



Call for submissions

The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Ms. Elizabeth Salmón, will submit a report focusing on the human rights of women and girls to the Human Rights Council in March 2023. To raise awareness of the human rights situation in the Democratic People's Republic of Korea, she has decided to pursue a more detailed analysis of the human rights situation of specific groups, starting with women and girls. The aim of focussing on specific groups is to improve understanding of their situation and explore ways to better protect and promote their human rights. To inform the upcoming report and follow up activities, the Special Rapporteur is seeking inputs on the topic from States, victims, civil society organizations, academia, and other stakeholders through responses to the brief questionnaire below.

Questionnaire

Human rights of women and girls in the Democratic People's Republic of Korea

General questions

1. What information do you have about actions that the Government of the Democratic People's Republic of Korea has taken to improve the human rights situation of women and girls and the existing policies to address their human rights?

North Korea ratified CEDAW(Convention on the Elimination of All Forms of Discrimination against Women) in 2001 and enacted the Law on the Protection and Promotion of the Rights of Women in 2010. Most laws in North Korea lack detailed information on the implementation in practice. Even when they enacted the Law on the Protection and Promotion of the Rights of Women, it is deemed as a symbolic act rather than a law to bring actual changes at the societal level. According to the female North Korean escapees who have recently escaped from North Korea, there are no actual improvements in terms of women's rights.

2. What is the human rights situation of women and girls in detention in the Democratic People's Republic of Korea? Please also share information about women and girls in *kwanliso* (political prison camps).



Sexual violence against female detainees occurs very frequently in North Korean long-term detention facilities such as labor training camps and labor prison camps (kyo-hwa-so), and investigation and detention facilities such as the State Security Department and the Social Security Department, etc. According to the NKDB Unified Human Rights Database, as of December 15, 2022, 270 cases of a total of 586 sexual violence against women cases occurred within the facilities. This is a figure that reaches 46% of all sexual violence cases. Given that the perpetrators are incumbents or executive officers in the facilities, it appears to be in the form of a ‘structural sex crime’ that contains power abuse. In fact, the perpetrators sometimes ask for sex to female detainees and detainees in the facility in exchange for the commutation of punishment or improvement in treatment during detention or imprisonment. They sometimes threaten to impose additional sentences when declined. In cases of the victims’ pregnancy as a result of the sex crimes, they are urged to have an abortion because the perpetrator would be expelled from the position once the fact is revealed.

Due to the idea of the ‘predominance of men over women’, which is still prevalent in North Korean society, the victimized women would also remain silent with a great fear of public shaming they will have to face in case of victim disclosure.

(Relevant Testimony)

“(At the Political Prison Camp that I was detained) there was a girl who worked with me was sexually harassed and beaten by the son of an executive officer, so her face looked terrible. I also saw an older friend of mine who was told to have an abortion. Of course, there is no such punishment for the son of the executive officer. He wanted to play with (a girl) because she’s pretty, but he would not make her his own.”(Case ID E14-I-1246)

3. What information do you have about North Korean women and girls crossing the border? What are the difficulties they face, including violence, before, during and after crossing the border?

As a result of the economic crisis that began in the mid-to-late 1990s, the number of North Koreans defecting to China for survival has increased significantly, resulting in a significant increase in cases of forced prostitution and human trafficking of North Korean women. Human trafficking brokers mainly target young North Korean women who can be used as marriage partners with Chinese men or as cheap laborers, and trade them as goods. The recent exposure of a video titled 'Chain Girl' in China raised social awareness of the seriousness of human trafficking. In response, the Chinese authorities declared a war on human trafficking and imposed tighter enforcement of regulations. The enforcement by the Chinese authorities may cause a greater crisis for North Korean human trafficking victims in China. North Korean human trafficking victims are



excluded from the objects to protection under Chinese law because they are classified as illegal immigrants without refugee status. Also, they are sentenced to immediate repatriation to North Korea when arrested by Chinese police.

When a North Korean woman living in China is forcibly repatriated while pregnant, she is subjected to forced abortion in detention facilities by the North Korean authorities, in which her pregnancy is considered as carrying a child of a Chinese man who is not of “pure Korean blood.” This occurs most frequently in holding centres run by the State Security Department and the Social Security Department in North Korea. Even after a surgical operation to cause abortion, women who have had forced abortions do not receive any medical care afterward and often suffer from complications.

4. What is the situation regarding sexual and reproductive health of women and girls in the Democratic People’s Republic of Korea?

