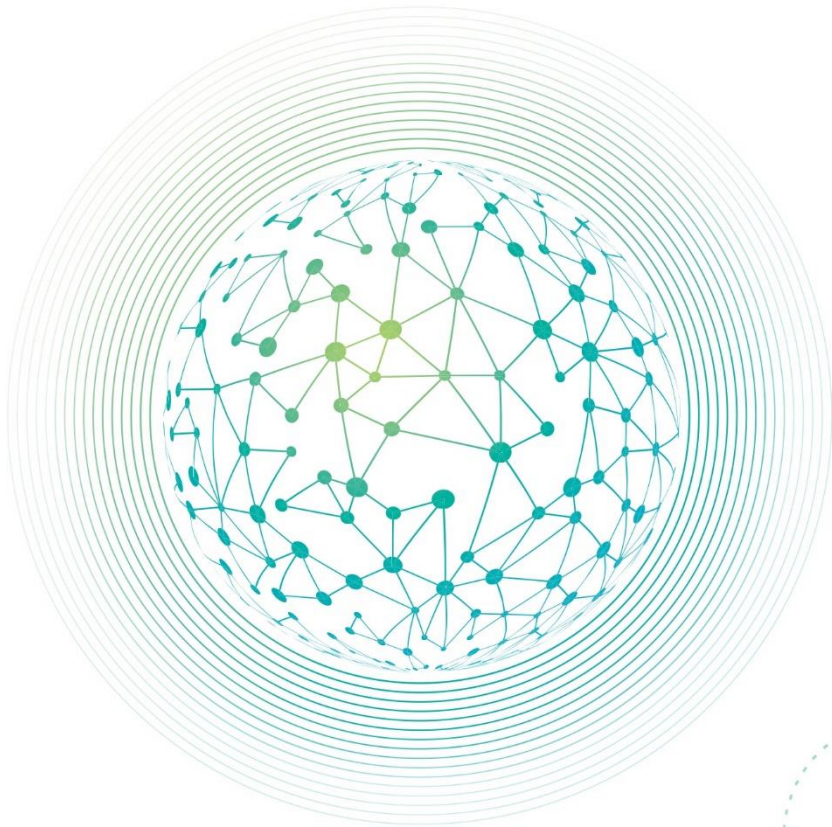


UN COI 10th Anniversary Report

Human Rights in the DPRK: 10 years after COI



**People for Successful COrean REunification
(PSCORE)**

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(PSCORE)**

Special Thanks

We would like to thank everyone who participated in the preparation of this report.

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Table of Contents

Greetings	2
Words of Encouragement (Michael Kirby, Former Chair of the Commission of Inquiry on human rights in the Democratic People's Republic of Korea)	4
Summary	8
I. Introduction	11
A. Research Background and Purpose	11
B. Research Scope and Method	13
II. Research Contents	16
A. Infringement of Freedom of Thought, Expression and Religion	16
B. Discrimination	25
C. Infringement of Freedom of Movement and Residence	37
D. Infringement of Rights to Food and Related Rights to Life	46
E. Arbitrary Detention, Torture, Execution and Political Prison Camps	54
F. Kidnapping and Forced Missing Foreigners	63
G. Others, Labor Exploitation	68
III. Policy Implications and Future Challenges	77
Appendix: Human Rights Situation in North Korea (From the Perspective of a Former North Korean Prosecutor)	81
Bibliography	89

Greetings

The United Nations Commission of Inquiry (COI) on Human Rights in the Democratic People's Republic of Korea, which was established in March 2013, published a historic report on North Korean human rights to the United Nations Human Rights Council (UNHRC) in February 2014. In this report, the COI confirmed that North Korea's human rights violations are reaching crimes against humanity and recommended that the United Nation to the International Criminal Court (ICC) or set up an ad hoc tribunal to hold North Korea accountable. As a result, the issue of North Korean human rights has officially emerged as an important task for our society to solve together. The first comprehensive and inclusive report stating the actual situation of human rights in North Korea and its improvement measures is authoritatively adopted by the UNHRC and cited by the United Nations General Assembly (UNGA)'s North Korean Human Rights Resolution, which was adopted for 18 consecutive years by the 77th U.N. General Assembly's Third Committee on November 16, 2022, also had a great influence on human rights organizations both inside and outside Korea.

However, even after the release of the COI report, the improvement of human rights in North Korea has been slow and has recently deteriorated under the name of COVID-19 prevention, which got more lagged behind due to frequent launch of nuclear missiles to disable UNSC sanctions by having China with Xi Jinping's three times consecutive term and Russia with Putin's dictatorship at the back.

Accordingly, this report was prepared with a critical mind that North Korea's human rights issue is the most fatal weakness that North Korea wants to hide and that it should expand interest and participation while presenting the current state of North Korean human rights. It is necessary to come up with innovative measures to reestablish and strengthen the capacity of North Korean human rights improvement

activities and expand them as it has been more than ten years since the establishment of the COI. This is considered to be a movement to protect the basics of the human rights development to continuously monitor the North Korean regime's abnormal and anti-human rights behavior and find ways to improve it, and we think it is an important task for us to maintain in the future. In particular, the Republic of Korea enacted the North Korean Human Rights Act in March 2016 but has not established the North Korean Human Rights Foundation for more than six years, which is a key organization. By making use of the purpose of the COI's establishment, we hope that this report will contribute to better ways to improve North Korean human rights by continuously participating in various human rights mechanisms.

November 2022

People for Successful COrean REunification
President Tae-Hoon Kim

Words of Encouragement

Hello,

I'm Michael Kirby and I was the chair of the Commission of Inquiry of the United Nations that produced the report of the Commission of Inquiry, the COI, and here is the report when it reached the Human Rights Council, it created a sensation because of the information that it provided on the terrible crimes against humanity in North Korea.

Likewise in the General Assembly of the United Nations and exceptionally, it was referred to the Security Council of the United Nations. This is very unusual in the United Nations system, but what has been happening in North Korea has been very unusual in our world. Your seminar is happening at exactly the time of the 10th anniversary of the COI report of the establishment of the COI that led to its report.

It's there for a very critical time when we can look back and ask ourselves, "What has been achieved?" It is not enough for the United Nations or the people and administration of the Republic of Korea to just talk. We have to take action, we have to have a follow-up. And so I welcome this seminar that you are arranging, I honor those who have organized it. I hope it will be a great success. And above all, I hope it will lead to action on the report and on the crimes against humanity that are reported in this record of the COI on human rights abuses in North Korea.

The COI made many recommendations for the improvement of human rights and monitoring human rights so that the world would be kept informed of the developments in human rights in North Korea. And in our report we made many suggestions of ways in which step by step small steps at first and bigger steps later on improvements would be made in North Korea.

I pay respects to president Yoon Suk-Yeol and I pay respects to former president Moon Jae-In. I pay respect to the people of Korea. And it's the people of Korea to whom we addressed this Commission of Inquiry report.

What has been unusual in recent years has been the apparent withdrawal of the Republic of Korea from close involvement with the human rights issues in North Korea. It began in a sense with the election of former president Moon Jae-In, and it continued with the intervention of former US President Donald Trump. And they met as you would know in Singapore, Hanoi, and Panmunjom. However, the hopes of those meetings to formulate a procedure for improving human rights in North Korea did not eventuate.

The establishment of a human rights foundation is appropriate and urgent in the conditions of North Korea. I was shocked, and my fellow commissioners were shocked when we sat in our public hearings, which are online and available to the world, and heard the terrible events and wrongs that have been done to the people of North Korea. And that is why it is important and urgent that the human rights foundation should be not only on the statute book of South Korea but also in active work for continuing the work of the Commission of Inquiry, supporting the work of the special rapporteur, now Professor Elizabeth Salmon, and supporting the United Nations goals that were referred to in our report.

This is an urgent obligation of the government and people of the Republic of Korea. There have been other developments that have been watched with concern, they include the development of arresting and charging citizens of South Korea, who using balloons have endeavoured to bring the message of the COI, and other such messages of the special rapporteurs to the people of North Korea. They refused to allow us to come into their country, but we hope that the message of the world, that the United Nations is concerned about North Korea, will come with the work of the human rights foundation.

