treated as enemies of the state, and sent to political prison camps.

Freedom of Expression and Access to Information

All domestic media and publications are strictly state-controlled, and foreign media allowed inside the country are tightly controlled as well. Internet and international phone calls are heavily monitored.

Unauthorized access to non-state radio, newspapers, or TV broadcasts is severely punished. North Koreans face punishment if they are found with mobile media, such as Chinese mobile phones, SD cards or USBs containing unauthorized videos of foreign news, films, or TV dramas.

Inhumane Treatment in Detention

The government practices collective punishment for alleged anti-state offenses, effectively enslaving hundreds of thousands of citizens, including children, in prison camps and other detention facilities. Detainees face deplorable conditions, sexual coercion and abuse, beatings and torture by guards, and forced labor in dangerous and sometimes deadly conditions.

Those accused of serious political offenses are usually sent to political prison camps, known as *kwanliso*, operated by North Korea's National Security Agency. These camps are characterized by systematic abuses, including meager rations that imperil health and can lead to starvation, virtually no medical care, lack of proper housing and clothes, regular

mistreatment including sexual assault and torture by guards, and public executions. Political prisoners face backbreaking forced labor, including in logging, mining, and agricultural.

UN officials estimate that between 80,000 and 120,000 people are imprisoned in political prison camps.

Those whom authorities suspect of illicitly trading goods from and into China, transporting people to China, and minor political infractions, such as watching or selling South Korean films, may receive lengthy terms in detention facilities known as *kyohwaso* (correctional, reeducation centers). Detainees there face forced labor, food and medicine shortages, and regular mistreatment by guards.

People suspected of involvement in unauthorized trading schemes involving non-controversial goods, shirking work at state-owned enterprises for more than six months, or those unable to pay bribes to officials for various reasons are sent to work in short-term forced labor detention facilities (*rodong danryeondae*, literally labor training centers). Beatings are common in these facilities, and dangerous working conditions purportedly result in significant numbers of injuries.

Forced Labor

The government systematically uses forced labor from ordinary citizens to control its people and sustain its economy. A significant majority of North Koreans must perform unpaid labor at some point in their lives.

Former North Korean students who left the country told Human Rights Watch that their schools forced them to work for free on farms twice a year, for one month at a time, during ploughing and seeding time, and again at harvest time. A former school teacher who escaped North Korea in 2014 said his school forced its students (aged between 10 and 16) to work every day to generate funds to pay government officials, maintain the school, and make a profit.

Ordinary North Korean workers, both men and unmarried women, are required to work at government-assigned enterprises. Although they are theoretically entitled to a salary, they

usually are not compensated. All North Korean families also have to send one family member for at least two hours per day, six days a week, to support local government construction or public beautification projects, like building structures, fixing roads, collecting raw materials like crushed stone, or cleaning public areas.

The government launched a 70-day “battle” to prepare for North Korea’s most important political event in 36 years, the 7th Korean Workers Party Congress, which took place between May 6 to 10. The government forced people across the country to produce more goods and crops in order to cover the costs of the congress. Posters, billboards, and media broadcasts demanded that North Koreans complete their “battle plans,” and counted down the days until the congress opened.

Labor Rights

North Korea is one of the few nations in the world that has not joined the International Labour Organization. Workers are systematically denied freedom of association and the right to organize and collectively bargain.

Since Kim Jong-Un’s rise to power, the government has sent more workers overseas to earn foreign currency salaries, most of which the government seizes. Although the country does not release official data, some observers estimate that more than 100,000 North Koreans worked overseas in 2015.

The treatment of North Korean workers overseas falls short of international labor standards, with no right to freedom of association or expression, control by minders who limit freedom of movement and access to information from the outside world, long working hours and no right to refuse overtime.

Key International Actors

Japan continues to demand the return of 12 Japanese citizens whom North Korea abducted in the 1970s and 1980s. Some Japanese civil society groups insist the number of abductees is much higher.

South Korea has also stepped up its demands for the return of its citizens, hundreds of whom were reportedly abducted during the decades after the Korean War. The North Korean government has also kidnapped individuals from China, Thailand, Europe, and the Middle East.

On February 10, the South Korean government closed down the Kaesung Industrial Complex (KIC), a special joint venture industrial zone at the southern border of North Korea. In March, South Korea passed the North Korean Human Rights Act, to improve human rights and provide humanitarian aid for current and former North Korean citizens.

In July 2016, US President Barack Obama imposed targeted sanctions for human rights abuses on five institutions and ten North Koreans, including Kim Jong-Un. The list included individuals responsible for hunting down North Korean escapees, and running labor and political prison camps.