

DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA

2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Democratic People’s Republic of Korea is an authoritarian state led by the Kim family since 1949. Kim Jong Un has ruled the country since the death of his father, Kim Jong Il, in 2011. The most recent national elections, held in 2019, were neither free nor fair.

The internal security apparatus includes the Ministries of Social Security and State Security and the Military Security Command. A systematic and intentional overlap of powers and responsibilities exists among these organizations to prevent any potential subordinate consolidation of power and assures that each unit provides a check and balance on the other. Authorities maintain effective control over the security forces. There were reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by the government; forced disappearances; torture and cruel, inhuman, and degrading treatment and punishment by government authorities; harsh and life-threatening prison conditions, including in political prison camps; arbitrary arrests and detentions; political prisoners and detainees; transnational repression against individuals in another country; nonexistent judicial independence; arbitrary or unlawful interference with privacy; punishment of family members for offenses allegedly committed by an individual; total state control of expression and media through censorship and repression; serious restrictions on internet freedom; substantial interference with freedom of peaceful assembly and freedom of association; severe restrictions on freedom of religion or belief; serious restrictions on freedom of movement and residence within the country and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; severe restrictions on political participation; serious government corruption; prohibition of independent domestic human rights organizations and complete denial of access to international human rights

organizations; lack of investigation of and accountability for gender-based violence; significant barriers to accessing reproductive health, including coerced abortion and forced sterilization; trafficking in persons; the outlawing of independent trade unions; and the worst forms of child labor.

The UN secretary-general reported in July that restrictions on travel due to COVID-19 preventive measures continued to limit international presence in the country and reduced the number of escapees. These developments further restricted the flow of information out of the country. There was no indication that the government took steps to prosecute officials who committed human rights abuses. There were scattered indications of official campaigns against corruption, but reports continued to indicate that corruption at all levels was widespread. Impunity for human rights abuses and corruption continued to be a widespread problem.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports that the government or its agents committed arbitrary and unlawful killings. The government had no effective investigative mechanism.

Defector reports noted instances in which the government executed political prisoners, opponents of the government, asylum seekers that had been forcibly returned, government officials, and others accused of crimes. The law prescribes the death penalty upon conviction for the most “serious” cases of “antistate” or “antination” crimes. These terms are broadly interpreted to include: participation in a coup or plotting to overthrow the state; acts of terrorism for an antistate purpose; treason, which includes defection or handing over state secrets; providing information regarding economic, social, and political developments routinely published elsewhere; and “treacherous destruction.” The law allows for capital punishment for less serious crimes such as theft, destruction of military facilities and national assets, distribution of narcotics, counterfeiting, fraud, kidnapping, distribution of pornography, and trafficking in persons. Defectors and media also reported cases of infanticide and forced abortion, particularly involving mothers

who were political prisoners, persons with disabilities, victims of rape by government officials or prison guards, or escapees forcibly repatriated from the People's Republic of China (PRC). Defectors continued to report many prisoners died from torture, disease, starvation, exposure to the elements, or a combination of these causes.

Nongovernmental organization (NGO) and press reports in the Republic of Korea (ROK, or South Korea) and elsewhere indicated that those attempting to leave the country without permission could be killed on the spot or publicly executed, and guards at political prison camps were under orders to shoot to kill those attempting to escape.

The state also subjected private citizens to attendance at public executions. A 2019 survey by the Transitional Justice Working Group (TJWG), a Seoul-based NGO, found that in a subsample of 84 defectors, 83 percent had witnessed public executions in their lifetime. Defectors reported attending public executions on school field trips.

The 2021 edition of the *White Paper on Human Rights in North Korea (White Paper)*, an annual report based on interviews with recent escapees and published by the Korea Institute for National Unification (KINU), a ROK government-affiliated think tank, reported that testimonies recounted continued public and secret executions. Escapees declared the purpose of the executions was to punish offenses including drug dealing, watching and disseminating South Korean videos, and violent crimes such as murder and rape. Testimonies also stated executions were carried out for possession of Bibles, circulation of antiregime propaganda material, and superstitious activities. Although KINU noted that public executions appeared less frequent in recent years, the practice continued, including for violations of a 2020 law against distribution of “reactionary” foreign media content. The UN secretary-general’s July 2022 report cited one instance when a man was reportedly executed in public by a firing squad in Wonsan, Kangwon Province, in April 2021 after his neighborhood watch unit observed him selling digital content from the ROK. In October 2022 the UN special rapporteur on the situation of human rights in the Democratic People’s Republic of Korea (special rapporteur on North Korean rights) expressed concern regarding “reported disproportionate measures” such as the 2020 law against “reactionary ideology,”

which contains “punishments including the death penalty for accessing foreign information.”

In December 2021 the TJWG reported in the *Mapping Killings under Kim Jong-un* study that escapee interviews and satellite imagery of Hyesan, Ryanggang Province, pointed toward a state strategy to stage public executions at the local airfield and other locations distant from the China border and residential areas, and to monitor the crowds for recording equipment, in order to prevent information on the executions from leaking outside the country. The six-year study also reported numerous interviewee statements that “secret killings continue to take place in North Korea.”

In response to the COVID-19 pandemic, the government maintained border closures for entry and exit of individuals. During the year media reported large troop deployments from the “Storm Corps” special forces unit and the Seventh Corps to the border with China. There also were reports of shootings by troops along the border, as the DPRK continued to implement a 2020 “shoot-to-kill” order in a buffer zone near the border to prevent transmission of COVID-19 into the country. In October 2021 the Office of the UN High Commissioner for Human Rights (OHCHR) termed the order “alarming.” In June and July 2022, according to media and NGO sources, there were fatal shootings of families in multiple border provinces as they attempted to cross the river into China. The UN secretary-general’s July 2022 report cited testimony from an escapee who reported being shot at by DPRK border guards when he was observed crossing into the PRC. In October the special rapporteur on North Korean rights followed up earlier UN statements with an expression of concern regarding the “disproportionate” shoot-to-kill policy that targeted “those attempting to cross international borders without permission.” In November Human Rights Watch (HRW) declared that while the government justified its “excessive and unnecessary COVID-19 measures” by claiming they were necessary to contain the coronavirus, it used those measures “to further repress and endanger the North Korean people,” curtailing cross-border economic activity and contributing to food and medicine shortages.

As of year’s end, the government still had not accounted for the circumstances that led to the death of Otto Warmbier, who had been held in unjust and unwarranted

detention by authorities, and who died soon after his release in 2017.

b. Disappearance

NGO, think tank, and press reports indicated the government was responsible for disappearances.

ROK media reported the government dispatched Ministry of State Security agents to cities in China near the country's border to kidnap and forcibly return refugees. According to international press reports from prior years, the government also kidnapped defectors traveling in China after relocating to the ROK. In some cases, the government reportedly forced these defectors' family members to encourage the defectors to travel to China in order to capture them.

During the year there was no progress in the investigation into the whereabouts of 12 Japanese citizens believed to have been abducted by the DPRK government in the 1970s and 1980s. As of September, the website of Japan's Ministry of Foreign Affairs indicated 873 missing Japanese citizens were suspected of being kidnapped by the DPRK.

ROK government and media reports noted the DPRK government also kidnapped other foreign nationals from locations abroad in the 1970s and 1980s. The UN secretary-general's July 2022 report noted that the ROK officially recognizes 516 South Korean civilians abducted by DPRK authorities since the end of the Korean War and not returned. ROK NGOs estimated that 20,000 civilians abducted by the DPRK government during the Korean War remained in the DPRK or had died.

Authorities took no steps to ensure accountability for disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The law prohibits torture or inhuman treatment, but many sources reported these practices continued. Numerous defector accounts and NGO reports described the use of torture by authorities in detention facilities. Methods of torture and other abuse reportedly included severe beatings; electric shock; prolonged periods of exposure to the elements; humiliations such as public nakedness; confinement for

up to several weeks in small “punishment cells” in which prisoners were unable to stand upright or lie down; being forced to kneel or sit immobilized for long periods; being hung by the wrists; water torture; and being forced to stand up and sit down or squat repeatedly to the point of collapse (see also section 1.a.).

DPRK law stipulates re-education through labor as an administrative penalty, including for minor offenses. For example, KINU’s 2021 *White Paper* detailed punishments of up to one year for unauthorized crossing into the PRC. Labor punishments commonly took place under harsh conditions, often in industries such as construction or logging (see also section 7.b.).

Following a multiyear investigation, the War Crimes Committee of the International Bar Association (IBA) and the Committee for Human Rights in North Korea (HRNK) in June published a report, *Inquiry on Crimes Against Humanity in North Korean Detention Centers*, concluding that the government “systematically uses torture, sexual violence, forced labor, inhumane detention conditions, and deliberate starvation as means of interrogation, control, and punishment,” and that these actions amounted to “crimes against humanity.” Specific abuses against detainees documented in the report included infanticide and forced abortion; inadequate food rations, with reductions well below subsistence levels as punishment; frequent beatings; rape; stress positions; child labor; work shifts of 15-16 hours per day; inadequate heating leading to frostbite; insect infestations; and lack of access to bathroom facilities. Witnesses reported that detainees arrested for attempting to leave the country or engaging in religious practice often received especially harsh treatment.

The December 2021 TJWG *Mapping Killings under Kim Jong Un* study reported testimonies describing “inhumane treatment” of the accused immediately before their executions; violence used to deny their dignity and serve as a warning to the public; public statements denouncing the accused as a threat to society, to justify the violence directed at them including torture, execution, and corpse desecration; and victims’ family members being compelled to watch them being executed.

