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## **Human Rights Watch Submission on Rights of Women and Girls in North Korea for the Special Rapporteur's Report to the 52nd Human Rights Council Session in March 2023**

### **Discrimination and Violence against Women and Girls**

Despite [claims](#) by officials in the Democratic People's Republic of Korea (DPRK, [North Korea](#)) that gender equality has been achieved, North Korean women and girls are subject to intense and pervasive human rights abuses including sexual and gender-based violence, widespread discrimination, and enforcement of rigid gender stereotypes.

Traditional Confucian patriarchal values remain deeply embedded in North Korea. Confucianism is an ethical and philosophical system that is strictly hierarchical and values social harmony. In such a society, a woman's position in society is lower than a man's and her reputation depends largely on maintaining an image of "sexual purity" before marriage and obeying the men in her family.

Discrimination against women and girls is accepted as an inevitable part of everyday life in North Korea. Stereotyped gender roles begin in childhood. Girls learn they are not equal to boys and cannot resist mistreatment and abuse, and that they should feel shame if they become targets of abuse by men, whether in the home or in public spaces. In interviews in Human Rights Watch's 2018 report "[You Cry at Night but Don't Know Why.](#)" North Korean students and teachers explained that in mixed gender classes boys were almost always made leaders and that male teachers usually made decisions in schools, even though the majority of teachers in the school were women. Social structures and conventions that discriminate against women are also reflected in socially enforced rules of interaction between girls and boys. As teenagers, girls are often asked to use an honorific form when speaking to boys, even though there is no reverse requirement. This practice continues through university, extending into the workplace, marriage, and family life. Lee Chun Seok, a female former schoolteacher from Ryanggang province who left North Korea in 2013, told Human Rights Watch: "Men are the sky and women are the earth. What men think and say are what matters. We must absolutely obey men, respect them, and treat them with honor."

According to North Korea's 2016 state party [report](#) submitted to the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee), women had minimal

representation in positions of influence within the ruling Workers' Party of Korea (WPK), comprising 10 percent of divisional directors in government bodies, 11.9 percent of judges and lawyers, 4.9 percent of diplomats, and 16.5 percent of officials in the Ministry of Foreign Affairs. At the time of that report, there were no women in the Political Bureau of the Central Committee of the WPK, the main policymaking mechanism in the country.

The number of women in the Central Committee has [doubled](#) between 2016 and 2019, with increased visibility in state-run media of female officials like Kim Yo Jong, Kim Kyong Hui, and Choe Son Hui. However, the increased involvement of women in leadership does not appear to have resulted in policy changes.

Domestic violence in North Korea is considered a “private matter” and cases of sexual harassment and violence, even in public, go virtually unreported. North Korean escapees have told [Human Rights Watch](#) that authorities do not consider violence against women to be a serious crime. Others have stated that the stigma surrounding the victims of sexual violence and harassment prevents women and girls from seeking redress. Survivors of sexual assault lack the language itself to describe what happened to them, an issue compounded by the lack of public sex education in the country. Cho Byul Me, a former smuggler from North Hamkyung province who left North Korea in 2014, explained that she sometimes had to run away from her house when her husband started beating her up, but had nowhere to go. “Eventually I’d just have to go back home and wait outside the door sometimes in the bitter cold, under the snow or the rain, until I’d think he had fallen asleep,” she said. “I had nowhere to go and I would have left him if I had anywhere to go.”

Notably, during North Korea’s CEDAW Committee review in 2016, one government official did not even seem to understand questions about [“marital rape”](#) or what the term meant, and asked the committee to explain it. The same official also claimed that punishments for superiors coercing women into sex should be much less than in cases of rape involving outright physical violence, because, the official claimed, there is less of an impact on victims.

According to the South Korean [Ministry of Unification](#), 81 percent of North Korean escapees in 2019 were female, prior to the Covid-19 related border closure. This can partly be explained by the decreased scrutiny women face compared to men in North Korea, as men are required to go to state-run workplaces while many married women stay at home to care for the family. In addition, many North Korean women and girls are trafficked and sold to Chinese men or enter the sex industry in China. The Chinese trafficking markets are well connected with local Chinese authorities, who facilitate these practices. Still, the Chinese government routinely labels North Koreans as illegal “economic migrants” and forcibly repatriates them under a 1986 bilateral border protocol. The 2014 UN Commission of Inquiry report on the human rights situation in North Korea [found](#) that North Korean escapees who are forcibly repatriated face systematic torture, arbitrary detention, and sexual violence, including invasive body searches and forced abortions, that amount to crimes against humanity.

Human Rights Watch has heard many unconfirmed calls from the Pyongyang government to authorities in the border areas and in detention facilities ordering local officials to protect unspecified human rights of people in custody. However, Human Rights Watch is not aware of any new policies or legal reforms that address protections of rights of women and girls.