According to the “State of World Population 2022” published by the United Nations Population Fund (UNFPA), North Korea’s total fertility rate is 1.9, less than 2.1, the rate it needs to maintain the population. North Korea is emphasizing the collective mobilization of labor to replace outdated industrial technology. Under the circumstances, the decrease in the labor force caused by the rapid decline in the birth rate in society is hindering North Korea's national growth.

The background of this declining birth rate is North Korea’s economic difficulties that have continued since the 'Arduous March' in the 1990s. The economic difficulties aggravated the sense of burden that comes with pregnancy, among the new generation in North Korea. In addition, even after giving birth, proper food is hardly provided to the child. As children are often exposed to malnutrition, the people in North Korea are reluctant to even consider raising children.

The patriarchal system is also the reason why parenting and managing the household finances become a double burden for North Korean women. Most North Korean women are breadwinners who revitalize the market economy in North Korean society and outearn their husbands. Nevertheless, patriarchy has remained prevalent and affects North Korea women with enduring double burden.

5. What is the situation on domestic violence in the Democratic People’s Republic of Korea?

North Korea has been a patriarchal society, where traditional gender stereotypes are still prevalent. Men are expected to be the breadwinners while women are expected to handle all the household chores. The gender role has changed since the ‘Arduous March’ in the 1990s. Along with the significant increase in women’s participation in the North Korean market economy, their contribution to the household economy grew.



Nevertheless, the perceptions and the system in North Korea remain. The gap between the reality and the stereotypes has caused social issues such as domestic violence. However, the government has not made any regulations for prevention or intervention. In North Korea, domestic abuse is considered as a private family matter which should be resolved within families.

(Relevant Testimony)

“...because I kept talking back. It shouldn’t be a woman that talks loudly. So, when a man says something, I was expected to stay still. But I talked back. When men are at loss for words, they punch to win the fight.” (NKDB_GE2020_4_F_50s_2019)

“Sometimes he would come in drunk and complain that I did not prepare his meal. I would get annoyed. Looking back, I deserved to be beaten. I didn’t care about a man’s image but just pressed on for myself. When women are beaten, it is said that it’s because of their mouths. Because they didn’t talk in a lady-like manner.” (NKDB_GE2020_10_F_40s_2019)

6. What is the situation regarding women’s rights in *Jangmadang* (local informal markets)? Has women’s economic and social participation made an impact on women’s lives and opportunities?

Any business or trading is considered illegal in North Korea. So is making profits at *Jangmadang*. Even though *Jangmadang* has been a crucial part of the economy in North Korea for about 20 years, there have not been adequate changes in its regulations.

Given that women’s economic activities at *Jangmadang* are considered so-called ‘illegal’ trades, in which their status becomes vulnerable, women are often the easy targets of authority enforcement.

Based on the testimonies of North Korean defectors, bribing law enforcement official who controls illegal market activities are necessary to keep the business running. There are times when designated types of bribery for individual law enforcement officials. Occasionally, when there is a large-scale crackdown from the Ministry of State Security or the Ministry of Social Security, women are easily exposed to the risk of punishment, such as detained and deployed to forced labour.

7. What are women’s particular vulnerabilities to forced labour in the Democratic People’s Republic of Korea?

In detention facilities in North Korea, detainees are usually deployed to the construction site in local areas erecting a new building for local police offices or public facilities. The construction works require a concentration of physical labor, in which



women are in more vulnerable positions than men. So far we could not have enough information that women are deployed to other types of labor in the labor training camp.

8. What positive changes do you think women and girls can make to society and human rights in the Democratic People's Republic of Korea? What is the role of women in pursuing peace and security in the region? How do you think the international community should support women and girls in this regard?

Empowering female North Korean escapees could bring positive changes inside North Korea because they provide the major ways of communication between the outside world and the women living in North Korea.

In October 2022, the NKDB conducted a survey on the social and economic integration of North Korean escapees in South Korea. Despite the tighter border control of the North Korean government since COVID-19, 21.8% of North Korean escapees answered that they contacted their family members or friends in North Korea, in the same year.

Given that women make up approximately 70% of North Korean escapees and that women's activities are crucial in private markets, women in North Korea are the major resources of delivering the outside news to the inside of North Korea. And it could bring up awareness on human rights inside of North Korea.

9. According to your information, what do North Korean women and girls want in terms of securing peace and enhancing their human rights in the Democratic People's Republic of Korea?

Many women and girls in North Korea are subject to human trafficking in China primarily due to their vulnerable status. Most female North Korean defectors testify that they experienced some forms of human trafficking and forcibly repatriation and still suffer from enduring psychological anxiety such as post-traumatic stress disorder. To improve the human rights of women and girls in North Korea, it is important to recognize their refugee status and try to minimize the risk of exposing them as a target of human trafficking or forced repatriation.