Physical abuse by prison guards was systemic. The June IBA/HRNK report cited expert testimony that an *oseungogakja*, an angled club, was “a standard issue weapon for torture in the detention facilities.” One victim detained at a North

Hamgyong Province holding center was forced to crawl close to the bars of the detention cell, after which “[t]he perpetrator put their arm through the cell bars and repeatedly struck the prisoner” with the club in the stomach. Another detainee at that facility reported: “[T]hey hung my body by my limbs and beat me” with the club. “This was called ‘airplane torture.’” At an Onsong County holding center in North Hamgyong Province, officials from the Ministry of State Security entered the victim’s cell, repeatedly kicking and striking the detainee with the club until a “large pool of the victim’s blood formed on the cell floor. The victim was denied medical care.”

Reports from previous years attributed rape to the impunity and unchecked power of prison guards and other officials. Reports from the ROK-based NGO Database Center for North Korean Human Rights’ 2020 *White Paper on Human Rights* stated that in some prisons, authorities held women in separate units from men and often subjected the women to sexual abuse. The *White Paper* added that women defectors who were forcibly repatriated suffered significantly worse sexual assaults and abuse in prisons and jails than did other women. A 2020 report from OHCHR noted that, contrary to international human rights standards that require women prisoners to be guarded exclusively by women prison staff to prevent sexual violence, women escapees reported they were overseen almost exclusively by male officers. In the same report, survivors alleged widespread sexual abuse at holding centers (*jipkyulso*) and pretrial detention and interrogation centers (*kuryujang*) by secret police or police interrogators, as well as during transfer between facilities. In March 2022 the UN Human Rights Council reported the testimony of a former prison guard that women guards were not deployed in most pretrial detention and interrogation centers.

A 2020 report by HRW entitled *Worth Less Than An Animal: Abuses and Due Process Violations in Pretrial Detention in North Korea* stated the pretrial detention system was opaque, arbitrary, violent, and lacked any semblance of due process. Individuals in pretrial detention reportedly endured brutal conditions and were routinely subjected to systematic torture, sexual violence, dangerous and unhygienic conditions, and forced labor.

Impunity for acts of torture and cruel, inhuman, or degrading treatment or punishment by members of the security forces was endemic.

Prison and Detention Center Conditions

Prison conditions were harsh and life-threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care. The government operated several types of prisons, detention centers, and camps, including forced labor camps and camps for political prisoners. NGO reports documented six types of detention facilities: *kwanliso* (political penal-labor camps); *kyohwaso* (correctional or re-education centers); *kyoyangso* (labor-reform centers); *jipkyulso* (collection centers for low-level criminals); *rodong danryeondae* (labor-training camps); and *kuryujang* or *kamok* (interrogation facilities or jails). According to KINU's *White Paper* for 2021, the Ministry of State Security administered *kwanliso* camps, and either it or the Ministry of Social Security administered the other detention centers.

By year's end, the government was known to be operating six *kwanliso*: Camps 14, 15, 16, 18, and 25, as well as Choma-bong Restricted Area. Since Kim Jong Un came to power in 2011, there are indications that authorities closed or downsized Camp 15 and Camp 18, only to later reopen and even, in the case of Camp 15, expand them. Authorities also closed Camp 22, in Hoeryong. Defectors claimed the *kwanliso* camps contained unmarked graves, barracks, worksites, and other prison facilities. External estimates of the nationwide *kwanliso* population varied, with some organizations placing the total as low as 80,000 and others as high as 200,000.

Kwanliso camps consisted of total-control zones, where incarceration is for life, and may include "revolutionary" or re-education zones from which prisoners may be released. Those whom the state considered hostile to the government or who committed political crimes reportedly received indefinite sentencing terms in political prison camps. In many cases, the state also detained all family members if one member was accused or arrested. According to KINU's *White Paper* for 2021, children were allowed to leave camps after rising numbers of defectors made it difficult to send entire families to political prison camps. The 2021 *White Paper* contained testimony indicating that in some cases, only parents were detained while children were released. The government continued to deny the existence of political prison camps.

Reports indicated the state typically sent those sentenced to prison for nonpolitical crimes to re-education prisons, where authorities subjected prisoners to intense forced labor.

Makeshift COVID-19 quarantine facilities and harsh quarantine restrictions on patients and their family members continued to have humanitarian consequences. In June Radio Free Asia (RFA) reported that in response to instances when family members of COVID-19 patients starved to death in quarantine, the government forced neighbors to provide food and water for quarantined families but did not fund this. In Uiju County, North Pyongan Province, near the PRC border, where authorities organized such “volunteer groups” after the death of a child whose mother was away in quarantine, a source told RFA: “She was the breadwinner for her family, and her 3-year-old child died of malnutrition as her husband watched at home.” In August RFA reported that at least 35 women in two prison facilities died of malnutrition because COVID-19 restrictions prevented their family members from delivering extra food to supplement inadequate rations.

Detainees and prisoners consistently reported violence and torture. According to defectors, prisoners received little to no food or medical care in some places of detention; the June IBA/HRNK study reported the testimony of a witness detained at the Hyesan Ministry of State Security kuryujang that the food provided there was “mostly skin of corn or potatoes mixed in with stones and coal.” Sanitation was poor, and former labor camp inmates reported they had no changes of clothing during their incarceration and were rarely able to bathe or wash their clothing. ROK and international press reported that the kyohwaso re-education through labor camps held thousands of political prisoners, economic criminals, and ordinary criminals. A 2020 HRNK report on Prison Labor Facility Number 1 (Kaecheon) postulated that the government may have operated more than 20 kyohwaso. That report, which relied on extensive analysis of satellite imagery, estimated the population of the facility, located near Kaecheon in South Pyongan Province, at 2,000 to 6,000 prisoners.

Another 2020 HRNK report on Prison Labor Facility Number 12 (Jongori) stated the kyohwaso held both political and nonpolitical prisoners. According to HRNK, based on extensive analysis of satellite imagery, the facility, located near Hoeryong City in North Hamgyong Province, held approximately 5,000 individuals, the

majority of whom were accused of illegal border crossings into China. HRNK described frequent deaths within the facility from injury, illness, and physical and mental abuse by prison officials, and included first-hand accounts of crematorium operations designed to dispose of prisoners' bodies surreptitiously.

An HRNK report from July 2021 on Prison Labor Facility Number 8 (Sunghori) stated that the facility was located approximately 16 miles east of Pyongyang and held 2,000 prisoners who mined coal. Using satellite imagery, HRNK determined that two elements of the facility were within 1,200 feet of six small mining operations with a "well-used trail" leading directly there, "strong indications" that prisoners were used for mining operations. A former prisoner told HRNK that due to the proximity of the mine, parts of the floor were so hot it was impossible to walk on, and that one day when an export unit connecting doll eyelashes for export to China failed to reach its quota, women in the unit had to kneel on the hot part of the floor, causing their skin to burn within five minutes. The prisoner reported that five or six inmates died from the heat during her imprisonment.

An HRNK report from November 2021 on Prison Labor Facility Number 3 (T'osong-ni) noted that both satellite imagery and interviewee testimony indicated prisoners were "forced to work in agricultural production as well as in some light manufacturing, likely including clothing and bicycles." The report included a satellite image from March 2021 showing "what are most probably three groups of prisoners in formations of different sizes outside the main prison entrance and in the nearby support area," where "what appear to be numerous stacks of grain" stood adjacent to the formations, supporting testimony that prisoners were used to work nearby agricultural fields. The HRNK executive director stressed that the facility's location in Sinuiju, just across the Yalu River from Dandong, China, was of great importance "to both the illicit border trade fueling North Korea's informal markets and the routes followed by North Koreans who attempt to escape." He added that "under the pretext of COVID prevention," the government was "cracking down hard" on both markets and attempted escapes.

In a December 2021 report on Political Prison Camp Number 14, HRNK stated that the entire camp was believed to be a "total control zone," where prisoners were never eligible for release. According to satellite imagery analysis, prisoners maintained the agricultural fields, orchards, and livestock. Forced to engage in

logging and woodworking, they were also dispatched as forced labor at light industrial facilities and mines. The report cited testimony from several interviewees that prisoners were routinely treated with brutality and received limited food rations.

Abusive Physical Conditions: Nutrition, hygiene, and the medical situation inside prison camps were dire, according to KINU's 2021 *White Paper*. There were no statistics for deaths in custody, but defectors reported deaths were commonplace as the result of summary executions, torture, lack of adequate medical care, and starvation. The 2014 UN Commission of Inquiry (UNCOI) report cited an "extremely high rate of deaths in custody," due to starvation and neglect, arduous forced labor, disease, and executions.

The June IBA/HRNK report cited testimony that prisoners across multiple categories of detention facilities were forced to work in industries such as construction, agriculture, logging, and mining for up to 16 hours per day, including in extreme heat and cold. Witnesses reported that prisoners who failed to meet work quotas were beaten and punished with reduced food rations, which elevated the likelihood they would die from malnourishment or overwork. The report also cited testimony from prior years regarding the use of child labor in detention camps, in some cases for up to 12 hours per day in physically demanding industries. Defectors continued to report that political prisoners faced significantly harsher conditions than the general prison population.

Administration: No information was available regarding whether authorities conducted proper investigations of credible allegations of abuse. An HRNK report from 2019 on the Long-term Re-education through Labor Camp at Pokchong-ni indicated that officials, especially those within the military and the internal security organizations, took steps to camouflage and conceal activity at prison camps.

There was little evidence to suggest prisoners and detainees had reasonable access to visitors. Refugees reported authorities continued to subject Christian inmates to harsher punishment than others. According to the Database Center for North Korean Human Rights, there was a report in 2016 of disappearances of persons who prison authorities found were practicing religion within detention facilities.

Independent Monitoring: The government did not allow the UN special rapporteur on North Korean rights into the country to assess prison conditions. The government did not permit other human rights monitors to inspect prisons and detention facilities.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but according to defectors, media, and NGO reports, the government did not observe these prohibitions.

Arrest Procedures and Treatment of Detainees

The law limits detention during prosecution and trial, requires arrest by warrant, and prohibits forced confessions. The application of these provisions was not verified.