There was another development which was very surprising, and that was the failure of the Republic of Korea, South Korea, to support the annual resolution of the United Nations' Human Rights Council and General Assembly on North Korea. I hope that these steps in the wrong direction will be reversed. And without intruding into the politics of South Korea, you have to ask what has been achieved by the policy of friendship and silence. Nothing has been achieved, and it's therefore important for the world and for the people of North Korea that we should go back to the track of examining, reporting, and holding to account the government of North Korea for the great wrongs that have occurred.

This is a story not just of human rights abuses, which happened in every country. This is a story of crimes against humanity, which are crimes that shock the conscience of mankind and I, therefore, send good greetings to this seminar, and I hope it will flower and grow into new requests to the government of South Korea to support the Special Rapporteur, and to support the work of the COI, and the recommendations that are made from little steps to bigger steps to biggest steps. And that has been the mistake up till now, going straight away to the big step of nuclear disarmament. You have to start at the outside of the circle and work your way into the circle, but you don't do that if you are silent about great wrongs.

And so that is my message as the former chairman of the COI, restore the annual resolution, restore the human rights foundation, and restore the attention of the people of South Korea to their brothers and sisters in North Korea to be reunified one day. You are not divided by your own decision, but by the decision of outsiders. One day this will be finished, but it'll only be finished if attention is paid to the human rights abuses of the government and the administration in North Korea.

Thank you.

November 2022

Former Chair of the Commission of Inquiry on human rights in the
Democratic People's Republic of Korea

Michael Kirby

Summary

This report was conducted by People for Successful COrean REunification (PSCORE) and started with the need of monitoring and evaluating the changes in North Korean human rights over the past decades, since the establishment of the United Nations Commission of Inquiry in 2013. PSCORE has been working closely with the United Nations for many years and has made efforts to improve the human rights situation in North Korea by participating in the activities of the United Nations Human Rights Council and various human rights organizations every year.

This report tracked changes in the human rights situation in North Korea and reviewed improvement measures through various data, including testimonies from recent North Korean defectors, media articles and academic journals. The investigation period was from May 7 to October 22 2022, and 15 people who defected from North Korea after 2014 were selected as subjects of the investigation and their change was tracked through one on one or one on many in-depth interviews.

This report investigated human rights violations by subdividing them into the following categories according to the COI report system.

- Infringement of Freedom of Thought, Expression and Religion
- Discrimination
- Infringement of Freedom of Movement and Residence
- Infringement of Food Rights and Related Life Rights
- Arbitrary Detention, Torture, Execution and Political Prison Camps
- Kidnapping and Forced Missing Foreigners

In addition, areas of North Korean human rights not included in the COI report (such as the exploitation of labor in North Korea and the exploitation of laborers in) were added. This problem was a human rights violation to the North Korean residents for North Korean authorities trying to maintain the system.

Through this investigation, we were able to understand that the human rights of North Koreans are getting worse as North Korean authorities are trying to maintain the regime. Of course, it is argued that there are some improvements (women's discrimination sector) in the marketization process, but this is a part of the North Korean government's struggle for survival rather than its willingness to improve human rights, and unless it improves the structure of monitoring and exploiting the people, the solution to the fundamental human rights problem seems remote.

In particular, the North Korean authorities seemed to be thoroughly trampling on food rights and life rights as well as controlling freedom of movement under the name of COVID-19 prevention. In some cases, quarantine violators were defined as traitors and executed or imprisoned in political prison camps.

In addition, it seems that the overall human rights situation, including appropriate food and health care approaches, is getting worse.¹

The North Korean regime relies on personal worship of the supreme leader, one-party dictatorship, and abuse of physical power through the military and public security organizations, which makes it very difficult to effectuate the universal value of human rights. The revised constitution from 2012 states “the state respects and protects human rights of the state and society’s head – workers, farmers, soldiers, and intellectuals – who are freed from exploitation and pressure”. It is well known that mentioning

¹ United Nations General Assembly, *Situation of human rights in the Democratic People's Republic of Korea*, A/77/247, 2022, 4.

“human rights” is only a cover for domestic and foreign public opinions.

In the meantime, there is a lack of comprehensive research on the changes, current conditions, and mechanisms of North Korean human rights situation over the past ten years in Korea and countries around the world. This is because there are many limitations in the research process, such as an increase in the difficulty of direct observation of the internal situation of North Korea and a prominent decrease in the number of North Korean defectors.

Despite these difficulties, the report evaluated North Korea’s attitude and achievements in human rights situations after ten years of the establishment of the COI. It lays the groundwork for discussions to encourage more active changes in North Korea and tries continued participation in various human rights mechanisms, including the UNHRC.

I. Introduction

A. Research Background and Purpose

COI's 2014 Final Report is considered the first comprehensive data that deals with North Korean human rights issues internationally.

COI was founded by the United Nations Human Rights Council (hereinafter UNHRC) in March 2013, and after a year of research, it published its Final Report on February 17, 2014, which has a total of 370 pages of content. The report – which compiled the interviews with North Korean defectors and abductees in South Korea, Japan, the United States of America, Europe and Thailand – is significant as it first confirmed the cases of human rights violation cases, which constitutes crimes against humanity, in the official international documents.

COI's 2014 Final Report concluded that North Korea's human rights issues constitute an unacceptable crime against humanity². As a result, the issue of North Korean human rights has emerged as an important task for human society to solve together.

However, despite the efforts of the international community and human rights organizations, which are centered around the UN, North Korea's human rights situation improvement is very limited and slow.

In addition, it seems that the international communities' activities to improve North Korean human rights situations have not been actively carried out after the publication of the COI report. Furthermore, North Korea's human rights issue seems to lag behind North Korea's nuclear proliferation. In particular, concerns are raised that the current situation of North Korean human rights is not properly captured and that it is biased toward the extreme situation during the hardships in the past from marching.

In this regard, this project began with the recognition of the need to expand interest and participation, while presenting the current status

² United Nations Human Rights Council, *Report of the Commission of Inquiry on Human rights in the Democratic People's Republic of Korea*, A/HRC/25.65, 2014, 7.

of North Korean human rights. As it has been a decade since the establishment of COI in 2013, innovation is required to reestablish North Korean human rights improvement activities, strengthen capabilities, and expand the base by properly investigating and grasping the human rights environment currently facing North Koreans.

In particular, policy changes in North Korean authorities following the COVID-19 incident are expected, which will further intensify the human rights violations of North Koreans. Therefore, we tried to check if there were any problems with North Koreans' engagement in economic activities amid a strong containment policy. This is considered to be an activity that protects the basics of the human rights movement to continuously monitor abnormal measures by the North Korean authorities, and we think it is an important task for us to maintain in the future.

B. Research Scope and Method

The purpose of this report, as explained above, is to track and record changes in North Korea's human rights situation after the establishment of COI in 2013. Therefore, we asked about the situation after 2014, mainly to North Korean defectors who have defected by crossing the river. This was to compare and analyze the human rights situation and violation problems that were pointed out by the COI report.

The investigation was conducted from May to September 2022, and interviews were conducted in Seoul. The interview was mainly conducted on a one-to-one basis, and if necessary, assistant personnel participated for additional questions. The results were reclassified and organized by each category.

When selecting the participants, we selected based on their experiences with human rights violations and the regions where they stayed.

Accordingly, the participants' main residencies were: two from Pyongyang Municipality, one from South Pyongan Province, five from North Hamgyong Province, five from Yanggang Province and one from China. In addition, the year of birth was relatively diverse: one in the 1950s, two in the 1960s, five in the 1970s, one from the 1980s and five from the 1990s. Furthermore, we tried to recruit relatively recent defectors: one in 2014, one in 2016, one in 2017, five in 2018 and 6 in 2019.

[Table 1] Personal Information of Participants³

ID	Name	Hometown-Place of Residence	Defected Year	Year of Birth	Interview Date (2022)
COI-1	Hyo-sung Joo	North Hamgyong – North Hamgyong	2018	late 1960s	May 7
COI-2	Gil-soon Shim	South Hamgyong – Yanggang	2018	late 1960s	May 11
COI-3	Hye-ok Baek	North Hamgyong – North Hamgyong	2018	mid 1970s	May 11
COI-4	Jung-hyuk Choi	Pyongyang – Pyongyang	2017	late 1990s	May 12
COI-5	Young-chul Choi	Pyongyang – Pyongyang	2018	early 1970s	May 15
COI-6	Yuna Kim	North Hamgyong – North Hamgyong	2019	late 1990s	May 22
COI-7	Dong-chul Jang	North Hamgyong – North Hamgyong	2019	late 1990s	May 27
COI-8	Hye-sook Kim	South Pyongan – North Hamgyong	2018	mid 1970s	May 27
COI-9	Bum-soo Kim	Yanggang – Yanggang	2019	mid 1990s	June 4
COI-10	Eun-duk Kim	Yanggang – Yanggang	2019	early 1970s	June 15
COI-11	Kuk-sung Kim	Pyongyang – China	2014	late 1950s	July 8

³ Below is information on the names of the interviewees, their residence in North Korea, the year of defection, and some of the private data for personal and security measures. The order of <Table 1> is organized based on the interview date.

