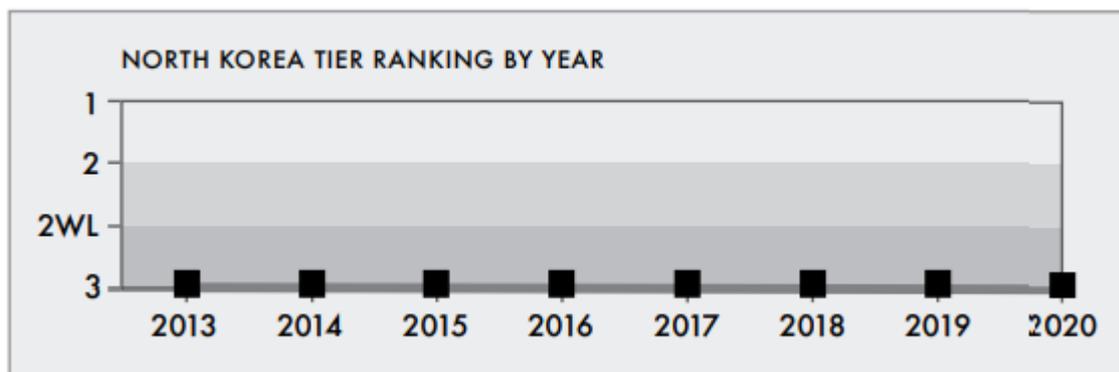


KOREA, DEMOCRATIC PEOPLE’S REPUBLIC OF: TIER 3

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. During the reporting period, there was a government policy or pattern of forced labor in mass mobilizations of adults and children, in prison camps as part of an established system of political repression, in labor training centers, and through its imposition of forced labor conditions on DPRK overseas contract workers. It used proceeds from state-sponsored forced labor to fund government functions, as well as other illicit activity. The government did not demonstrate any efforts to address human trafficking.



PRIORITIZED RECOMMENDATIONS:

End the use of state-sponsored forced labor, including among North Korean workers abroad and in prison camps used as a source of revenue and tool of political repression. • End the practice of summary executions and other harsh punishments, KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF 296 including forced labor, for victims who are forcibly returned from destination countries. • Eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas. • Cease the garnishing of wages of overseas workers for the purposes of furthering forced labor. • Provide assistance to victims exploited in the DPRK and to North Korean victims returned from abroad. • Criminalize sex trafficking and labor trafficking. • Investigate and prosecute trafficking cases and convict traffickers in accordance with the rule of law. • 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. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report any law enforcement efforts. It is unclear whether North Korean laws criminalized sex trafficking or labor trafficking. Fair trials did not occur in the DPRK, and the government did not explain what provisions of law, if any, were used to prosecute trafficking offenses. The government did not provide law enforcement data; there were no known investigations, prosecutions, or convictions of traffickers or government employees complicit in forced labor or other trafficking crimes.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services, nor did they permit NGOs to provide these services. Authorities penalized victims for unlawful acts traffickers compelled them to commit. The government treated returning victims as criminals for crossing the border. Reports indicated the government sent North Koreans, including potential trafficking victims, forcibly returned by Chinese authorities to interrogation centers, where the government subjected them to forced labor, torture, forced abortions, and sexual abuse by prison guards; in some cases, authorities potentially sent them on to prison camps. North Korean defectors previously reported instances of the government executing trafficking victims forcibly returned from China.

PREVENTION

The government did not report any efforts to prevent trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that heightened their risk of trafficking in destination countries. The DPRK made no efforts to raise awareness of human trafficking. The government did not make efforts to reduce the demand for commercial sex acts, nor did it provide anti-trafficking training to its diplomatic personnel. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers—including government officials—exploit North Koreans in the DPRK and abroad. 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 in North Korean prison and labor camps, through mass mobilizations, and in overseas work. The law criminalizes defection, and individuals, including children, who cross the border for the purpose of defecting or seeking asylum in a third country are subject to severe punishment, including indefinite terms of imprisonment and forced labor, or death. The DPRK holds an estimated 80,000 to 120,000 prisoners in political prison camps and an undetermined 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, and sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including in logging, mining, manufacturing, or farming for long hours under harsh conditions. 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 while receiving little food and being subjected to abuse, including regular beatings. Authorities reportedly send people to these camps if they are suspected of engaging in simple trading schemes or are unemployed; North Koreans who were not officially registered as being employed for longer than 15 days were at risk of being sent to labor camps for a minimum of six months.

Officials forcibly mobilized adults and schoolchildren to work in various sectors, including in factories, agriculture, logging, mining, infrastructure work, information technology (IT), and

construction. An NGO reported the government withheld food rations or imposed taxes against adults who did not participate in these forms of forced labor. Schools receive compensation from the government for labor conducted by children, and officials occasionally sent schoolchildren to work in factories or fields for short periods to complete special projects. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites. The effects of such forced labor on students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies.

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. Workers reportedly worked in a range of industries, including but not limited to apparel, construction, footwear manufacturing, hospitality, IT services, logging, medical, pharmaceuticals, restaurant, seafood processing, textiles, and shipbuilding. 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. 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.

In 2017, UN Security Council resolutions prohibited UN Member States from issuing new or renewed work authorizations to DPRK laborers and required States to repatriate North Korean nationals earning income overseas, subject to limited exceptions, including for refugees and asylum-seekers no later than December 22, 2019. At the end of 2019, tens of thousands of North Korean citizens continued to work overseas, primarily in Russia and China. KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF 297 Workers were also reportedly present during 2019 in the following countries: Algeria, Angola, Bangladesh, Cambodia, Equatorial Guinea, Ethiopia, Guinea, Italy, Kyrgyzstan, Laos, Malaysia, Mali, Mongolia, Mozambique, Nepal, Nigeria, Oman, Poland, Qatar, Republic of the Congo, Senegal, Tanzania, Thailand, the United Arab Emirates, Vietnam, Zambia, and Zimbabwe. Many of these countries subsequently repatriated most or all North Korean workers during the year. However, reports suggested several countries either had not taken action or had resumed issuing work authorizations or other documentation, allowing North Koreans to continue working overseas, in violation of UN Security Council resolutions. Russia reportedly issued more than five times as many tourist and study visas to DPRK residents as

it did during the previous year, strongly suggesting that these visas are being used as a workaround for workers. Russian statistics showed that nearly 7,000 North Korean citizens arrived in Russia during the first quarter of 2020. Of these, 753 registered with Russian migration authorities as workers, 1,975 as students, and approximately 3,000 as tourists—a multi-fold increase in the number of North Korean students and tourists from the previous year. Similarly, there have been numerous reports that factories in China are employing new or existing North Korean workers.

The North Korean government's egregious human rights violations fueled human trafficking in neighboring China. Many of the North Korean refugees and asylum-seekers living illegally in China are particularly vulnerable to traffickers who lure, drug, detain, or kidnap some North Korean women upon their arrival. Traffickers also operate networks spanning from China into North Korea to recruit North Korean women and girls to smuggle into China. These women are subjected to physical abuse and sexual exploitation by their traffickers, forced into commercial sex in brothels or through internet sex sites, or compelled to work as hostesses in nightclubs or karaoke bars. Traffickers sell North Korean women to Chinese men for forced marriages, whereby they are subsequently forced into commercial sex, domestic service, agricultural, or other types of work. These victims often lack identification documents and bear children with Chinese men, which further hinders their ability to escape. As many as 30,000 children born in China to North Korean women and Chinese men have not been registered upon birth, rendering them stateless and vulnerable to possible exploitation. 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, torture, forced abortions, or death.