Members of the security forces arrested and reportedly transported citizens suspected of committing political crimes to prison camps without trial. According to one ROK NGO, the Ministry of Social Security handled criminal cases directly without the approval of prosecutors, reportedly to bypass prosecutorial corruption. An NGO reported that, by law investigators could detain an individual for investigation for up to two months. Nonetheless, HRNK reported Ministry of State Security or Ministry of Social Security units interrogated suspects for months on end. No functioning bail system or other alternative for release pending trial exists.

There were no restrictions on the government's ability to detain and imprison persons or to hold them incommunicado. Family members and other concerned persons reportedly found it virtually impossible to obtain information on charges against detained persons or the lengths of their sentences. According to defector reports, families were not notified of arrest, detention, or sentencing. Judicial review or appeals of detentions did not exist in law or practice. According to an opinion adopted in 2015 by the UN Working Group on Arbitrary Detention, family members have no recourse to petition for the release of detainees accused of political crimes, since the state may deem any such advocacy for political prisoners an act of treason against the state and petitioning could result in the detention of family members. No information on detainees' access to a lawyer was available.

Arbitrary Arrest: Arbitrary arrests reportedly occurred. The UN secretary-general's July 2022 report suggested arbitrary arrests continued to be carried out in a widespread and systematic manner on the basis of political opinion, social background, or engagement in private market activity. According to KINU's 2021 *White Paper*, arbitrary arrest commonly occurred for political crimes, attempting to enter the ROK, and engaging in religious activities, as well as for watching or distributing foreign media.

Six South Korean prisoners (Kim Jung-wook, Kim Kuk-gi, Choi Chun-kil, Kim Won-ho, Ko Hyun-chul, and Ham Jin-woo) were believed to remain in detention in the DPRK, some of them already incarcerated for as long as nine years.

e. Denial of Fair Public Trial

The constitution states courts are independent and must carry out judicial proceedings in strict accordance with the law; however, an independent judiciary did not exist. According to KINU's *White Paper* for 2020, there were many reports of bribery and corruption in the investigations or preliminary examination process and in detention facilities, as well as by judges and prosecutors in the trial stage. In 2020 HRW reported treatment of individuals in pretrial detention often depended on access to connections and money.

According to the 2014 UNCOI report, "The vast majority of inmates are victims of arbitrary detention, since they are imprisoned without trial or on the basis of a trial that fails to respect the due process and fair trial guarantees set out in international law."

KINU's *White Paper* for 2021 cited defector testimony that imprisonment in political prison camps was decided exclusively by the Ministry of State Security, regardless of trial.

Trial Procedures

Little information was available on formal criminal justice procedures and practices, and outside access to the legal system was limited to trials for traffic violations and other minor offenses. Public trials were sometimes held for crimes such as violation of the 2020 law against "reactionary ideology," which was aimed

at curtailing South Korean cultural influence (see also section 2.a.).

The constitution contains elaborate procedural protections providing that cases should be public, except under circumstances stipulated by law. The constitution also states the accused has the right to a defense; however, when the government held trials and assigned lawyers to defendants, these lawyers often failed to actively or adequately defend the accused, particularly in the case of public trials for serious crimes. Some reports noted a distinction between those accused of political, as opposed to nonpolitical, crimes and claimed the government offered trials and lawyers only to the latter. The Ministry of State Security conducted “pretrials” or preliminary examinations in all political cases, but the courts conducted trials. Some defectors testified that the ministry also conducted trials. KINU’s *White Paper* for 2020 cited defector testimony that imprisonment in political prison camps was decided exclusively by the Ministry of State Security, regardless of trial. There were no indications authorities respected the presumption of innocence.

Political Prisoners and Detainees

Although no definitive information was available regarding the total number of political prisoners and detainees, most external estimates placed the number between 80,000 and 120,000. Incarceration in a kwanliso was in most cases for life and in many cases included three generations of the prisoner’s family. NGOs and media reported political prisoners were subject to harsher punishments and had fewer protections than other prisoners and detainees.

According to the October 2021 OHCHR report, escapees said anyone believed to be a threat to the political system and the country’s leadership – “including those found to have engaged with Christians, brokers or traffickers who have helped people reach the Republic of Korea or those who have tried to reach the Republic of Korea” – were sent to political prison camps, where they endured “inhumane conditions without access to adequate food, clean water and sanitation and subjected to mistreatment, including beatings that often amount to torture.” The OHCHR report also noted that political prisoners were denied contact with the outside world and their families were unable to determine their fate or whereabouts.

The government considered critics of the regime to be political criminals. The UN secretary-general's July 2022 report included testimony from a defector who explained, "You could say the country was struggling or not well off, but if you said anything about Kim Jong Un or the regime or politics, you would disappear. That would mean kwanliso." Reports from past years described political offenses as including attempting to defect to the ROK or contacting family members who had defected to the ROK, sitting on newspapers bearing Kim Il Sung's or Kim Jong Il's picture, mentioning Kim Il Sung's limited formal education, or defacing photographs of the Kims. The 2014 UNCOI report noted that many "ordinary" prisoners were, in fact, political prisoners, "detained without a substantive reason compatible with international law."

Transnational Repression

The country engaged in transnational repression against individuals outside its sovereign borders.

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: DPRK agents continued to seek and carry out forced repatriations of DPRK citizens abroad, in some cases working with or pressuring foreign governments to do so (see Bilateral Pressure, below). According to a 2020 report by the Hudson Institute, DPRK kidnappers in recent years focused on China, where they abducted ROK citizens who helped North Korean refugees while "China looks the other way." In February 2021 media reported a statement by the ROK Ministry of Unification that 42 North Korean defectors had gone missing in the previous five years and a defector's observation that in some cases there was "strong suspicion of abduction or other foul play" by the DPRK Ministry of State Security.

In February HRW reported on the case of Choe Kum Chol, a DPRK military information technology officer, who in July 2021 escaped DPRK control while working in Vladivostok, Russia. According to a Voice of America report, Choe left his post after deciding to seek asylum with the Moscow branch of the Office of the UN High Commissioner for Refugees. In September 2021 Choe sent an urgent message to an activist assisting his escape reporting that five men in Russian police uniforms were approaching his safe house in Razdolnoe, a nearby town. In

December 2021 the activist learned that Choe was being held in the DPRK consulate in Vladivostok with two other North Koreans facing forcible repatriation.

In 2020 the Civic Assistance Committee, a Moscow-based nonprofit organization helping refugees and migrants in Russia, reported that in 2016, Russia and the DPRK had signed an agreement on “transmission” of North Korean refugees back to the DPRK through which “the Russian government legalized the forcible deportation to the DPRK of those Koreans.” The Civic Assistance Committee reported the stories of the two other asylum seekers caught, like Choe, in “a new wave of hunting for North Koreans.”

Threats, Harassment, Surveillance, and Coercion: The government attempted to target, harass, and threaten defectors and other perceived enemies outside the country. Media reported in 2018 that Kim Jong Un ordered government agencies to exert greater pressure on family members of defectors to pressure them to return home. Defectors reported that family members in the country contacted them to urge their return, apparently under pressure from government officials. Other defectors reported in 2020 that they received threatening calls and text messages, presumably from the government.

In May 2021 ROK officials arrested a North Korean spy, Song Chun-son (also known as Song Mo), on charges of helping the DPRK Ministry of State Security in violation of the ROK’s National Security Act. She confessed to operating in the ROK for approximately three years, coercing defectors to return to the DPRK to support the regime’s political agenda. Caught by DPRK authorities in 2016 while helping North Korean defectors in the South transfer cash remittances to their relatives in the North, she reportedly was pressured into working as an undercover agent for the Ministry of State Security before staging her own defection to the ROK two years later. During her trial Song admitted she had given a DPRK secret police agent, Yon Chol-nam, the telephone number of a defector she knew living in the ROK and had asked the defector to help Yon, claiming he was her husband and was assisting North Korean families reach their defector relatives in the South. With the defector’s unwitting assistance, Yon had located three other defectors in the South, put their North Korean relatives on the telephone with them, and persuaded one of them to return to the North, where he later appeared on television as part of the government’s propaganda operations. In November 2021 Song was

sentenced to three years in prison.

The DPRK also pressured its own diplomats and other officials abroad, imposing financial demands and other restrictions on them and threatening those who failed to comply. In August 2021 RFA reported the government had banned its trade representatives in China from making money on the side and ordered punishment of those who defied the ban, even though they had found themselves stranded in China without income after the DPRK closed the China border and suspended trade in January 2020 to counter the pandemic. To support themselves, they had taken temporary jobs such as delivering food for Chinese restaurants. North Korean trade workers in Dalian and Dandong, Liaoning Province, China, confirmed that DPRK investigations of them and their interpreters were under way in both locations. Earlier in the year, according to an RFA report, the DPRK had ordered the impoverished trade workers to pay “loyalty funds” in advance of the annual April 15 “Day of the Sun” celebrating the birth anniversary of regime founder Kim Il Sung. In June 2022 overseas media reported that the DPRK government was forcing North Korean medical workers it dispatched to Laos to send “loyalty funds” back to the DPRK. The required amounts left the medical workers with meager earnings.

DPRK authorities demanded kickbacks from workers they dispatched to Russia to earn foreign cash. In June 2021 RFA reported an order from DPRK authorities to North Korean workers in Vladivostok and St. Petersburg, whose “loyalty funds” payments had continued after the pandemic sharply increased their work hours and cut their income, to increase their loyalty contributions to fund construction of 50,000 homes to alleviate a housing shortage in Pyongyang. The order prompted complaints not only from the workers but also from low-level party secretaries and security officers dispatched to watch over them. As expressed by a source, “The money they earn has come from dangerous work during the pandemic which takes a physical and psychological toll on them, and most of it had already been going to loyalty funds. Now the authorities are making them pony up for construction in Pyongyang...No one can accept this.”