COI-12	Sun-joo Cho	Yanggang – Yanggang	2019	mid 1980s	September 23
COI-13	Chul-jin Kim	South Pyongan – South Pyongan	2019	early 1980s	September 25
COI-14	Jin Kang	Yanggang – Yanggang	2016	early 1970s	September 27
COI-15	Seok-hwan Kim	Pyongyang – Pyongyang	2017	early 1970s	October 22

In addition, with the consideration of the prominent decline in the number of North Korean defectors after the COVID-19 lockdown in 2020⁴, it was compared and analyzed by referring to media articles related to North Korea to overcome the limitations of personal experience and reflect objective reality.

⁴ According to the data submitted by the Ministry of Unification Representation Jae-jung Lee, the number of North Korean defectors entering the country remained between 1,000 and 1,500 from 2013 to 2019, but decreased significantly to 229 in 2020. In 2021, 63 people entered the country, followed by 19 people stepping on Korean land as of June 2022.

II. Research Contents

A. Infringement of Freedom of Thought, Expression and Religion

“The university expels students ‘who do not have a proper ideological culture system’”

- Jung-hyuk Choi

Most North Korean defectors' surveys identified that freedom of thought, expression, and religion has been more controlled since Kim Jong-un's reign. It is said that the number of life review and learning sessions is increasing⁵, while promoting the worship of individuals (chief leaders) more ideologically⁶. In North Korea, freedom of thought, conscience, religion and freedom of expression is mostly denied, which has changed little to the present and has worsened more since the COI report.

1) Acquisition of information and prevention of ideological relaxation

As introduced in the COI report, the North Korean authorities still do not guarantee residents access to information. Crackdowns, censorship and punishment of digital devices such as computers and mobile phones that store external cultural content are also being strengthened. In particular, the crackdown and punishment for watching Korean broadcasts, recordings, and using mobile phones were further strengthened among various contents that

⁵ Jung-hyuk Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho, Danny Kim), *COI-4*, 12 May, 2022, “In the era of Kim Jung-il, group criticism sessions and academic lecture happened about two times a week, but during Kim Jung-un era, there were times where it went up to five times a week”.

⁶ Young-chul Choi Interview (Interviewer Tae-Hoon Kim, Bada Nam), *COI-5*, 15 May, 2022 “Whenever there are new dictator, there is more brainwashing.”

are defined as a non-socialist decadent culture to prevent the system from being relaxed due to the inflow of external culture.⁷

Some point out that more institutional controls have increased. Organizations other than 109 Sangmu⁸ can also be punished when watching foreign broadcasts⁹.

“Punishment has become stronger when watching foreign broadcasts. The number of controlling agencies, commerce and patrols has increased. At first, it was only 109 members, but now it is also handled by all those who inspect accommodation. It was previously handed over to 109 and could not be handled.”

- Hyo-sung Joo

As the number of agents at “1.09 Sangmu” receiving bribes and turning a blind eye to the crackdown or reselling seized media increased, the measures were followed to create a special organization separately as needed. Since then, the 6.27 Sangmu has been created following the “1.14 Sangmu”, and since the 8th Party Congress held in early 2021, the Non-Socialist and Anti-Socialist Combined Command (82 Joint Command) has also been structured as a form of company¹⁰. Furthermore, it is also known that the members of the command include engineers with computer technology. They are said to visit residents' homes unexpectedly to inspect storage devices such as USB or computer log records and suddenly check residents' mobile phones on the streets to investigate log records. The intensity of censorship is increasing and punishment is also being strengthened.¹¹

Residents who watch Korean dramas are regarded as political prisoners unconditionally, and those who use cell phones are caught and

⁷ Kung-sub Oh et al., *White Paper on Human Rights in North Korea*, Korea Institute for National Unification, 2021, 198.

⁸ It is a special crackdown group named after the date of Kim Jong-il's instructions (October 9th) to eradicate foreign capitalist ideology. It mainly consists of agents dispatched from Ministry of State Security, Ministry of Social Security, prosecutors who cracks down on DVDs, USBs, radios, publications, and Chinese cell phones.

⁹ Hyo-sung Joo Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), *COI-1*, 7 May, 2022.

¹⁰ North Korean expression of “campaign”.

¹¹ Tae-joo Jung, *Cell phone records are searched and even detain family members.. Will the crackdown on the Korean Wave be effective?*, Daily NK, 20 December, 2021, <https://www.dailynk.com/20210115/>.

monitored on the street¹². Also, crimes that used to be only one to two years of edification due to the distribution of Korean dramas, have now become ten years of edification¹³.

In particular, attention is being paid to the Anti-reactionary Ideology and Culture Denunciation Act enacted in December 2020¹⁴. According to the act, those found to have owned or distributed mass media data imported from Korea could face life imprisonment or even the death penalty.

It is also known that a man was publicly executed in April 2021 under the Anti-reactionary Ideology and Culture Denunciation Act¹⁵. Radio Free Asia (RFA), which delivers internal news from North Korea, is also constantly sending news that North Koreans were shot by the Anti-reactionary Ideology and Culture Denunciation Act¹⁶. The main contents of the Anti-reactionary Ideology and Culture Denunciation Act are as follows.

[Table 2] Anti-reactionary Ideology and Culture Denunciation Act (Part)

Article 27
If South Korean films, recordings, edits, or books are distributed, they shall be sentenced to ‘reform through labor’ or death, according to the severity of one’s crime. They shall be punished by death if they are organized or encouraged to watch or view them collectively.
Article 28
If a large amount of hostile country movies, recordings, edits, and books are distributed and strategically organized to watch or view them collectively, they

¹² Jung-hyuk Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho, Danny Kim), *COI-4*, 12 May, 2022. “Control has become more severe since more people use cell phones. The cell phone users were caught and watched on the street”.

¹³ Hye-ok Baek Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), *COI-3*, 11 May, 2022.

¹⁴ The full text was not disclosed, but the explanatory materials were obtained and reported from Daily NK, the media specializing in North Korea.

¹⁵ United Nations General Assembly, *Report submitted to the General Assembly of the UN Secretary-General on the Human Rights Situation in the Democratic People’s Republic of Korea*, A/77/247, July 2022.

¹⁶ Myung-chul Lee, *North Korea pronounced severe sentences to students who watched Squid Game*, RFA, 23 November, 2021. https://www.rfa.org/korean/in_focus/squidgame-11232021075345.html.

shall be sentenced to ‘reform through labor’ or death according to the severity of one's crime.

Article 29

If a large amount of recorded material, books, photos, pictures, etc., has been distributed, or if it is organized to watch it collectively, the death penalty is imposed.
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It is noteworthy that North Korean authorities applied a kind of joint system in this law, stating that they would punish individuals who committed illegal acts and institutions and those involved. Articles 34-38 stipulate administrative responsibility for illegal activities, including punishment for illicit installation in mobile phone manipulation programs, improper Internet or computer management, and intrusion of external contents through irresponsible customs inspections. It also stipulated that parents would be fined 100,000 won to 200,000 won if a reactionary thought and culture denunciation crime occurs due to their parent's failure to educate their children properly. The authorities have also stepped up crackdowns on residents' cultural life¹⁷, meaning that clothes and speech are also subject to crackdowns. It is interpreted as an intention to block the possibility of deviance from the system by preventing the culture of South Korea from taking deep root in the residents. A radical tone that maximizes fear is being used. In the past, some North Korean defectors testified that in the past, the head organizer told students, "This is not how you should do it; you shouldn't do it like that," but now that "If you do this, you are done¹⁸".

“The number of gatherings has increased. The things that the organizers talked about in front of the students were a little more frightening. In the past, you used to say, “You shouldn't do this, you shouldn't do that,” but now you say, “If you do this, you're done.” Even when college students talked to each other, they said, “This is too much.”

