

## Trafficking in Persons Report 2013

### KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF (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, forced marriage, and sex trafficking. Within North Korea, forced labor is part of an established system of political repression. The North Korean government is directly involved in subjecting its nationals to forced labor in prison camps. North Koreans do not have a choice in the work the government assigns them and are not free to change jobs at will. North Korea is estimated to hold between 100,000 and 200,000 prisoners in political prison camps in remote areas of the country. Many of these prisoners were not actually convicted of a criminal offense. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, and farming for long hours under harsh conditions. Reports indicate that political prisoners endure severe conditions, including little food or medical care, and brutal punishments; many are not expected to survive. Many prisoners fall ill or die due to harsh labor conditions, inadequate food, beatings, lack of medical care, and unhygienic conditions.

The North Korean government sent laborers to work abroad under bilateral contracts with foreign governments, including in Russia, Africa, Central and Eastern Europe, East and Southeast Asia, especially Mongolia, and the Middle East. Credible reports showed many North Korean workers sent abroad under these contracts were subjected to forced labor, with their movement and communications constantly under surveillance and restricted by North Korean government "minders." In February 2013, five North Korean workers at a Russian construction site died because they could not escape the carbon monoxide-filled room where they were being confined; the door was locked from outside. There were also credible reports that these workers faced threats of government reprisals against them or their relatives in North Korea if they attempted 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 fees for various "voluntary" contributions to government endeavors. Workers reportedly received only a fraction of the money paid to the North Korean government for their work. Between 10,000 and 15,000 North Korean workers are estimated to be employed in logging camps 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 were withheld until the laborers returned home.

NGOs and researchers estimate that between 10,000-20,000 North Koreans currently live in China, and as many as 70 percent of them are women. There is no reliable information on how many of these North Koreans have been trafficked, but their status in China as illegal economic migrants who may be deported to North Korea makes them particularly vulnerable to trafficking. Since the death of Kim Jong-il in December 2011, reports indicate that border security has increased significantly, reducing the number of individuals able to leave the DPRK. In the recent past, many North Korean women and girls migrated illegally to China, often with the help of a facilitator, seeking food, work, freedom, and better life prospects, but were subsequently forced into marriage, prostitution, or labor. Some North Korean

women were reportedly lured, drugged, or kidnapped by traffickers upon arrival. Others were offered jobs, but were subsequently compelled into domestic service through forced marriages to Chinese men, often of Korean ethnicity, or were forced into prostitution in brothels or through Internet sex sites. Some were forced to serve as hostesses in nightclubs and karaoke bars. Trafficking networks of Korean-Chinese and North Koreans (usually men) operated along the China-North Korea border, reportedly working with border guards from both countries to recruit women for marriage or prostitution in China. If found by Chinese authorities, victims are deported to North Korea where they are subject to harsh punishment, including forced labor in DPRK labor camps.

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; therefore, North Korea is placed on Tier 3. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government contributed to the human trafficking problem through its ban on emigration, its contracts with foreign government through which it provides forced labor, its failure to address its poor economic and food situation, and through its forced labor camps, where North Koreans live in conditions of servitude, receiving little food and little, if any, medical care.

**Recommendations for the Democratic People’s Republic of Korea:** Recognize human trafficking as a problem in North Korea, and one that is distinct from human smuggling; work with the international community to improve the social, political, economic, and human rights conditions that render North Koreans vulnerable to trafficking; work with the international community to close forced labor camps; provide assistance to trafficking victims and forge partnerships with international organizations and NGOs to aid in this effort; and 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.

### **Prosecution**

The North Korean government made no discernible law enforcement efforts to combat trafficking in persons during the reporting period. The government continued to deny that human trafficking was a problem. Article 7 of the 1946 Law on Equality of the Sexes forbids trafficking in women. Article 289 of the penal code prohibits the abduction of children and Article 290 prohibits the abduction of individuals or groups, prescribing penalties of three to 10 years of “labor correction.” None of these statutes prohibits trafficking in persons *per se*. However, fair trials did not occur in North Korea and the government was not transparent with law enforcement data, so it remained unclear under what provisions of the law, if any, traffickers were prosecuted. During the reporting period, there were no known investigations, prosecutions, or convictions of trafficking offenders or public officials complicit in forced labor or forced prostitution. The government did not report whether it provided any anti-trafficking training to its officials. Reports indicate that repatriated North Koreans, some of whom may have been trafficking victims, were subjected to harsh punishments during the reporting period. North Korean defectors reported instances of the government punishing traffickers, including by execution. The government did not report any investigations or prosecutions of government officials for alleged complicity in trafficking-related offenses.

## **Protection**

The North Korean government was not known to have made any attempts to protect trafficking victims during the reporting period. The government reported no efforts to identify or assist trafficking victims. Government authorities provided no discernible protection services to trafficking victims, nor did it permit indigenous NGOs to operate freely in North Korea; the few international NGOs allowed into the DPRK were not permitted to assist trafficking victims. The government provided no assurances to victims they would be exempt from being penalized for unlawful acts committed as a direct result of their being trafficked and there is no screening of illegal immigrants for trafficking. To the contrary, Article 233 of the penal code criminalizes border crossing and border guards risk prosecution as accessories if they help those trying to escape the country – a violation that is subject to a penalty of up to two to five years of forced labor. North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they may have been subjected to forced labor, torture, sexual abuse by prison guards, or other severe punishment. Repatriated victims who were suspected of having become pregnant with a child of possible Chinese paternity may be subject to forced abortions and infanticide and reports indicate that infants born to repatriated victims while in prison would be killed.

## **Prevention**

North Korean authorities made no discernible efforts to prevent human trafficking during the reporting period. While internal conditions in the DPRK have prompted many North Koreans to flee the country in the past, which has made them vulnerable to human trafficking, border security increased during the reporting period, which led to a decrease in the rate of refugees resettled in the Republic of Korea. Nevertheless, there was no evidence that the DPRK government attempted to prevent human trafficking by screening migrants along the border. 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.