Efforts to Control Mobility: The government restricted the movement and access to other fundamental freedoms of North Korean workers in China and Russia, with the complicity of local authorities, and often involving methods and agents of the

DPRK Ministry of State Security. Although most countries previously employing North Korean workers responded to international pressure and UN sanctions to cease using them by the end of 2019, China and Russia continued the practice, including use of forced labor. In November 2021 the UN General Assembly Third Committee adopted a resolution expressing concern regarding “the exploitation of workers sent abroad” by the DPRK “to work under conditions that reportedly amount to forced labor.” In April 2022 RFA reported that both workers and their managers routinely had their passports confiscated by DPRK officials to reduce opportunities for defection.

In 2020 *The Guardian* newspaper revealed that hundreds of North Koreans, mostly women, were exploited by factories in Dandong, China, across the Yalu River from the DPRK, in forced labor. They worked for up to 18 hours a day with no days off and under constant surveillance, manufacturing personal protective equipment for export as worldwide demand for items such as isolation gowns and protective overalls spiked during the pandemic. Approximately 70 percent of their wages were reportedly passed by North Korean factory managers to the DPRK. It was, *The Guardian* reported, “a mutually beneficial arrangement, with Chinese factories getting a cheap and compliant workforce and the North Korean regime receiving millions of dollars in return.” During 2021, as indications continued of North Korean forced labor in Dandong and elsewhere in China, a foreign government blocked the importation of goods from the Dandong Huayang Textiles and Garments Company on suspicion of forced labor, and a major Canadian retailer of women’s clothing broke off its business relationship with that company on similar grounds. In January 2022 RFA reported that North Korean workers continued to face severe economic hardship amidst COVID-19 lockdowns in major Chinese cities. Citing an inside source, the news outlet *Daily NK* reported in May that a factory near Dandong producing athletic wear for the Chinese brand Li-Ning employed 600-700 North Korean workers. According to the source, North Korean workers at this factory were engaged in high-intensity labor from 7:30 a.m. to 5:30 p.m. and again from 8 p.m. to 10 p.m. without any rest days, earning approximately 40-45 percent of what Chinese laborers working like this would earn. The reporting followed a March decision by a foreign government to block the importation of Li-Ning products due to the factory’s use of forced labor.

In December 2021 *Daily NK* reported that DPRK authorities, concerned regarding potential defections by North Korean workers forced to extend their sojourns abroad due to the DPRK's border closures, were "exerting increasingly cruel surveillance and controls" over these workers. Authorities reportedly issued an order calling for strict surveillance and regular reports on workers who complained, whose movements were "suspicious," or who wanted to "abandon the Fatherland and escape" to prevent their alleged shortcomings from "turning into actual crimes." The order called for the arrest of those who tried to escape and their return to the country in accordance with "Ministry of State Security repatriation procedures." According to a North Korean defector who had worked in Russia, all workers there knew that the "Ministry of State Security's repatriation procedures" meant breaking the legs of would-be defectors and repatriating them in wheelchairs. A high-ranking source in the DPRK reportedly verified that Chu Kyong Chol, a North Korean worker in Russia who attempted to defect, was repatriated in an anesthetized state with injured Achilles tendons after his arrest by a Ministry of State Security team sent to Russia.

According to a September HRNK report, *North Korean Workers Officially Dispatched to China and Russia: Human Rights Denial, Chain of Command & Control*, North Korean workers abroad had no freedom of association or collective bargaining, and their freedom of movement was "strictly limited." "Perceived dissent results in swift repatriation and harsh punishment" such as that reported by a former North Korean logger in Primorsky, Amur Oblast, Russia: "They put plaster casts on both of the worker's legs and send him back. The casts are taken off after they cross the border. They let the workers go home if it's a minor problem but for bigger issues they are sent to the kwanliso." Health and safety violations were widespread, according to another former logger in Russia interviewed for the HRNK report, who cited the high workplace accident fatality rate among loggers, especially those felling trees at night and truck drivers driving in winter. When loggers died on the job, authorities economized on fuel costs by delaying repatriation for months until 10 coffins could be put on a truck: "A former truck driver remembered the sound of water sloshing inside the sealed coffins on his truck as frozen corpses were thawing inside."

Bilateral Pressure: There were reports that for politically motivated purposes the

DPRK attempted to exert bilateral pressure on other countries aimed at having them take adverse action against specific individuals. In November 2021 the UN General Assembly Third Committee expressed concern regarding the pressure the government exerted on other states to forcibly return North Korean refugees and asylum seekers, and regarding retaliations those individuals faced once repatriated, including internment; torture; other cruel, inhuman, or degrading treatment or punishment; sexual and gender-based violence; or the death penalty. The resolution urged all states to respect the fundamental principle of nonrefoulement.

At various times since 2019, authorities in China detained at least 64 North Korean asylum seekers in Liaoning, Shandong, Jiangsu, Yunnan, Hebei, and Jilin Provinces and in the Guangxi Zhuang Autonomous Region. These detainees were at risk of forcible repatriation to the DPRK and, if repatriated, faced the prospect of torture and other serious human rights abuses. In April 2021 *Daily NK* reported detention facilities for defectors in Dandong, Liaoning Province, were full, since police arrested increasing numbers of North Koreans who crossed the border, driven by food scarcity after the DPRK cut off cross-border trade in 2020.

In July 2021, when the DPRK briefly opened its border to forcible repatriation while maintaining its COVID-19-driven closure to regular repatriations, China repatriated approximately 50 North Korean escapees, including soldiers and air force pilots who could face severe punishment, including the death penalty. HRW stated that China continued to hold at least 1,170 North Koreans in detention, at risk of forcible repatriation. In August 2021, according to an RFA report, after a long period of time in which the North Korean spouses of Chinese nationals were treated leniently despite Beijing's commitment with Pyongyang to repatriate all illegal North Koreans found within its borders, police began "actively arresting them." Activists and human rights organizations expressed fear that the escapees repatriated in July 2021, and others in China at risk of repatriation, faced the prospect of forced labor, imprisonment, sexual violence, or torture after arrival in the DPRK. In November 2021 the UN special rapporteur on North Korean rights declared that China was "challenging international law" and urged "the application of the principle of 'non-refoulement' to North Koreans who may face torture or other cruel, inhuman or degrading treatment or punishment upon repatriation." In October 2022 the special rapporteur reported she had "received information that as

many as 2,000 escapees” from the DPRK were being detained in China “as ‘illegal migrants,’” at risk of repatriation once the border opened. Noting that the OHCHR continued to document “serious human rights violations” upon repatriation, “including torture and other forms of cruel, inhuman or degrading treatment,” she stressed the urgent need to find a solution to ensure protection and “provide safe passage to escapees before the border reopens.”

In February 2021 RFA reported DPRK agents in Russia were offering bounties of up to \$10,000 for information leading to the arrest of escaped North Korean construction workers in Vladivostok, Nakhodka, Khabarovsk, and Ussuriysk. A source from Ussuriysk said DPRK authorities asked Russian police to issue wanted orders for the workers who had escaped. Another source from Vladivostok said a wanted order was issued for North Korean workers who had escaped from their workplace there and “arrest operations by North Korean agents are underway.” RFA noted that although the workers were screened for loyalty before their assignment abroad, some of them used the opportunity to escape the DPRK entirely by running away from their workplaces in Russia and going into hiding.

Civil Judicial Procedures and Remedies

According to the constitution, “citizens are entitled to submit complaints and petitions. The state shall fairly investigate and deal with complaints and petitions as fixed by law.” By law citizens are entitled to submit complaints to stop encroachment upon their rights and interests or seek compensation for the encroached rights and interests. Reports noted government officials did not respect these rights. For example, when individuals submitted anonymous petitions or complaints regarding state administration, the Ministry of Social Security and the Ministry of State Security sought to identify the authors and subject them to investigation and punishment.

Individuals and organizations do not have the ability to appeal adverse domestic decisions to regional human rights bodies.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home,

or Correspondence

The constitution provides for the inviolability of person and residence and the privacy of correspondence; however, the government did not respect these provisions. The regime subjected its citizens to rigid controls. According to the 2019 HRNK report *Digital Trenches: North Korea's Information Counter-Offensive*, the regime relied upon a massive, multilevel system of informants called *inminban*, loosely translated as “neighborhood watch unit,” to identify critics or political criminals. Authorities sometimes subjected entire communities to security checks, entering homes without judicial authorization. The UN secretary-general’s July 2022 report noted that *inminban* leaders regularly worked with the Ministry of Social Security, the Ministry of State Security, and Workers’ Party of Korea (WPK) officials to “monitor anti-State behavior and conduct unannounced checks on households, including at night,” with special attention to ensuring radios did not have devices enabling access to foreign broadcasts.

The government monitored correspondence, telephone conversations, emails, text messages, and other digital communications. The 2021 KINU *White Paper* reported that televisions and radios were fixed to Korea Central Television, the state television and radio broadcaster, with regular inspections to ensure seals on dials had not been broken. Private telephone lines operated on a system that precluded making or receiving international calls; international telephone lines were available only under restricted circumstances. Communicating with individuals abroad and accessing or disseminating external content, especially videos from the ROK, continued to expose individuals to the risk of arrest and imprisonment. According to the 2020 KINU *White Paper*, defectors reported 727 cases related to the dissemination of external information, 315 cases of listening to external broadcasts, and 507 cases of inspection of communications and correspondence that led to detention or judicial punishment.

A survey of 200 recent defectors released in 2019 by the Unification Media Group found that more than 75 percent knew someone who had been punished for watching foreign content, and more than 70 percent said doing so had become more dangerous under Kim Jong Un.

The Ministry of State Security strictly monitored mobile telephone use and access

to electronic media in real time. Government authorities frequently jammed cellular telephone signals along the Chinese border to block use of the Chinese network to make international telephone calls. Authorities arrested those caught using mobile phones with Chinese SIM cards and required violators to pay a monetary fine or bribe, or face charges of espionage or other crimes with harsh punishments, including lengthy prison terms. According to HRNK, the government added a software-based censorship program known as the “signature system” to all domestic mobile telephones. This system was designed to make it impossible to view foreign media on mobile phones.