- Jung-hyuk Choi

¹⁷ Yuna Kim Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), COI-6, 25 May, 2022.

¹⁸ Jung-hyuk Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho, Danny Kim), COI-4, 12 May, 2022.

2) Residents' efforts to access information

Nevertheless, there are testimonies that residents' desire for information has increased, seeing everything secretly¹⁹, and that they²⁰ know or have heard people who accessed the radio steadily²¹.

According to a Unification Media survey of 50 North Koreans and 100 North Korean defectors from June to August 2022²², there are still 27% of defectors and 24% of North Koreans listening to the radio despite strong censorship by the North Korean authorities. The number of active listeners who listened to South Korean and foreign radio broadcasts at least once a week was relatively high at 11% and 8%, respectively.

32% of North Korean defectors and 90% of North Koreans answered that they wanted to know the world's information for the purpose of listening to foreign broadcasts. This shows the North Koreans' desire for information. It is also interesting that 70% of people said they wanted to know internal news. This seems to reflect the situation in which information is not properly distributed inside due to strengthened control and censorship in North Korean society. When asked who was listening to the radio outside, attention was also paid to the fact that both North Korean defectors and North Koreans said they were friends, meaning that there is a sense of solidarity in sharing information as the risk is high.

“People are hungry for information. [...] This is because there is nothing else for North Koreans to enjoy such as drinking or playing cards on holidays. There is a great need for external information.”

- Seok-hwan Kim

¹⁹ Gil-soon Shim Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), COI-2, 11 May, 2022.

²⁰ Hye-ok Baek Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), COI-3, 11 May, 2022.

²¹ Young-chul Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam), COI-5, 15 May, 2022, “There were always people who secretly listened to the radio. I also listened secretly consistently. I listened to KBS Hanminjok Radio.”

²² 2022 Survey on North Koreans' use of external information and media environment, Unification Media, 2022.

It is also said that the authorities' surveillance network is lax due to corruption, such as bribery. The amount of bribes is increasing as information suppression is strengthened²³. Contrary to the authorities' intention, this identifies that the combination between the watchdog and the residents is formidable. Furthermore, attention needs to pay that the number of people using laptops and smartphones has increased due to the revitalization of trade between North Korea and China along with the marketization trend²⁴. As such, basic conditions for enjoying external content were prepared without difficulty.

Then, how did North Koreans enjoy external content? It has become very difficult now, but in the early 2010s, residents used to exchange external videos with friends and acquaintances or some residents sold them at a slightly lower price than the price they bought.

In addition, in large cities such as Pyongyang, Pyeongseong (Pyeongannam-do), and Wonsan (Gangwon-do), South Korean videos imported from China are reportedly reproduced using computers inside North Korea. This work was led by the so-called "Jangmadang Generation", proficient in IT devices. This is why North Korean authorities focus on cultivating young people's ideas, such as enacting the Youth Culture Guarantee Act (adopted in September 2021). The external contents, Korean dramas and movies are popular with residents. As a result, residents' curiosities about South Korea are increasing, and entertainment programs with aspects to laugh and enjoy have also become popular. Even video clips containing Jong-won Baek's "recipes" were found to be distributed around the upper class of Pyongyang²⁵. This identifies that the types of South Korean videos that North Koreans enjoy are increasing.

Such content will have a significant impact on the culture of North Koreans. North Korean residents who watched Korean dramas also spread

²³ Young-chul Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-5*, 15 May, 2022, "The amount of bribes increased from 100,000 won to 1 million won".

²⁴ Dong-chul Jang Interview (Interviewers Bada Nam), *COI-7*, 27 May, 2022, "Since 2010, smart devices have increased as more information came in as some people went abroad".

²⁵ Sang-yong Lee, *Baek Housewife, who also captivated the taste buds of the upper class in Pyongyang? ... Making holiday food following Jong-won Baek*, Daily NK, 24 January, 2020. "<https://www.dailynk.com/백중원-평양-상류층-입맛도-사로잡았다-백-요리사>"

the culture of celebrating their birthdays with candles lit on their birthday cakes.²⁶

The term “oppa” is popular among North Korean teenagers, and there are cases of imitating the fashion (skinny jeans) of idol groups despite being in the upper class. In addition, they were enthusiastic²⁷ about the show “Miss, Mr. Trot”, which was popular in our society, and it portrayed unusual scenes of voting in their own ways for the show.

North Koreans' perspectives on South Korean video clips are becoming more diverse. It is analysed that a larger amount of content induces various views in residents. Naturally, North Koreans' confidence in the authorities is gradually decreasing²⁸, and the “collectivism” in which the authorities are risking their lives to maintain the regime is significantly weakening.

“I think it has changed to be self-centred because of the materialistic situation. It will not be the direction that North Korea wants. Life is also important. The country says to sacrifice life, but children hate the ideology.”

- Dong-chul Jang

It is also interesting to testify that the internal situation is slowly improving due to the international community’s continuous criticism of human rights.

“The word ‘human rights’ can be heard everywhere. Previously, it was only heard by words, but now the idea that human rights should be protected in various fields has arisen. If I don't protect my dignity, I say, 'it's a violation of human rights'. In particular, there is a case of fighting against law enforcement.”

- Yuna Kim

²⁶ Song-ah Sul, *Due to Korean Wave, North Koreans blowing birthday cake candle singing “Happy birthday”*, Daily NK, 10 November 2015, <https://www.dailynk.com/韓流-영향-北주민-해피버스데이-부르/>.

²⁷ Kuk-sung Kim Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-11*, 8 July, 2022.

²⁸ Hye-sook Kim Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-8*, 27 May, 2022, “No matter how much brainwashing is done, people don’t believe it (now)”.

“In the past, I used to catch and beat a lot of people who were attempting to cross the border, but it has improved a little since the talk of 'human rights'. Now I try to be as careful as possible. To not harm anyone. I don't want to be an enemy of others.”

- Hye-sook Kim

3) Stagnation of religious freedom

Article 68 of the North Korean Constitution stipulates that “citizens have freedom of faith,” and adds, “This right is guaranteed to allow religious buildings or religious ceremonies”. However, it also stipulates that “religion cannot be used to attract foreign powers or harm the national social order” and uses it as a basis for suppressing religious freedom.²⁹ In practice, it can be said that related activities are thoroughly restricted because they can seriously affect the individual worship of the recipient. According to the testimony of Yuna Kim, a North Korean defector, he was told that there were still executions in Hoeryeong, Cheongjin and Nampo after 2013, and an open trial was held in Cheongjin in 2018 to rule “the maximum sentence”. He even testified that underground churches were caught in 2016 and 2018 and recognized the existence of Christianity as propaganda material through them. In addition, some testified that a person was executed at Hamheung, South Hamgyong³⁰, in 2016 because two Bible pages were found on the house ceiling. Taken together, the number is not large, but it seems that some residents are engaged in religious activities. It can be estimated that the role of missionaries working in China and elsewhere had a significant impact. North Korean defector Sun-joo Cho said he had heard that some people who went to China for smuggling or business came back with religion.³¹ However, such activities seem to have shrunk a lot due to the current COVID-19 blockade and China’s suppression of Christianity. As a result, the opportunity for residents to encounter religion has decreased a lot.

“A man who was in and out of China heard about God. Later, he caught a pastor (as a client) in China, but he said it helped him after hearing the pastor's story. Then, a list of people from China entered North

²⁹ Kung-sub Oh et al., *White Paper on Human Rights in North Korea*, Korea Institute for National Unification, 2021, 172.

³⁰ Eun-duk Kim Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-10*, 15 June, 2022.

³¹ Sun-joo Cho Interview (Interviewer Bada Nam), *COI-12*, 23 September, 2022.

Korea, and it was a list of people who had met pastors in North Korea, so the Ministry of Security arrested them all.”

- Sun-joo Cho

On the other hand, it is known that superstitious acts such as fortune-telling and exorcism are prevalent in North Korea, and there are even cases³² of fortune-telling on a computer. Yet, the level of punishment for superstitious people is considered very high.³³

³² Gil-soon Shim Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), *COI-2*, 11 May, 2022.

³³ Kung-sub Oh et al., *White Paper on Human Rights in North Korea*, Korea Institute for National Unification, 2021, 179.

