

## **Democratic People's Republic of Korea**

Office To Monitor and Combat Trafficking in Persons

### **2016 Trafficking in Persons Report**

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#### **DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA: 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. Government oppression in the DPRK prompts many North Koreans to flee the country in ways that make them vulnerable to human trafficking in destination countries. Within North Korea, forced labor is part of an established system of political repression. The government subjects its nationals to forced labor through mass mobilizations and in North Korean prison camps. Many North Korean government-contracted laborers in foreign countries also face conditions of forced labor. North Korea holds an estimated 80,000 to 120,000 prisoners in political prison camps in remote areas of the country. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced in a fair, judicial 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, torture, rape, a lack of medical care, and insufficient food. Many prisoners 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 operates regional, local, or sub-district level "labor training centers" and forces detainees to work for short periods doing hard labor, receiving little food, and subject to abuse, including regular beatings. Authorities reportedly send people to such centers if they are suspected of engaging in simple trading schemes or are unemployed.

The North Korean government sends laborers to work abroad under bilateral contracts with foreign governments. The majority work in Russia and China, but Middle Eastern, African, European, and Asian countries also host North Korean laborers. Credible reports show many North Korean workers under these contracts are subjected to conditions indicative of forced labor, such as working excessively long hours in hazardous temperatures with restricted pay, for up to three years. Their movement and communications are monitored 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 appropriated and 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. 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.

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 often forcibly repatriated to North Korea where they are subject to harsh punishment, including forced labor in labor camps or death.

The Government of North Korea does not fully meet 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 forced labor in prison camps and labor training centers, and its provision of forced labor to foreign governments through bilateral contracts. It failed to protect trafficking victims 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 and other harsh sentences for victims who are forcibly repatriated from destination countries, and provide assistance to trafficking victims in North Korea and to North Koreans repatriated from abroad; criminalize human trafficking and recognize it as a distinct

crime from human smuggling; investigate and prosecute trafficking cases, and convict trafficking offenders; 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 these contracts; forge partnerships with international organizations and NGOs to combat human trafficking; allow North Koreans to receive fair wages, choose their form of work, and leave their employment at will; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government made no known anti-trafficking law enforcement efforts. 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 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 traffickers. 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 human trafficking offenses.

## PROTECTION

The government reported no efforts to identify or assist trafficking victims. Government authorities did not provide protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking, and there was no screening of forcibly repatriated North Koreans to determine 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 trafficking victims forcibly repatriated from China. Article 30 of the criminal code partially suspends civil rights of prison camp inmates; government officials used this provision to abuse victims in prison camps. The government reportedly subjected some

repatriated victims who were pregnant to forced abortions 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 live in China and reports show some are unable to be registered upon birth, rendering them stateless and vulnerable to possible exploitation.

## PREVENTION

The government made no efforts to prevent human trafficking. 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 border for signs of trafficking. DPRK authorities made no discernible efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel. North Korea is not a party to the 2000 UN TIP Protocol.

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