

Democratic People's Republic of Korea

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

2014 Trafficking in Persons Report

Tier 3

The Democratic People's Republic of Korea (DPRK or North Korea) 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. The North Korean government subjects its nationals to forced labor in North Korean prison camps and through government-contracted labor in foreign countries. North Korea holds an estimated 80,000 to 120,000 prisoners in political prison camps in remote areas of the country; these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced by a fair 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, a lack of medical care, and insufficient food; many do not survive. Furnaces and mass graves are used to dispose the bodies of those who die in these prison camps.

The North Korean government sends laborers to work abroad under bilateral contracts with foreign governments, including a significant number of laborers sent to Russia and China. DPRK contract workers also labor in Africa, Central Europe, the Middle East, Central Asia, and Mongolia. Credible reports show many North Korean workers under these contracts are subjected to forced labor. Their movement and communications are conducted under surveillance and restricted by North Korean government "minders." North Koreans sent overseas do not have a choice in the work the government assigns them and are not free to change jobs. These workers face threats of government reprisals against them or their relatives in North Korea if they attempt to escape or complain to outside parties. Workers' salaries are deposited into accounts controlled by the North Korean government, which keeps most of the money, claiming various "voluntary" contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work. Thousands of North Korean workers are estimated to be employed in logging, construction, and agriculture industries in Russia's far east, where they reportedly have only two days of rest per year and face punishments if they fail to meet production targets. Wages of some North Korean workers employed in Russia reportedly are withheld until the laborers return home.

The DPRK government system of harsh punishment through forced labor camps or the death penalty can fuel trafficking in neighboring China. Many of the estimated 10,000 North Korean women and girls who have migrated illegally to China to flee from abuse and human rights violations 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, or agricultural work through forced marriages. These women are subjected to sexual slavery 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. If found by Chinese authorities, victims are forcibly repatriated to North Korea where they are subject to harsh punishment, including forced labor in DPRK labor camps or the death penalty.

The North Korean government does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government participated in human trafficking through its use of domestic forced labor camps and its provision of forced labor to foreign governments through bilateral contracts. It failed to protect victims of trafficking 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 in prison camps and among North Korean workers abroad; end the use of the death penalty for victims who are forcibly repatriated from destination countries; improve the social, political, economic, and human rights conditions that render North Koreans vulnerable to trafficking in North Korea and in neighboring countries; provide protective services to victims of forced labor currently in prison camps; criminalize human trafficking and recognize it as a distinct crime from human smuggling; investigate and prosecute trafficking cases, and convict trafficking offenders; provide assistance to trafficking victims in North Korea and to North Koreans repatriated from abroad; forge partnerships with international organizations and NGOs to combat human trafficking; work with the international community to allow North Koreans to receive fair wages and choose their form of work and leave their employment at will; establish transparent bilateral work contracts used to deploy North Korean laborers to neighboring countries; eliminate coercion tactics used to monitor the movements and communications of workers in forced labor; and become a party to the 2000 UN TIP Protocol.

Prosecution

The North Korean government made no anti-trafficking law enforcement efforts during the reporting period. DPRK laws do not prohibit all forms of trafficking in persons. Fair trials did not occur in North Korea and the government did not provide transparent law enforcement data during the reporting period. The government did not explain what provisions of DPRK law, if any, were used to prosecute trafficking offenses or protect victims.

During the reporting period, there were no known investigations or prosecutions of trafficking offenses, or convictions of trafficking offenders. The government did not report whether it provided any anti-trafficking training to its officials. The government did not report any investigations or prosecutions of government officials for alleged complicity in trafficking-related offenses.

Protection

The North Korean government made no efforts to protect trafficking victims during the reporting period; it reported no efforts to identify or assist trafficking victims. Government authorities failed to provide protective services to trafficking victims and did not permit NGOs to operate freely in North Korea to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being trafficked, and there was no screening of forcibly repatriated North Koreans to ascertain if they were trafficking victims.

North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they were subjected to forced labor, and possible torture and sexual abuse by prison guards. North Korean defectors reported instances of the government executing forcibly repatriated trafficking victims from China. Article 30 of the Criminal Code partially suspends civil rights of prison camp inmates; government officials used this provision to validate abuses of trafficking victims in prison camps. The government may have subjected repatriated victims who were pregnant with a child of possible Chinese paternity to forced abortions and infanticide, and reports indicate that infants born to repatriated victims while in prison were killed. An estimated 20,000 to 30,000 children born to women from the DPRK living in China are unable to be registered upon birth, rendering them stateless and vulnerable to possible exploitation.

Prevention

North Korean authorities made no efforts to prevent human trafficking during the reporting period. 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 DPRK border for signs of trafficking. DPRK authorities made no discernible efforts to reduce the demand for commercial sex acts. North Korea is not a party to the 2000 UN TIP Protocol.

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