B. Discrimination

“There is a wide gap between the powerful and the powerless within society. Apart from discrimination, I believe the ordinary people of North Korea are slaves to the party.”

- Jin Kang

Article 2.1 of the International Covenant on Civil and Political Rights (hereinafter referred to as the ICCPR) and Article 2.2 of the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as the ICESCR) ensure all individuals equal protection under the law, without discrimination of any kind as to national origin, birth, and socio-economic status.³⁴

Article 65 of the North Korean Constitution also stipulates that all citizens have equal rights in all spheres of state and public activity. However, in reality, peoples’ statuses are divided according to the origin and social class, and treatment differs accordingly.

1) Discrimination based on the ‘*songbun*’ classification system

According to North Korea's ‘Resident Registration Reference’, published by the Social Security Publishing Company in 1993 and obtained by Hwi-sung Lee, a senior researcher at Kookmin University, every North Korean citizen is assigned a class status at the age of 17 based on family background, one’s individual socio-political behaviour, and class.

Chulshin-songbun, a North Korean phrase meaning ‘family background’, is assigned based on parental occupation from one’s birth to the age of 17. *Sahoe-songbun* indicates one’s social status within North Korea. *Gaecheung* is one’s overall class determined by origin, occupation, and political ideology. In 1993, the *songbun* was categorised into core class, wavering class, and hostile class.

During the Kim Il-sung era, it was impossible for individuals with poor *songbun*, which in literal terms means components as in substance or makeup, to advance within society. Not only were those with poor *songbun*

³⁴ Kung-sub Oh et al., *White Paper on Human Rights in North Korea*, Korea Institute for National Unification, 2021, 220.

prohibited from visiting Pyongyang, attending university, and serving in the military, but they also faced discrimination in the amount of rations allotted. On the contrary, the children of guerilla partisans who fought alongside Kim Il-sung were able to get ahead very easily and join the elite ruling class of society.³⁵

Such social stratification efforts evolved during Kim Jong-un's reign. Although relevant documents have not been disclosed directly to the public, an article³⁶ with private channels had published that Chairman of the State Affairs Commission Kim Jong-un issued orders to "clearly identify and establish the birth and social class distinctions of North Korean residents" in mid-January 2020. In particular, it is said that the classifications were further subdivided with the addition of *ideological vacillator* and *complainer* to the ten existing categories. It is notable that the regime has begun to adopt a more systematic approach to closely monitor and manage its population on the basis of caste.

There has been criticism that discrimination based on caste persists even after the publication of the 2014 COI report. With poor *songbun*, one cannot work as a high-ranking government official within a party organisation. Though previously unheard of, arguments have been voiced that poor *songbun* could even prevent one from pursuing a career as an educator.³⁷ Essentially, without certain elements of *songbun*, it is impossible to move up the social ladder as a leader.

However, there has been wide consensus that discrimination on the basis of origin has improved throughout the years. Some testified that today financial power takes precedence over background and class.

³⁵ Hwi-sung Lee, *North Korean component and class system that seeks to inherit the entire people like an autocratic heredity succession*, Daily NK, November 7th, 2016.

<https://www.dailynk.com/독재세습처럼 쏘인민 세습화 피하는 北성분 계층제도>.

³⁶ Yun-ah Ha, *Kim Jong-un orders the Ministry of People's Security to redefine residents' songbun... The reason is?*, Daily NK, 19 February 2020,

<https://www.dailynk.com/김정은-인민보안성에-주민-성분-재정리-지시이유>.

³⁷ Bum-soo Kim Interview (Interviewers Tae-Hoon Kim, Sang-yong Lee, Bada Nam), *COI-9*, 4 June, 2022

For example, children prefer to befriend other children from wealthier backgrounds,³⁸ and individuals with defected family members have become more popular in the marriage market due to remittance transfers³⁹.

“Money defines class. If an individual has at least one defected relative in South Korea who sends remittances back to North Korea, they can sustain a good life. Any family with a member who defected to South Korea would be labelled with disgrace and high treason. Nonetheless, state supervisors stationed to monitor such families receive bribes in return for favourable treatment. Discrimination is based on wealth, not songbun.”

- Hyo-sung Joo

In particular, there have been cases in which high-ranking party officials have colluded with wealthy individuals to modify *songbun* to their advantage⁴⁰. Thus, it can be stated that government control over the public has gradually weakened as money has become the prime motivating force in North Korea today.

As North Korean society progresses, different forms of discrimination on the basis of economic power have emerged amidst growing corruption, widening wealth gap, and heightening inequality⁴¹.

In fact, according to the testimonies of North Korean defectors, one had to pay 500 US dollars in order to be appointed as a school principal. Furthermore, a fixed amount has to be paid in order to secure a position as the party’s primary committee official or hold a seat at the People’s Committee. At first glance, it could be argued that money guaranteed upward mobility. On the contrary, it could be seen as an anti-meritocratic system where rampant corruption stifles less financially fortunate individuals from progressing into positions of leadership.

³⁸ Hyo-sung Joo Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), *COI-1*, 7 May, 2022.

³⁹ Hye-ok Baek Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), *COI-3*, 11 May, 2022.

⁴⁰ Young-chul Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-5*, 15 May, 2022.

⁴¹ Kung-sub Oh et al., *White Paper on Human Rights in North Korea*, Korea Institute for National Unification, 2021, 232-233.

“There is no discrimination against people with money. There is only discrimination against people who do not have money. In the past, having a good songbun, serving in the military, and then joining the party was the preferred path. However, today the wealthy lead more comfortable lives in North Korea since the discontinuance of rations.”

- Jin Kang

“In the past, people used to be preoccupied with receiving their share of state rations. However, as people have become self-sustaining, most have lost interest in whether discrimination exists. Individuals who wish to attend a good university or get ahead take considerable interest in the matter of songbun. [...] Recently, the general public has not discriminated among themselves on the basis of songbun. Only responsible workers towards the party direct their judgement towards the families of North Korean defectors. The general public does not discriminate amongst themselves.”

- Yuna Kim

In conclusion, it is difficult to confirm that previously prevalent discrimination on the basis of *songbun* has improved with the rise of new forms of discrimination rooted in economic inequality⁴².

Withal, new testimony⁴³ suggests that there have been orders from above to abolish discrimination. Therefore, it seems necessary to fact-check relevant information and closely examine the policy changes of North Korean authorities.

2) Regional discrimination

Even after the publication of the COI report, discrimination between Pyongyang and other regional provinces seems to continue. Firstly, the issue of ration distribution is most noticeable.

Though rationing does not seem to be the most pressing issue for North Korean authorities at the moment, the party continues to abide by its discriminatory policy of dividing distribution into three major regions: the

⁴² Ibid.

⁴³ Hyo-sung Joo Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), *COI-1*, 7 May, 2022.

urban centre of Pyongyang, the outskirts of Pyongyang, and regional provinces.

“Residents of Pyongyang receive preferential treatment, and people who live in regional provinces do not. I have seen residents of Pyongyang receive some rationing.”

- Chul-jin Kim

Such regional discrimination is also exposed via the issue of ‘power supply’. In Pyongyang, electricity was accessible for at least one or two hours a day. On the other hand, some have testified that access to electricity was sometimes limited to less than five minutes a day⁴⁴ where they had resided. Given such circumstances, it feels as though stepping into another country just by travelling five kilometres away from Pyongyang⁴⁵.

In addition, strictly controlled mobility between Pyongyang and other provinces has been presented as problematic. Critics have highlighted that by concentrating most of its budget on building infrastructure in Pyongyang, where most loyalists of the party reside, the North Korean regime has been deliberately and strategically implementing discriminatory policies to encourage the public to eventually swear allegiance⁴⁶ to the party.

“Pyongyang has better infrastructure compared to other provinces. I believe that restricting peoples’ freedom of movement between regions on the basis of songbun creates a discriminatory system where class can only be inherited. Since only the state can provide opportunities for upward mobility, people are forced to be loyal.”

- Dong-chul Jang

Specifically, some have raised concerns that North Korea's deep-seated *songbun* classification system and regional discrimination could negatively impact the regime’s response to the COVID-19 crisis. There are also grave concerns with regard to the imbalance of access to medical services, in which most of the support and care would be directed towards the

⁴⁴ Chul-jin Kim Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-13*, 25 September, 2022.

⁴⁵ Jung-hyuk Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho, Danny Kim), *COI-4*, 12 May, 2022.