The Ministry of State Security and other state organs actively and pervasively surveilled citizens, maintained arresting power, and conducted special-purpose nonmilitary investigations.

The government divided citizens into strict loyalty-based classes known as *songbun* that determined access to employment, higher education, place of residence, medical facilities, certain stores, marriage prospects, and food rations. Individuals and families with higher *songbun* were known to receive more leniency from government authorities regarding the usage of illegal mobile phones and consumption of foreign, particularly South Korean, media, television shows, and films. Some media reports suggested this leniency decreased due to the 2020 law against “reactionary ideology.”

RFA reported that a special unit called Surveillance Bureau Group 109 was tasked with identifying and arresting violators of the law against “reactionary ideology.” In February RFA reported that Group 109’s efforts resulted in punishment of at least 10 high-ranking military officers caught in possession of South Korean, Japanese, and other foreign video content.

NGOs reported the eviction of families from their places of residence without due process.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and

Other Media

The constitution provides for freedom of speech and the press for citizens, but the government prohibited the exercise of these rights.

Freedom of Expression: According to the 2021 KINU *White Paper*, arrest or detention as a punishment for exercising the freedom of expression was arbitrary, and expressions of political opinion that differed from those of authorities were prohibited. There were numerous instances of persons interrogated or arrested for saying something construed as negative towards the government.

Discussion or promulgation of South Korean culture was targeted as being antiregime. Following enactment in 2020 of a “Law on Rejecting Reactionary Ideology and Culture,” the government cracked down on the consumption and distribution of cultural materials from the ROK and on speaking or writing in the “South Korean style.” Penalties included two years of correctional labor for speaking, writing, or singing in the South Korean style; five to 15 years for watching, listening to, or possessing films, recordings, publications, books, songs, drawings, or photographs from the ROK; and life sentences or execution for importing and distributing such materials.

In April 2021 authorities publicly executed a man by firing squad before a crowd of 500 in Wonsan, Kangwon Province, for illegally selling South Korean movies, dramas, and music videos. In May 2021 two high school boys and four high school girls in Nampo, South Pyongan Province, were sentenced to five years at a re-education camp for watching South Korean dramas and disseminating them to classmates. In November 2021 RFA reported that a man in North Hamgyong Province who smuggled the South Korean Netflix drama *Squid Game* into the DPRK and sold it on flash drives was sentenced to death by firing squad, while a high school student who bought a drive received a life sentence, six other students who watched the show were sentenced to five years’ hard labor, and the students’ principal and homeroom teachers were fired.

Censorship or Content Restrictions for Members of the Press and Other Media, including Online Media: The government controls virtually all information within the country; independent media do not exist. Domestic

journalists had no freedom to investigate stories or report freely. The government tightly controlled print media, broadcast media, book publishing, and online media through the Propaganda and Agitation Department of the WPK.

Strict censorship of domestic media continued, with no tolerance for deviation from official messages. The government prohibited ordinary citizens from listening to foreign media broadcasts and subjected violators to severe punishment. Radios and television sets, unless altered, received only domestic programming. Elite citizens and facilities for foreigners, such as hotels, had access to international television broadcasts via satellite. The government continued attempts to jam all foreign radio broadcasts, but HRNK's 2019 report, *Digital Trenches: North Korea's Information Counter-Offensive*, noted that a proliferation of foreign broadcasting transmitters began to overwhelm the jamming effort in recent years.

COVID-19 response measures prohibited visits by foreigners, including journalists. Before the COVID-19 pandemic, the government carefully managed visits by foreigners, especially journalists, and at times expelled foreign journalists or denied them entry into the country. Government officials generally prevented journalists from talking to officials or to persons on the street.

National Security: Defector and NGO reports included accounts of individuals detained, and in some cases executed, for antistate crimes, such as criticism of the government.

Internet Freedom

Internet access was limited to high-ranking officials and other designated elites, including selected university students.

Government employees sometimes had limited, closely monitored access to email accounts. HRNK reported that the government installed monitoring programs on every smartphone and tablet that, among other things, logged every webpage visited and randomly took undeletable screenshots.

In 2019 HRNK reported that in order to track and thereby reduce the spread of foreign content within the DPRK, the government introduced a file watermarking

system on Android smartphones and on personal computers that added a user- or device-specific data string to the end of the filename of any media file each time it was shared.

Authorities conducted random physical searches of mobile phones for illegal media, and a history of all activity on the device was available for export upon inspection through monitoring software called TraceViewer.

Restrictions on Academic Freedom and Cultural Events

The government restricted academic freedom and controlled artistic works. School curricula were highly controlled by the state. The government severely restricted academic travel. The primary function of plays, movies, operas, children's performances, and books was to buttress the cult of personality surrounding the Kim family and support of the regime.

The state carried out systematic indoctrination through the mass media, schools, and worker and neighborhood associations. Such indoctrination involved mass marches, rallies, and staged performances, sometimes including hundreds of thousands of persons.

b. Freedoms of Peaceful Assembly and Association

The government severely restricted freedoms of peaceful assembly and of association.

Freedom of Peaceful Assembly

While the constitution provides for freedom of peaceful assembly, the government did not respect this provision and continued to prohibit public meetings not previously authorized and not under government control.

Freedom of Association

The constitution provides for freedom of association, but the government failed to respect this provision. There was no information available on organizations other than those created by the government. Professional associations existed primarily to facilitate government monitoring and control over organization members.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for the “freedom to reside in or travel to any place”; however, the government did not respect this right.

In-country Movement: The government restricted freedom of movement for those lawfully within the state. Those who violated travel regulations were subject to warnings, monetary fines, or forced labor. The law authorizes detention without trial in a labor camp for up to three months for violating the country's internal travel permit system. Security checkpoints on main roads at entry and exit points from every town hampered movement. KINU's *White Paper* for 2021 reported that individuals frequently resorted to bribery to circumvent restrictions on internal travel.

The government reportedly imposed internal exile on some citizens. For example, in July RFA reported that 30 households in Ryanggang Province along the border with China were forcibly relocated to remote, mountainous areas after their family members escaped the country (see section 2.f., Status and Treatment of Internally Displaced Persons).

The government strictly controlled permission to reside in, or even to enter, Pyongyang, where food availability, housing, health, and general living conditions were much better than in the rest of the country.

Due to fears regarding the spread of COVID-19, media and NGOs reported the government tightened in-country movement restrictions, making internal movement even more difficult since March 2020. NGOs, foreign diplomats, and UN agency personnel were not allowed to leave Pyongyang except for their final departure from the country. This severely hampered foreign observers' already extremely limited ability to monitor human rights and humanitarian aid conditions in the country.

Foreign Travel: The government restricted foreign travel. Exit visas for foreign travel were available only to officials and trusted businesspersons, artists, athletes, academics, and workers.

The government did not allow emigration, and media and NGOs reported that due to fears of introducing COVID-19, it continued to maintain tight security on the border, dramatically limiting the flow of persons crossing into China with and without required permits. NGOs reported strict patrols, surveillance of residents of border areas, and a crackdown on border guards who may have been aiding border crossers in return for bribes. The UN secretary-general's July 2022 report expressed concern that pandemic-related border closures exacerbated the "long-standing violation" of the right of individuals under the International Covenant on Civil and Political Rights to leave and return to their country of origin.

The law criminalizes defection and attempted defection. Individuals, including children, who cross the border with the purpose of defecting or seeking asylum in another country are subject to a minimum of five years of "labor correction." In "serious" cases, the state condemns asylum seekers to indefinite terms of imprisonment and forced labor, confiscation of property, or death.

Many would-be refugees who returned involuntarily from foreign states were imprisoned under harsh conditions. OHCHR reporting included the accounts of several forcibly repatriated escapees who stated authorities reserved particularly harsh treatment for those who had extensive contact with foreigners or religious groups or who had spent time in the ROK, including those with family members resettled in the ROK.

According to the ROK Ministry of Unification website, the number of escapees arriving in the ROK plummeted from prepandemic levels. Only 67 arrived in 2022 and 63 in 2021, the smallest number in more than 20 years. By contrast, 1,047 arrived in 2019, and 229 in 2020.

Past reports from refugees noted the government differentiated between persons crossing the border in search of food (who may be sentenced to a few months of forced labor or in some cases merely issued a warning) and persons crossing repeatedly for "political" purposes, including those who had alleged contact with

religious organizations based near the Chinese border (who were sometimes sentenced to harsher punishment). The law stipulates a sentence of up to two years of “labor correction” for illegally crossing the border.

e. Protection of Refugees

The government did not cooperate with the Office of the UN High Commissioner for Refugees or other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law does not provide for granting asylum or refugee status, and the government has no system for providing protection for refugees. The government did not grant refugee status or asylum. No information was available on any government policy or provision for refugees or asylum seekers, and the government did not participate in international refugee fora.

f. Status and Treatment of Internally Displaced Persons

North Koreans suffered internal displacement due to violations of human rights, when government policy forced their removal from their homes, or due to government prevention of action that could have limited the damage of natural disasters. The government’s COVID-19 border closures prevented staff members of international organizations from aiding individuals at risk of displacement by flooding. The government also deliberately displaced some citizens by forcing families from their places of habitual residence as a form of collective punishment for actions of their relatives.

The country’s mountainous terrain and widespread deforestation leave it vulnerable to frequent flooding and landslides. Even prior to the imposition of border closures in response to COVID-19, the government sometimes denied international humanitarian aid workers access to affected regions and populations at risk of displacement. Its resistance to international humanitarian assistance persisted, resulting in displacements. HRW reported that while the country suffered severe flooding in 2020 that undermined the national agricultural production plan, “The government continued to rebuff international diplomatic

engagement and repeatedly rejected offers of international aid.” Despite widespread flooding caused by heavy rains in 2021 and 2022 that destroyed homes and crops across the country, the government continued to close its borders to international aid workers who might have helped avert displacements in the most heavily flooded regions. In August 2021 heavy rains displaced 5,000 persons nationwide. During those floods, an EU official told RFA that the EU Humanitarian Aid Department “stands ready to provide assistance” but expressed concern that the situation would worsen “while the strict border control measures prohibit the import of humanitarian aid goods or entry of personnel.” From June to August 2022, heavy rains again caused widespread flooding across the country and more displacements.