### **Women in the Markets**

Prior to the outbreak of Covid-19, women were estimated to [contribute](#) more than 70 percent of the country's household incomes. Because married women are not forced to go to official workplaces like their husbands, and single women are not universally conscripted into the military, North Korean women had more mobility to work in the informal markets (*jangmadang*). These markets increased trade with China and bolstered the economy after the collapse of the public distribution system during the famine in the late 1990s. Reports from before the pandemic estimated that women [comprised roughly 80 percent](#) of the market. The wages of North Koreans in official, state-approved ordinary workers' roles are capped at pre-1990s prices, equivalent to an average of seven to nine kilograms of corn per month, which were eclipsed by market vendor earnings. Many North Korean women became the primary breadwinners of their families. Participation in the markets gave them stronger voices at home, increased their decision-making power about finances and children's education, and improved their access to information about issues inside and outside of North Korea. Involvement in these informal markets was one and perhaps the only way that North Korean women enjoyed empowerment and autonomy in North Korea.

However, women leaving their homes to work in the markets also exposed them to increased gender-based discrimination. Female North Korean escapees told Human Rights Watch that the increased visibility of women in markets drew scrutiny from the authorities. North Korea's vague laws and the possibility of technical illegality in nearly all market business activity created opportunities for guards or officers to [harass or detain women in the markets](#), including by extracting bribes in the form of sexual demands. The 2014 Commission of Inquiry report found that "the male dominated state, agents who police the marketplace, inspectors on trains, and soldiers are increasingly committing acts of sexual assault on women in public spaces." This was described as "the male dominated state preying on the increasingly female-dominated market."

Since 2020, the [excessive and unnecessary measures](#) that the North Korean government has ostensibly implemented to quell the spread of Covid-19 have disproportionately impacted women and girls. These measures, including "buffer zones" on the borders with China and Russia and orders given to border guards, limitations on domestic travel, trade, and product distribution, and increased ideological campaigns, have blocked virtually all movement between North Korea and China, both commercial and otherwise. These overbroad measures have subjected North Koreans to food and medicine shortages, plunging the country into renewed economic hardship and austerity. These new regulations also appear to be a means by the government to return to the strict economic controls and social values of decades past, when the government more tightly controlled its northern border, the imports and distribution of products, and all access to information.

The measures disproportionately affect North Korean women and their livelihoods by cutting them out of many of the market activities they had been engaged in prior to the pandemic and reversing many of the socioeconomic gains they had obtained.

## **Recommendations**

*Human Rights Watch urges the Special Rapporteur to:*

- Request a visit to North Korea to assess the rights situation of women and girls, including those in custody.
- Urge the government to relax Covid-related border and import restrictions, citing their disparate impact on women's rights.
- Urge the government to launch public interest and awareness campaigns, especially in schools, to promote gender equality and combat discriminatory attitudes and policies that contribute to subordination of women and girls in society and within the family.
- Request the government launch comprehensive sexuality education programs for children and adults that are age-appropriate, medically and scientifically accurate, and inclusive of all students.
- Urge the government to provide appropriate criminal penalties for all forms of gender-based violence, including marital rape, establish safe reporting systems for victims, and ensure that the authorities investigate and prosecute cases of gender-based violence with a survivor-centered approach. This includes training the relevant authorities such as agents and inspectors about gender-based violence and developing protocols for those who will respond to these cases.
- Urge the government to develop social services for survivors of sexual and gender-based violence, including counseling and medical care, accessible to all women and girls who need it.
- Urge the government to ensure that survivors of gender-based violence can access and petition courts for restraining or protection orders.
- Urge the government to ensure that authorities dealing with women who have been forcibly repatriated do not punish them.
- Urge the government to end all violations of reproductive rights, including all forced or coerced medical examinations or procedures. The authorities should ensure that women who have been trafficked or suffered gender-based violations have access to support and services.

*Human Rights Watch urges the Special Rapporteur to call on concerned governments to:*

- Mark and commemorate the 10<sup>th</sup> anniversary of the establishment of the Commission of Inquiry on North Korea in March 2023 through events and initiatives.
- Urge UN Security Council member states and other governments to use the opportunity of the 10<sup>th</sup> anniversary of the Commission of Inquiry to recommit on addressing human

rights in North Korea, and organize a formal session, open to the public and media, to discuss the situation of human rights in North Korea, including the rights of women and girls.

- Call on Security Council members and other governments to mainstream discussion of human rights in all discussions regarding North Korea, including weapons proliferation, aid, economy, or culture.
- Call on Human Rights Council member states to renew and strengthen the mandate of the accountability experts to consolidate and analyze evidence of the most serious international crimes, including violations against women and girls, and prepare files in view of cooperating, sharing, and expediting fair and independent criminal proceedings in national and international courts that have or may have in the future jurisdiction over these crimes.
- Encourage Human Rights Council member states and other governments, including Albania, Argentina, Ecuador, EU, Ghana, Japan, Lichtenstein, Marshall Islands, Montenegro, Republic of Korea, and the United States, to express support for the Officer of the High Commissioner for Human Rights accountability mandate and encourage the office to advance its work towards accountability for rights violations in North Korea.