⁴⁶ Dong-chul Jang Interview (Interviewer Bada Nam), *COI-7*, 27 May, 2022.

core class, leaving the wavering and hostile classes without appropriate medical attention for the COVID-19 pandemic⁴⁷.

Since May 12th 2022, it has been known that a large supply of pharmaceutical drugs had been imported from China after North Korea identified its first omicron variant case in Pyongyang. However, it has been reported that these imported medical supplies had been first and foremost distributed to military facilities and residents of Pyongyang⁴⁸. Such issues of medical polarisation are likely to continue unless the quantity of medical supplies does not increase significantly or North Korea's economic condition does not improve drastically.

3) Discrimination against persons with disabilities

North Korea has designated June 18th as their “National Day of Persons with Disabilities”, and has been hosting a commemorative event at the Pyongyang Youth Palace for this occasion. Also, the country has held ceremonies in Pyongyang to celebrate the International Day of Disabled Persons every year on December 3rd. At these events, people with disabilities participate in live performances. Nonetheless, having only begun ten years ago, such events involving persons with disabilities have a relatively short history.

The Korean Federation for the Protection of the Disabled (hereinafter KFPD) is an organisation in North Korea that actively advocates for the rights and interests of persons with disabilities. The organisation plays a central role in conducting surveys on the status of persons with disabilities, improving their health and living conditions, and developing action programs to promote social awareness of and interest in persons with disabilities. The KFPD has branch committees at the county, city, and provincial levels.

The KFPD has also actively engaged with the international community. After becoming a signatory in the United Nations Convention on the Rights of Persons with Disabilities (hereinafter CRPD) on 3 July 2013, North Korea has become a state party to the CRPD since its ratification on 6

⁴⁷ Courtland Robinson, *North Korea's COVID-19 response, songbun and regional discrimination concerns*, VOA, 7 March, 2020, https://www.voakorea.com/a/coronavirus_corona-class/6029634.html.

⁴⁸ Seul-ki Jang, *North Korea, medicines imported from China are distributed mainly in Pyongyang and the military*, DailyNK, 23 May, 2022. <https://www.dailynk.com/20220523-1/>.

December 2016. In December 2018, the KFPD submitted its initial implementation report to the United Nations Committee on the Rights of Persons with Disabilities and has claimed to have been actively improving the state of welfare for persons with disabilities.

However, the majority of testifiers have claimed to have witnessed no special measures to improve the welfare of the disabled. In addition, a North Korean defector and her family decided to defect when her seven year old child, who suffered from disabilities incurred by an automobile accident, was not given the ‘appropriate care and social benefits by the state’⁴⁹.

“The public perception of persons with disabilities has not changed. My family defected because of my child’s disability. The North Korean state does not uphold its responsibility to support the disabled. I have not heard of people using the word “disabled”, instead people would refer to persons with disabilities as byungshin, a term which translates into “retard”. If one has a disability, then you could say that he or she would be regarded as lower in status than the average person.”

- Sun-joo Cho

“My child became physically disabled after an automobile accident in 2018. He did not have any mental health issues. Though he was not expelled from school, he suffered from depression and withdrew himself. Despite there not being any official discrimination, he withdrew from society by choice because he faced social stigmas. He would hide from the public gaze. He could not help but suffer from mental and social alienation before and after the accident. He could not establish himself as a respected and contributing member of society. In North Korea, there is no mention of equality for the disabled. This is not taught in the education system. I was moved to tears when I saw separate toilets for the disabled in South Korea. There is no such thing in North Korea.”

- Sun-joo Cho

There has been criticism that policy-making with regard to the rights of persons with disabilities is merely a propaganda tool for the North Korean regime. In fact, only those who displayed certain talents or exceptional skills in a specific field before acquiring a disability are given preferential

⁴⁹ Sun-joo Cho Interview (Interviewer Bada Nam), COI-12, 23 September, 2022.

treatment⁵⁰. Despite the North Korean government's facade of promoting and improving the rights of persons with disabilities, many witnesses have testified that nothing has changed in this area of basic human rights.

“The disabled in Pyongyang are deported to other provinces. In North Korea, they are called “retarded” or “incapacitated” rather than persons with disabilities. There is no guarantee of protection from the state for persons with disabilities, and there is no education on the topic of anti-discrimination.”

- Young-chul Choi

“There has been no improvement for the disabled.”

- Dong-chul Jang

“There is no proper treatment of persons with disabilities. There has been no change in the way the disabled are treated. Persons with skeletal dysplasia, also known as dwarfism, are kept in a separate, confined area. They are kept in the countryside, limiting their ability to freely engage in social life.”

- Hye-sook Kim

“Nothing has changed for persons with disabilities.”

- Bumsoo Kim

There have been reported cases in which persons with disabilities resorted to extreme measures to end their lives due to social indifference. According to testimony by North Korean defector Bum-soo Kim, a friend who was unable to leave the house due to lower body paralysis eventually passed away around 2016 and 2017. Without an adequate social support system and proper care due to people being preoccupied with making ends meet, it appears that the victim was unable to endure the difficult situation.

However, there have also been cases in which people benefited from the ‘power of money’⁵¹. There have been cases in which even high officials

⁵⁰ Eun-duk Kim Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-10*, 15 June, 2022.

⁵¹ Young-chul Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam), *COI-5*, 15 May, 2022, “People with disabilities are better if they have more money. Even crippled woman can live with man if they do business”.

of the regime's most powerful agencies were summoned for special favours⁵². Such incidents reflect the financial difficulties that North Korea's security agencies, which essentially uphold the regime, face today.

“There was a person who became paralyzed from the waist down after serving in the military. He accumulated a fortune from his business. No one discriminated against him even though he was disabled. Even state security guards bowed their heads in his presence.”

- Hye-ok Baek

4) Discrimination against women

North Korea claims that gender equality was achieved a long time ago in its ‘Voluntary National Review’⁵³ of the Sustainable Development Goals (SDGs) submitted to the United Nations in June 2021.

North Korea proclaimed its Decree on Gender Equality in 1946 and enacted legislation on the Guarantee of Women's Rights in 2011, which specified the protection of women's rights and the prohibition of discrimination against women in various aspects of social life, including the guarantee of socio-political rights (voting rights, eligibility for candidacy, selection of officials, judicial protection, etc.), rights to education, culture, health (prohibition of violence against women, prohibition of human trafficking, etc.), labour welfare, private property, and domestic life and marriage (freedom of marriage, protection in divorce, freedom of childbirth).

In particular, there have been testimonies that claim that North Korea has implemented policies⁵⁴ that favour women when employing high-ranking state officials, which is directly linked to the advancement of women's social status. North Korean authorities could argue that they have made some efforts to promote women's rights.

⁵² Hye-ok Baek Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho), COI-3, 11 May, 2022.

⁵³ Government of the Democratic People's Republic of Korea, “Democratic People's Republic of Korea: Voluntary National Review on the Implementation of the 2030 Agenda”, 2021, 23-24.

⁵⁴ Hyo-seong Joo, interviewed by Tae-hoon Kim, Bada Nam, and Sol Cho, “Originally, men were mostly in charge of the neighbourhood office, but now women account for 80-90% of the positions. It is said that a policy has been put in place to use more women”, May 7, 2022, COI-1.

Active economic activities of women that following the advancement of marketization have led to the rise of women's influence in the country, society, and households. In the early days of the 'jangmadang' markets, North Korean men were punished for leaving their work, so they had to stay at their workplace even if their rations were not paid. Thus, women were put in a situation where they had to provide for their families. In the mid-2000s, adult men aged 17 or older were prohibited from trading crops privately, but now the majority of North Korean residents make a living through 'jangmadang' markets. According to some studies, North Korean women are responsible for over 70% of household income through participating in the informal 'jangmadang' market, and the number of women selling goods is more than 50% higher than men⁵⁵.

“Through active participation in the market, women have become the breadwinners, and now the men financially rely on women to sustain a family. When men are asked to contribute a certain amount of money to a company, they have to turn to women to ask for money. Women are better off now.”

- Young-chul Choi

“As women started making their own money, their social status has been elevated and drastically improved. The rights of women have naturally changed as women started gaining more economic power and independence. Nowadays, there are cases where men are kicked out of their homes if they cannot make money.”