The government reportedly engaged in the forced displacement of some of its citizens as a form of collective punishment, moving entire families far from their places of habitual residence in multiple provinces in retaliation for what it deemed to be infractions of various kinds by family members. In October the UN special rapporteur on North Korean rights noted that remaining relatives of escapees had been relocated further inland from border areas and put under stricter surveillance. During the year, according to media and NGO sources, authorities in multiple provinces forcibly relocated households with two or more missing family members or the families of young persons who had avoided calls to volunteer to live in agricultural villages. In July RFA reported that North Koreans whose family members had escaped and resettled in the ROK were being banished to rugged rural areas. In mid-July, shortly after the central government had changed the designation of escapees from “illegal border crossers” to “traitorous puppets,” authorities in Ryanggang Province reportedly selected 30 households with two or more family members who had escaped and relocated them to villages such as Samsu, Kapsan, Pungso, and Pungsan, in remote mountainous regions. One couple in their 70s was selected because two of their grandsons had defected. Other residents selected included the parents of sons or daughters who had escaped, or children left behind after their parents had fled to the ROK.

The government also reportedly adopted a policy of displacement as collective family punishment for infractions involving medical supplies. In October the UN special rapporteur on North Korean rights expressed concern regarding a decree

reportedly issued by the Ministry of Public Security in May, following the DPRK's acknowledgement of the country's first COVID-19 outbreak. The decree warned government officials, authorities, and others that they faced harsh punishment, including the death penalty, for stealing or selling emergency medicines and raw materials on the black market, or for producing or selling "fake or faulty medicines." According to Seoul-based website *NK News*, the decree stated that family members of violators would also be punished: "Family members living together with them will be subject to relocation and expulsion."

In some cases, authorities sent persons with disabilities from Pyongyang to internal exile, quarantined them within camps, and forcibly sterilized them, prompting the OHCHR to express concern in October 2021 (see section 6, Persons with Disabilities).

Section 3. Freedom to Participate in the Political Process

Citizens do not have the ability to choose their government peacefully.

Elections and Political Participation

Recent Elections: The most recent national elections to select representatives to the Supreme People's Assembly occurred in 2019. These elections were neither free nor fair. The government openly monitored voting, resulting in a reported 100 percent participation rate and 100 percent approval of the preselected government candidates.

Political Parties and Political Participation: The government has created several "minority parties." Lacking grassroots organizations, the parties existed only as rosters of officials with token representation in the Supreme People's Assembly.

Participation of Women and Members of Minority Groups: Although the law affords women equal right to vote and hold political office, few women were elected or appointed to senior government positions. At the eighth WPK Congress in January 2021, women accounted for approximately 10 percent of the 250 Central Committee members and 4,750 representatives, compared with 8.6 percent at the seventh WPK Congress in 2016. In 2020 media reported the appointment of

a woman, Pak Myong Sun, as an alternate member of the WPK Central Committee Political Bureau, the party's highest-level body, and as director of a WPK Central Committee department. In October 2021 Kim Jong Un's sister, Kim Yo Jong, was appointed a member of the State Affairs Commission. She previously served on the WPK Political Bureau but was not listed among the members after the party congress in January 2021. Among approximately 20 party departments and offices, one was headed by a woman. The 2014 UNCOI report indicated 10 percent of central government officials were women. In June 2022 Choe Son Hui became the DPRK's first woman foreign minister.

The country is racially and ethnically homogeneous, and the law did not recognize or grant special status to any minority groups.

Section 4. Corruption and Lack of Transparency in Government

Verifiable information was not available on whether criminal penalties for official corruption were applied. International organizations widely reported senior officials engaged in corrupt practices with impunity.

Corruption: Corruption was reportedly widespread in all parts of the economy and society and endemic in the security forces. KINU's *White Paper* for 2021 reported widespread corruption across state organs, including in the judicial system, places of detention, the military, and state workplaces. Many escapees testified that when records of international calls, videos, books, and songs from foreign countries were found in a mobile phone's internal data, bribery could avert punishment beyond loss of the mobile phone. In *Freedom in the World 2021: North Korea*, Freedom House reported that small-scale local markets were a "prime target" of corrupt police officers who solicited bribes from the operators, detaining those who could not pay, and that market participants also paid bribes to supervisors at their official workplaces to avoid discipline or imprisonment for abandoning their state-assigned roles.

Reports of diversion of food to the military and government officials were further indicators of corruption.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

There were no independent domestic organizations to monitor human rights conditions or comment on the status of such rights. The government reported many organizations, including the Democratic Lawyers' Association, General Association of Trade Unions, Agricultural Workers Union, and Democratic Women's Union, engaged in human rights activities, but observers highlighted the lack of independence of these organizations from the state.

The international NGO community and numerous international experts continued to testify to the grave human rights situation in the country. The government decried international statements regarding human rights abuses in the country as politically motivated interference in internal affairs. The government asserted criticism of its human rights record was an attempt by some countries to cover up their own abuses and that such hypocrisy undermined human rights principles.

The United Nations or Other International Bodies: With limited exceptions, the government refused to cooperate with UN representatives in the human rights field. The DPRK's permanent mission to the United Nations in Geneva did not respond to a request to comment on a draft of the secretary-general's July 2022 report. The government prevented Tomas Ojea Quintana, the UN special rapporteur on North Korean rights from July 2016 to July 2022, from visiting the country and refused to recognize his mandate. As the UN secretary-general's July 2022 report noted, COVID-19 preventive measures made it extraordinarily difficult for international organizations and diplomats to operate inside the country. As a result, there was a significant decline in firsthand knowledge available to the international community concerning the human rights situation in the country. The report called on the government to pursue a program of "capacity development and technical assistance activities" with the OHCHR to address the extensive human rights failings the United Nations documented. The government did not respond to an August letter from Elizabeth Salmon, the new UN special rapporteur on North Korean rights, requesting a visit to the country. In September DPRK state media rejected Salmon's mandate and denounced her work as an effort to overthrow the

country's social system.

In March 2021 the Human Rights Council cited its deep concern regarding the “systematic, widespread and gross human rights violations in the Democratic People’s Republic of Korea that, in many instances, constitute crimes against humanity, and about the impunity of perpetrators” and stressed the importance of opening cooperation between the DPRK and the OHCHR.

The UN special rapporteur on the rights of persons with disabilities visited the country in 2017.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of women but not of men. Rape is punishable by “reform through labor” for up to five years; if the assailant “commits a grave offense,” a term of more than 10 years; and if the rape was “particularly grave,” a life term or the death penalty. No information was available on how effectively the law was enforced. The 2014 UNCOI report found the subjugation of inmates and a general climate of impunity created an environment in which guards and other prisoners in privileged positions raped women inmates. This was reconfirmed in OHCHR reporting on women who attempted to flee the country, were forcibly repatriated, and finally escaped for good. The women testified they had been subjected to widespread, systemic sexual violence while detained after repatriation.

The 2018 HRW report *You Cry at Night but Don’t Know Why* cited endemic sexual and gender-based violence and detailed cases of sexual assault or coerced sexual acts by men in official positions of authority between 2011 and 2015. When cases of rape came to light, the perpetrator often escaped with dismissal or no punishment. In December 2022 HRW reported that “North Korean women and girls are subject to intense and pervasive human rights abuses including sexual and gender-based violence.”

In December 2021 the HRNK executive director declared that “North Korea’s women soldiers are subjected to relentless abuse, induced malnutrition, cruel

punishment, sexual harassment and sexual assault.” A former soldier testified in an interview with HRNK that she had been subjected to sexual assault, and she estimated that 70 percent of women in the army experienced sexual assault or sexual harassment.

The UN secretary-general’s July 2022 report described domestic violence as a frequent concern cited by escapees. For example, one woman who fled the country in 2019 told OHCHR: “The issue of domestic violence is quite severe. The State does not intervene or investigate cases. There is no place to go for victims of domestic violence.” As noted in the KINU *White Paper* for 2021, the law prohibits domestic violence, but both KINU and the UN Committee on the Elimination of All Forms of Discrimination against Women expressed concern that the government rarely took protective or preventive measures against such violence. Defectors continued to report violence against women was a systemic problem both inside and outside the home. The *White Paper*, however, noted some recent testimonies that domestic violence was decreasing as the economic power of women increased.

Sexual Harassment: Defectors continued to report the populace generally accepted sexual harassment of women due to patriarchal traditions. They reported there was little recourse for women who had been harassed. Defectors also reported that lack of enforcement and impunity enjoyed by government officials made sexual harassment so common as to be accepted as part of ordinary life. At the same time, KINU’s 2021 *White Paper* reported testimonies indicated that notions of “male superiority” were gradually declining in urban areas, especially among younger generations.

Reproductive Rights: NGOs and defectors reported state security officials subjected women to forced abortion, particularly in cases of forcibly repatriated North Korean women who had become pregnant in China. According to the June IBA/HRNK report, “The evidence demonstrates a policy of DPRK officials forcibly ending pregnancies that would result in half-Chinese babies,” and such mistreatment of women impregnated by Chinese men was “driven by official ideology that emphasizes the importance of maintaining the purity of the Korean race at all costs” and protecting it from what is considered an “impure” baby. There were also reports of infanticide, particularly in places of detention (see

Children, Infanticide, including Infanticide of Children with Disabilities).

In addition to vulnerable women in detention, persons with disabilities were not always able to provide informed consent to medical treatment affecting reproductive health. For example, the KINU *White Paper* for 2021 described testimony of forced sterilization of persons with nanocormia, a form of dwarfism.