- Dong-cheol Jang

There have been numerous testimonies that women's status has improved as they started gaining economic power and control via engaging in market activities, which can be regarded as a positive change. However, this is more of a natural social change that occurred as more women began selling goods in the marketplace rather than a result of efforts by the North Korean government. Although it appears that the social and economic status

⁵⁵Young-kwon Kim, “North Korean Women Cannot Enjoy Rights as Much as Their Economic Contributions... AI Can Be Used to Record Human Rights Abuses,” Voice of America, August 26, 2021, https://www.voakorea.com/a/korea_korea-social-issues_north-korea-women-rights/6061221.html.

of women is improving, cases of abuse still occur due to the patriarchal culture⁵⁶that remains within households⁵⁷.

“The culture of patriarchy still exists, but as women sustain their households, abuse has become somewhat less prevalent. In the past, when men were angry they would say hurtful things to their wives or even physically assault them in public. Nowadays, if a man speaks to a woman in a derogatory way, people would say, “do men still speak in this manner?”. Women also say, “we won't continue to live together if you continue to treat me this way”. Women who have no economic power cannot speak up no matter what men say to them. However, some people still habitually say things like, “how could you act this way as a woman?”. Among older men, some still say, ‘if the hammer is weak, the nail will rise’, meaning women must be controlled by force. In the past, women endured and accepted their circumstances without questioning, but since around 2014 families have been actively trying to resolve issues. It seems to be the social trend today.”

- Yuna Kim

Social perception has also been changing slowly due to the long-standing male-dominated power structure⁵⁸ and the failure of those responsible for enforcing the law⁵⁹ to do their job properly.

This issue is also reflected in the mindset of Kim Jong-un, chairman of the State Affairs Commission. In a 14,000 word letter⁶⁰ sent to the 7th Congress of the Socialist Women's Union held in Pyongyang for two days from June 20-21, 2021, Kim Jong-un assigned excessive obligations to women.

⁵⁶ Hye-ok Baek, COI-3, “The social perception that men should treat women violently still exists within households.”

⁵⁷ Seon-joo Cho, COI-12, “Women still get beaten and have to endure abuse. No one protects them. No one intervenes in domestic violence.”

⁵⁸ Gil-soon Shim, interviewed by Tae-hoon Kim, Bada Nam, and Sol Cho, “The patriarchal system still exists. When a man and woman break up from a relationship, the man would sometimes physically beat the woman”, May 11, 2022, COI-2.

⁵⁹ Hye-ok Baek, interviewed by Tae-hoon Kim, Bada Nam, and Sol Cho, “In households, women endure being trampled on by men. There is no legal support and framework even if they are physically abused”, May 11, 2022, COI-3.

⁶⁰ Central News Agency of North Korea, June 22, 2021.

As shown in <Table 3>, the North Korean authorities have announced that women will continue to be mobilized for various national projects. Since women are economically active in most of the residential neighbourhood markets, they have been forced to pay for national projects, all of which are being touted as a symbol of their ardent loyalty.

[Table 3] Major tasks demanded by Kim Jong-un, Chairman of the State Affairs Commission, to the women's union

1. Put great effort into ideological activities to raise the political consciousness of women's union members
2. Maintain and cultivate appropriate appearances and lead women's union members to possess noble cultural and moral traits
3. Actively mobilise women's union members for patriotic activities
4. Ensure that women's union members devote their utmost attention and effort to raising their children in a revolutionary and cultured manner

Furthermore, women's union members and women in general have been strongly urged to dedicate themselves to fulfilling their duties as housewives, mothers, and daughters-in-law, and to perform their roles before the state and society with great care.

C. Infringement of Freedom of Movement and Residence

Freedom of movement and residence is one of the essential human rights so that people can move and settle freely. The basis for ensuring the freedom of movement, including choice of residence and migration, is laid to ensure that human rights as a whole more clearly. In this context, major international human rights standards refer to the legitimacy of freedom of movement. Article 13 of the Universal Declaration of Human Rights (UDHR) stipulates that “every person has the right for freedom of relocation and residence within each country.”⁶¹

However, North Korea continues its policy where it officially controls the movement of residents and access to Pyongyang and the border through the travel permit system. Furthermore, overseas travel is only possible when a passport or a border pass is issued, followed by overseas traveller’s pre-training and departure visa. As such, the movement control is officially maintained, but the economic strain is having an actual significant impact on it. Before COVID-19, travel was tolerated through bribes, except for the areas that are in need of high security, which had effectively eased the controls.

However, the movement has been dampened through the North Korean style of “Zero COVID” policy, and struggles from the residents along with the economic difficulties are rising.

1) Infringement of freedom of movement

Korea Institute for National Unification (KINU) evaluated that the North Korean authorities are seriously infringing on the freedom of movement and residence rights through their report published in 2021⁶².

It also states how the travel permit system is in need, so the movement between the provinces is restricted by the authorities⁶³. The North

⁶¹ Kyung-sub Oh et al., "North Korean Human Rights White Paper 2021" (Seoul: Institute for Unification Studies, 2021), 111.

⁶² Ibid., 125.

⁶³ “Report of the Secretary-General on the human rights situation in the Democratic People's Republic of Korea,” A/77/247, presented to the United Nations General Assembly, 2022.

Korean authorities are essentially violating the people's freedom of movement and residence.

In fact, according to the Korean Bar Association's 2020 White Paper Human Rights North Korea, the majority (82%) of the North Korean witnesses were not aware of the constitutional regulations on freedom of movement⁶⁴.

In principle, North Korea prohibits people from moving except within their area of residency. In order to move, they need certificates and there are only two of them: 'business trip certificate' or 'travel certificate'. The 'business trip certificate' was issued from the workplace or second part of the People's Committee of affiliated residency, for the 'travel certificate', it could only be issued at the time of marriage or death of a lineal ascendant.

However, it is said that it is easy to receive the certificate with a small bribe⁶⁵ and it is also possible to pay the power institution and move without a certificate⁶⁶ nowadays.

"North Korea had no freedom of movement and needed certificates and permits, but not anymore. There was no need to prove it wherever I went because there was no computer system. I have also been to other areas. There was also a businessman who passed through the control point. If I gave them money, I could go everywhere."

- Sun-joo Cho

This is analyzed as a phenomenon that occurred when 'business' and 'servi-cha (service car)⁶⁷' became legal. As a result, new customs have emerged in each region, such as accommodation, gas stations, taxis and

⁶⁴ In the DPRK, Article 75 of the Constitution states that "citizens have freedom of residence and travel".

⁶⁵ Hye-ok Baek Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 11, 2022, COI-3, "Right now, if you just give money, you can go anywhere, even to Pyongyang or Kaesong. However, it is done unofficially".

⁶⁶ Hye-sook Kim Interview (Interviewers Tae-hoon Kim, Bada Nam), May 27, 2022, COI-8, "If you hand over your ID to the security (currently National Security Agency) and give them money, you can travel anywhere".

⁶⁷ "Service car" is an abbreviation for a bus or truck that is used by paying a fare. Currently, it is estimated that the logistics and human mobility of service cars exceed that of railways.

information distribution, which increased the movement of residents dramatically.

However, as the movement was blocked due to COVID-19 and prices inflated substantially around the border between North Korea and China, residents who lived on a daily income became hungry and there was even an incident where a whole family starved to death⁶⁸.

According to the reports at the time, about ten residents starved to death in the border area of North Hamgyong province, and it was two families with three family members and one family with four family members who all died which gave a huge shock to people.

In addition, it was said that due to the “complete blockade” that was ordered by Kim Jong-un, the Chairman of the State Affairs Commission, they could not get food and medicine from Hyesan, Yanggang Province, which led to death at home⁶⁹. The absurd situation, where the North Koreans died, happened due to neglect from the authorities.

2) Pyongyang Special Area and Forced Deportation

In North Korea, houses are owned by the state and prohibited individuals from buying or selling in principle, but since the 2000s, individuals are actively buying and selling the houses. In other words, freedom of movement was being attained by the residents.

“Nothing has changed in policy, but daily life has changed. There was a time when a friend who went to another area for more than a year did not return. There is nothing that can’t be done with bribes, so the law is not very powerful”

- Yuna Kim

⁶⁸Yoo-jin Kim, "Lynx attack at border under lockdown... 'Hold on' with 5kg of corn," Daily NK, November 18, 2020, <https://www.dailynk.com/lynx-attack-at-border-under-lockdown-hold-on-with-5kg-of-corn/>.