KINU's report for 2020 described the testimony of a substantial number of women North Korean defectors who, following forcible repatriation from abroad, were subjected to "uterus examinations" in detention centers and holding centers, specifically, "examination...conducted during the body search process to find money, secret letters or secret documents."

According to one 2020 NGO report on menstrual health, menstruation carries social stigma. Sanitary pads were available but remained costly to many, and most women used home-made reusable cloth pads. Lack of adequate menstrual hygiene limited women's social inclusion and ability to travel and work.

There was no information on what sexual and reproductive health services (including emergency contraception), if any, the government provided to survivors of sexual violence.

Discrimination: The constitution states that "women hold equal social status and rights with men." The law prohibits "all forms of discrimination against women." Few women, however, reached high levels of the party or the government, and defectors reported that gender inequality persisted in family, social, and professional settings. KINU reported discrimination against women emerged in the form of differentiated pay scales, promotions, and types of work assigned to women, in addition to responsibility for the double burden of labor and housework, especially considering the time and effort required to secure food.

Systemic Racial or Ethnic Violence and Discrimination

The country is racially and ethnically homogeneous. Officially there are no minority groups. The small Chinese community and a few ethnic Japanese in total number less than 1 percent of the population, and there are no laws to protect members of racial or ethnic minorities or groups from violence and discrimination.

In its 2022 *Freedom in the World* report, Freedom House wrote that members of the ethnic Chinese population had “limited educational and employment opportunities, but somewhat more freedom of travel and trade.”

HRNK previously reported that officials treated women returning from China who were pregnant with half-Chinese babies as “impure,” and that the officials commonly used racial slurs while forcibly performing abortions or committing infanticide. The June IBA/HRNK study cited testimony reporting repeated instances of such practices at detention centers (see *Children, Infanticide, including Infanticide of Children with Disabilities*).

Children

Birth Registration: Children derive citizenship from their parents and, in some cases, birth within the country’s territory.

Education: The law provides for 12 years of free compulsory education for all children. Many NGO reports indicated that authorities denied some children educational opportunities and subjected them to punishment and disadvantages because of the songbun loyalty classification system and the principle of “collective retribution” for the transgressions of family members. NGO reports also noted some children were unable to attend school regularly because of hidden fees or insufficient food. NGOs reported that children in the total-control zones of political prisons did not receive the same curriculum or quality of education available to those outside the total-control zones.

Foreign visitors and academic sources reported that from the fifth grade, schools required children to attend several hours a week of mandatory military training and that all children received political indoctrination. In its 2019 report *The Lost Generation: The Health and Human Rights of North Korea’s Children, 1990-2018*, HRNK characterized the national curriculum as prioritizing political indoctrination and unswerving loyalty to the regime, while punishing those who deviated from the curriculum.

Child Abuse: Information regarding societal or familial abuse of children remained sparse. The law prohibits domestic violence against children, but defectors regularly reported that such domestic violence went unpunished by

authorities. The law states that a man convicted of having sexual intercourse with a girl younger than age 15 shall be “punished gravely.” The government stated that no individuals had been punished for child sexual abuse since 2008 because “such acts are inconceivable for people in the DPRK,” but HRW documented several such cases between 2008 and 2015.

Child, Early, and Forced Marriage: The minimum age of marriage is 18 for men and 17 for women.

Sexual Exploitation of Children: The minimum age of consensual sex is 15. The law prohibits the commercial sexual exploitation of children. According to the 2014 UNCOI report, because many girls and young women attempted to flee repressive conditions, poverty, and food shortages for their own survival or the betterment of their families, they were often exploited by traffickers. Traffickers promised these young girls and women jobs within the country or in China but instead exploited them in forced marriages, domestic servitude, or commercial sex. In its 2019 publication *Inescapable Violence: Child Abuse within North Korea*, the Seoul-based NGO People for Successful Corean Reunification documented endemic child abuse, including child sexual abuse, in schools, homes, camps, orphanages, and detention centers.

Infanticide, including Infanticide of Children with Disabilities: A 2020 OHCHR report stated that infanticide occurred. The June IBA/HRNK report cited testimony regarding “repeated instances of infanticide and forced abortions at detention centers, particularly targeting ‘impure,’ half-Chinese babies.” A midwife who was forced to give a pregnant woman a labor-inducing injection testified that after the baby was delivered, it was suffocated with a wet towel in front of its mother because “no half-Han (Chinese) babies would be tolerated.”

Displaced Children: According to NGO reports, there were numerous street children. HRNK reported in 2020 that while not all were orphans, some were abandoned due to economic difficulties or had escaped abusive family situations. Displaced children were forced to survive by begging and stealing at local markets or in front of train stations. In October 2021 the OHCHR reported that orphans and street children were vulnerable to forced and child labor, including deployment to “shock brigades” for extended periods without pay (see also section 7.c.).

Institutionalized Children: A substantial number of children lived in orphanages and other institutions. In 2019 HRNK reported that Kim Jong Un directed that 40 child protection facilities, including orphanages, elementary academies, and middle academies, be modernized to accommodate these children. HRNK’s interviews of those who had lived in these facilities reported substandard conditions, including lack of adequate food, clothing, and shelter. As a result, many were malnourished and in poor physical condition. While living in orphanages, children often received only one meal a day, leading them to compete and fight for food or run away from the orphanage to survive. Children living in orphanages were often subjected to forced labor instead of attending school. Several respondents explained how children were forced to perform “simple work” such as carrying stones rather than being cared for and protected in orphanages.

Antisemitism

There was no known Jewish population, and there were no known reports of antisemitic acts.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: There are no laws against consensual same-sex sexual activity between adults. In 2014 the Korean Central News Agency, the state news agency, denied the existence of consensual same-sex sexual activity in the country.

Violence against LGBTQI+ Persons: There was no information available whether police or other government agents incited, perpetrated, condoned, or tolerated violence against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) individuals or those reporting such abuse. There was no information available whether there was nonstate actor violence targeting LGBTQI+ persons.

Discrimination: Because sexual orientation as a concept does not appear in DPRK law, there is no legal prohibition of discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics, nor does the law recognize LGBTQI+ individuals, couples, and their families. There are no “hate crime” or antigay propaganda laws, nor are there criminal justice mechanisms to aid in the prosecution of bias-motivated crimes against members of the LGBTQI+ community. According to the LGBTQI+ rights group Equaldex, no legal mechanisms exist to protect LGBTQI+ individuals against discrimination in housing and employment. NGOs expressed concern that decency and obscenity laws could be used legally to discriminate based on sexual orientation or gender identity. Adoption by same-sex couples is illegal.

Availability of Legal Gender Recognition: Equaldex characterized the right to change legal gender as ambiguous. There was no information available whether legal gender recognition was available.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports that so-called conversion therapy was practiced in order to change a person’s sexual orientation, gender identity or expression, or sex characteristics.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were severe restrictions of freedom of expression, association, and peaceful assembly related to all social and political matters, including LGBTQI+ topics.

Persons with Disabilities

Persons with disabilities could not access education or health services on an equal basis with others. While the law mandates equal access to public services for persons with disabilities, the government did not provide consistent support for them. The UN special rapporteur on the rights of persons with disabilities visited the country for the first time in 2017 and noted most infrastructure, including newly constructed buildings, was not accessible to persons with physical disabilities. There was no information on whether authorities provided government information and communication in accessible formats.

In some cases, authorities sent persons with disabilities from Pyongyang to internal

exile, quarantined them within camps, and forcibly sterilized them. In October 2021 the OHCHR expressed concern regarding the expulsion of such persons from Pyongyang to isolation in “restricted areas or to facilities in other cities.” KINU’s 2021 *White Paper* noted testimonies that persons with nanocornia continued to live in segregated areas, although this was not uniform across the country.

Persons with disabilities experienced discrimination in accessing public life. Traditional social norms condoned discrimination against persons with disabilities, including in the workplace. In October 2021 the OHCHR stated that children with disabilities were vulnerable to isolation from society and expressed concern regarding “a lack of available disaggregated data on the situation of children with disabilities, including those living in State institutions.” The UN Committee on the Rights of the Child repeatedly expressed concern, most recently in 2017, regarding de facto discrimination against children with disabilities and insufficient measures taken by the state to ensure these children had effective access to health, education, and social services. KINU’s 2021 *White Paper* evaluated the provision of special education to children with disabilities as poor.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

Workers do not have the right to form or join independent unions, bargain collectively, or strike. No information was available regarding labor organizations other than those created and controlled by the government. While the law stipulates employees working for foreign companies may form trade unions and foreign enterprises must provide conditions for union activities, the law does not protect workers who might attempt to engage in union activities from employer retaliation, nor does it provide penalties for employers who interfere in union activities. The constitution stipulates the freedom of assembly for citizens, but this right was not protected in practice. Unlawful assembly may result in five years of correctional labor.

The WPK purportedly represents the interests of all labor. The WPK Central Committee directly controlled several labor organizations in the country, including the General Federation of Trade Unions of Korea and the Union of Agricultural

Workers of Korea. Operating under this umbrella, unions functioned according to a classic Stalinist model, with responsibility for mobilizing workers to support production goals and for providing health, education, cultural, and welfare facilities, but did not provide a means for worker advocacy and representation.

The government controlled all aspects of the formal employment sector, including assigning jobs and determining wages. Joint ventures and foreign-owned companies were required to hire employees from government-vetted lists. The government organized factory and farm workers into councils, which purportedly afforded a mechanism for workers to provide input into management decisions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. The government did not enforce the law and mobilized the population for compulsory labor on construction and other projects. “Reformatory labor” and “re-education through labor,” sometimes of entire families, were common punishments for political offenses. Forced and compulsory labor in such activities as logging, mining, tending crops, and manufacturing continued to be the common fate of political prisoners.

The law requires all citizens of working age to work and “strictly observe labor discipline and working hours.” There were numerous reports that farms and factories did not pay wages or provide food to their workers. Forced labor continued to take place in industries such as brickmaking, cement, mining, logging, iron, agriculture, and textiles.

In March the UN special rapporteur on North Korean rights reported that the state “continues to rely on a widespread and institutionalized system of forced labour,” a reliance that “has further increased in response to the economic downturn since the country’s lockdown at the beginning of 2020.” The UN secretary-general’s July 2022 report added that the state had “a number of means to extract forced labour, often in hard and hazardous forms of work, including through the prison system and the military, as well as through ‘shock brigade’ deployments, *inminban* and ‘community’ groups and the school system.” The report stated: “Those in detention, low-level conscripts and ‘shock brigade’ members on long-term forced labour deployments away from home are particularly vulnerable to malnutrition

and starvation.”

In May RFA reported that local officials in multiple provinces were forcing office workers to water crops due to a shortage of working water pumps. In November RFA reported that during the past two years, the government on seven or eight occasions coerced young persons, mostly those from poor families or who grew up as orphans, to work as “volunteers” at coal mines and farms, and that the enlistees “likely number in the thousands.” One source from Hamhung, South Hamgyong Province, said most of the 70 or 80 orphans who had graduated from local schools were bound for “difficult areas,” adding that during the previous month more than 100 “volunteers” from all over the province were sent to a power station, a livestock farm, and a goat ranch.

By law failure to meet economic plan goals may result in two years of “labor correction.” In 2019 workers who were reportedly required to work at enterprises assigned by the government received no compensation or were undercompensated by the enterprises. In 2020 women in Hyesan, Ryanggang Province, reported that government officials required all women in the area to work daily on construction and other projects. Those physically unable to work had to pay a monetary fine, and security forces arrested evaders. In September 2022 the UN special rapporteur on North Korean rights was “very concerned about the disproportionate impact” of the DPRK’s measures against COVID-19 on women and girls, noting that “every institution, including women’s associations and schools, is given a quota to fulfil, which women and children have to contribute to by providing material and labour.”

The 2019 UN report *The Price Is Rights* noted that work “outside the State system, in the informal sector, has become a fundamental means to survival [but] access to work in the informal sector has become contingent on the payment of bribes.” In addition, NGOs and media reported that stricter border and internal travel restrictions related to the COVID-19 pandemic made it extremely difficult for persons to pursue a living through informal trading. HRNK’s 2020 report on Prison Labor Facility Number 12 (Jongori) detailed the use of forced labor by prison officials in the production of false eyelashes.

HRW reported the government operated regional, local, or subdistrict-level “labor

training centers” where detainees were forced to perform hard labor for short periods, with little food and subject to abuse, including regular beatings. Authorities reportedly sent individuals to such centers if they were suspected of engaging in simple trading schemes or were unemployed.

The vast majority of North Koreans employed outside the country were in Russia and the PRC. Workers were also reportedly in other countries, including Algeria, Angola, Benin, Burundi, Cote d’Ivoire, Democratic Republic of the Congo, Guinea, Indonesia, Iran, Libya, Niger, Oman, Senegal, Sierra Leone, Syria, Thailand, United Arab Emirates, Uganda, Uzbekistan, and Vietnam. While some places may have removed most or all of these workers during the year, the majority took no action or issued work authorizations or other documentation, allowing these DPRK nationals to continue working and earning income. In some cases, DPRK nationals used falsified identity documents to evade identification by host country authorities.

Numerous NGOs noted workers abroad were subjected to forced labor. NGO reports indicated the government managed these laborers as a matter of state policy and that they were under constant and close surveillance by government security agents. Laborers worked between 12 and 16 hours per day, and sometimes up to 20 hours per day, with only one or two rest days per month. Employers stated the average wage was 270,000 to 900,000 won per month (\$300 to \$1,000), but in most cases employing firms paid salaries directly to the government, which took between 70 percent and 90 percent of the total earnings, leaving approximately 90,000 won (\$100) per month for worker take-home pay. The state reportedly withheld some wages in certain instances until the laborers returned home after the completion of their three-year contracts. Workers reportedly worked in a range of industries, including but not limited to apparel, construction, footwear manufacturing, hospitality, information technology services, logging, medical, pharmaceuticals, restaurants, seafood processing, textiles, and shipbuilding.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits work by children younger than age 16 and restricts children 16 to 17 from working in hazardous conditions. The law criminalizes forced child labor, but observers did not know whether that included all the worst forms of child labor. There were reports that the worst forms of child labor occurred, including forced child labor. NGOs reported government officials held thousands of children and forced them to work in labor camps with their parents.

The government did not effectively enforce the law against child labor. Penalties were commensurate with those for similar serious crimes such as kidnapping but were not applied. Officials occasionally sent schoolchildren to work in factories or fields for short periods to assist in completing special projects, such as snow removal on major roads or meeting production goals. The UN Committee on the Rights of the Child previously noted children were also sometimes subjected to mass mobilizations in agriculture away from their families, with long working hours per day, sometimes for periods of a month at a time, and work under hazardous conditions. HRW previously published students' reports that their schools forced them to work without compensation on farms twice a year for one month each time. HRW also reported schools required students under the minimum working age to work to raise funds for faculty salaries and maintenance costs for school facilities. According to 2019 media reports, students ages 14 and 15 were required to work in WPK opium fields.

In October 2021 the OHCHR reported that orphans and street children were vulnerable to child labor, including deployment to permanent "shock brigades" for extended periods without pay. The OHCHR noted that children ages 16 and 17 were not legally protected against hazardous labor and cited August 2021 state media reporting that more than 200,000 youth league officials and members had taken part in "youth shock brigade activities" in the prior four months. Citing state media reporting in May 2021 that more than 160 orphans who graduated from secondary school volunteered to work at coal mines and farms to "repay the love the Workers' Party of Korea showed for taking care of them over the years," the OHCHR expressed concern that orphans had to volunteer to work to "repay" the care they had received from the state. The OHCHR declared that "the use of child labor involving those under 18 years of age in harmful and hazardous

environments such as coal mines are considered the worst forms of child labor and are prohibited under international law.”

Children ages 16 and 17 were enrolled in military-style youth construction brigades for 10-year periods and subjected to long working hours and hazardous work. Students suffered from physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies resulting from required forced labor.

Guards subjected children living in prison camps to torture if they or a family member violated the prison rules. Reports from prior years noted authorities subjected children in such camps to forced labor for up to 12 hours per day and did not allow them to leave the camps. Prisons offered them limited access to education.

d. Discrimination with Respect to Employment and Occupation

While the law provides that all citizens “may enjoy equal rights in all spheres of state and public activities” and all “able-bodied persons may choose occupations in accordance with their wishes and skills,” the law does not prohibit discrimination with respect to employment or occupation based on race, religion, ethnicity, or other factors. There is no direct reference to employment discrimination in the law; classification based on the songbun loyalty system has a bearing on equal employment opportunities and equal pay.

Despite the law’s provision for women of equal social status and rights, societal and legal discrimination against women continued. Labor laws and directives mandate sex segregation of the workforce, assigning specific jobs to women while impeding access of others to these jobs. Women’s retirement age is set at age 55, compared with age 60 for men, which affects women’s pension benefits, economic independence, and access to decision-making positions.

Persons with disabilities also faced employment discrimination.

e. Acceptable Conditions of Work

Wage and Hour Laws: There is no statutory minimum wage in the country. No reliable data were available on the minimum wage paid by state-owned enterprises.

Wages were sometimes paid at least partially in kind rather than in cash.

The law stipulates an eight-hour workday, although some sources reported that laborers worked longer hours, perhaps including additional time for mandatory study of the writings of Kim Il Sung and Kim Jong Il. RFA reported in January that adult citizens, including those not affiliated with an official company or institution, were forced to attend propaganda lectures glorifying Kim Il Sung and Kim Jong Il. The law provides all citizens with a “right to rest,” including one day’s rest per week (Sunday), paid leave, holidays, and access to sanitariums and rest homes funded at public expense. No information was available, however, regarding the state’s willingness and ability to provide these services.

Mandatory participation in mass events on holidays and practice sessions for such events sometimes compromised leave or rest from work. Workers were often required to “celebrate” at least some part of public holidays with their work units and were able to spend an entire day with their families only if the holiday lasted two days. Failure to pay wages was common and reportedly drove some workers to seek income-generating activity in the informal or underground economy.

Occupational Safety and Health: The law recognizes the state’s responsibility for providing modern and hygienic working conditions. The law criminalizes the failure to heed occupational safety and health (OSH) “labor safety orders” pertaining to worker safety and workplace conditions only if the conditions result in the loss of lives or other “grave loss.” Many defectors reported unsafe working conditions across a variety of sectors, particularly in heavy industries such as mining and manufacturing. Workers do not have a designated right to remove themselves from hazardous working conditions.

Many worksites were hazardous, and the industrial accident rate was high. Managers were often under pressure to meet production quotas and often ignored training and safety requirements. According to reports, in March 2021 three untrained teenage workers died and several were critically injured in an industrial accident at the Sungri Motor Complex in South Pyongan Province. In March 2021 at least 20 individuals who were part of a “storm trooper” construction brigade died in an electrical fire at their Pyongyang jobsite.

Wage, Hour, and OSH Enforcement: No information was available on enforcement of wage, hour, and OSH laws. Some defectors reported workdays of 15-16 hours in fields like mining and military manufacturing. In other cases, defectors reported workdays of eight hours or less (in some instances due to inadequate supplies of electricity or raw materials) and the ability to take advantage of the 15 days of annual leave guaranteed by law.

Informal Sector: The informal sector was large, but there was little information on its size or composition. Many citizens depended on the informal economy for their survival since regular wages and rations were not sufficient. The informal sector had been growing rapidly, but in recent years there were signs the government had increased efforts to restrict or regulate such activity.

Endnote: Note on Sourcing

The United States does not have diplomatic relations with the Democratic People's Republic of Korea. The DPRK does not allow representatives of foreign governments, journalists, or other invited guests the freedom of movement that would enable them to assess fully human rights conditions or confirm reported abuses.