⁶⁹Ashimaru Jiro et al., "<Urgent Interview> Death in Hyesan City under lockdown. 'People are dying due to shortage of medicine and food'," Asia Press North Korea News, February 20, 2021, <https://www.asiapress.org/korean/2021/02/ete/houro/>.

The ‘No.1 guard post’ has been set up at the access road to Pyongyang to control the inflow of ordinary residents into Pyongyang in advance, but there is testimony saying that paying money allows them to not only enter Pyongyang, but also live there⁷⁰. Pyongyang, the city of revolution, is also unable to escape from its culture of money worship.

There are even cases where people live wandering off without officially registering into a residence system. Some residents who have seen through the inattentive system are actively using it.

“Pyongyang conducts accommodation censorship. If the person is not registered to the residence system at this time, they will be sent to provincial areas, so at this time, there was a friend who moved around to avoid censorship. After living like that for 20 years, he became a successful businessman by selling clothes. Next, he bought the residency with the money. In my opinion, Pyongyang’s population will be at least 500,000 more than the registered number of people.”

- Dong-chul Jang

It seems that the deportation of impure forces stipulated by the authorities still remains. This means that the so-called revolutionary target⁷¹ is still continuously punished⁷² by getting kicked out to hinterland areas.

In addition, North Korea is deporting the problematic personnel regardless of economic (bribery), social (drinking disturbance during the Conference of the Workers’ Party), and political (criticism of Chairman Kim Jong-un) reasons and even sending the entire family⁷³.

Here, after the enactment of the Reactionary Thought and Culture Denunciation Law, it is said that some radical measures were taken to exile a

⁷⁰Young-chul Choi Interview (Interviewers Tae-hoon Kim, Bada Nam), May 15, 2022, COI-5, "If you were smart, you could even move up from the countryside to the city. If you had money, you could go to Pyongyang".

⁷¹ It refers to punishment measures such as forced labor and ideological education in North Korea.

⁷²Hye-sook Kim Interview (Interviewers Tae-hoon Kim, Bada Nam), May 27, 2022, COI-8, "My husband is from Pyongyang, but he was expelled. In the past, even if the basis was weak, people were expelled, but now they expel those who they consider revolutionary".

⁷³Gil-soon Shim Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 11, 2022, COI-2.

teenage boy student to a rural area who watched pornography at home⁷⁴. This is a case of putting on severe punishment to show it to people.

However, the deportation of North Korean defectors and their families is decreasing, but this is due to a lack of capacity to accommodate deportees rather than improving the human rights situation of North Koreans⁷⁵.

3) Blocked Defections and Forced Repatriation

It seems that blocked defections and forced repatriation are getting worse.

It is evaluated that blocking defections reflect Kim Jong-un's strong will⁷⁶. There is also testimony that the number of barbed wires installed in the border area between North Korea and China is increasing⁷⁷.

In particular, as shown in <Figure 1>, the North Korean authorities ordered the establishment of a buffer zone in the border area between North Korea and China under the name of COVID-19, and to immediately fire people whoever approached.

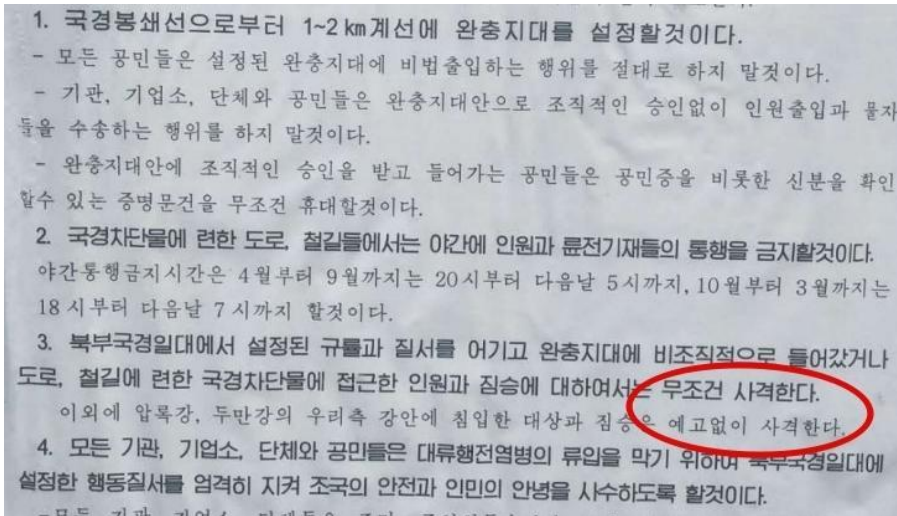
⁷⁴ Seul-ki Jang, "Cases of Applying the Anti-Reactionary Thought Law to Those Watching Pornography and Minors in North Korea Caught," Daily NK, February 19, 2021, <https://www.dailynk.com/english/cases-of-applying-the-anti-react/>.

⁷⁵ Kyung-sub Oh et al., White Paper on Human Rights in North Korea 2021, (Seoul: Institute for Unification, 2021), p. 125.

⁷⁶ Hyo-sung Joo Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 7, 2022, COI-1, "There are many people who want to defect, but they are blocked and unable to do so. Kim Jong-un had ordered that people trying to escape should be shot".

⁷⁷ Hye-ok Baek Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 11, 2022, COI-3, "When I came out (in 2018), there were two layers of barbed wire fences, but now there are three."

<Figure 1> North Korea's Ministry of Social Security announced a declaration on August 25th, 2020 / provided by DailyNK



1. **A buffer zone will be established at a boundary of 1-2 km from the border blockade.**
 - All citizens will never enter the established buffer zone.
 - Institutions, businesses, organizations and citizens will not engage in personnel access and transportation of goods without systematic approval at a buffer zone.
2. **Roads and railways related to border barriers will be closed to personnel and drivers at night.**
 - The curfew will be from 20:00 to 5:00 the next day from April to September, and from 18:00 to 7:00 the next day from October to March.
3. **Personnel and animals who have entered the buffer zone in an disorganized manner in violation of the rules and order set in the northern border area or who have approached border barriers related to roads and railroads shall be fired unconditionally.**
 - In addition, targets and animals that invade our rivers of the Yalu River and the Tumen River shoot without notice.

The side effects of this can be also found everywhere. A resident who suffered from a severe food shortage was shot while wandering near the

border between North Korea and China in Sinuiju and Hyesan, Yanggang Province to find food⁷⁸.

The movement of residents abroad is also greatly decreasing. Long-term overseas stays for employment and public affairs are selectively applied to some ideologically recognized classes and are thoroughly conducted for the purpose of earning foreign currency.

“Each province gets approval from the Central Party to pick the person in charge and the people who will work abroad to make money. Some of my acquaintances went to China to do sewing work. Some women went to Russia to farm soybeans, and some even went to Kuwait or Equatorial Guinea.”

- Sun-joo Cho

In some cases, there were people visiting relatives and doing businesses in China, but there is testimony that it is increasingly difficult to do so.⁷⁹ In addition, it seems that even this is not working due to COVID-19 travel restriction policy. In other words, overseas travel by ordinary residents is in fact completely prohibited.

“A person had relatives in China and tried to get a permit, but in the end, they kept asking for bribes without giving the permit for a year and a half, so they couldn’t go to China and just got a lot of debt.”

- Gil-soon Shim

Also, forced repatriation is continuing. It is said that Chinese authorities stipulated crossing the border as an illegal activity and repatriating them, and the North Korean authorities are treating them as political offenders.⁸⁰

⁷⁸ Dong-hee Moon, "Serious Side Effects of North Korean Movement Restrictions... 'Shot While Searching for Food on the Border,'" Daily NK, January 14, 2021.

⁷⁹ Gil-soon Shim Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 11, 2022, COI-2.

⁸⁰ Ibid., "There was a case where they captured someone with a mask on their head, saying 'You cannot see the sky of our country (North Korea)' in 2017."

The problem does not stop there. While repatriation is happening, there are various cases where human rights of North Korean women are violated through sexual violence and more⁸¹.

“I heard that people from the Ministry of State Security held the forcibly repatriated defected women’s dyed hair and shook it and seriously insulted them by saying, ‘the idea is wrong’ and asked if ‘Chinese men were good to them’. I heard that they conduct body search and sexual assault rampantly.”

- Hyo Sung Joo

One out of 15 people who were subjected to investigation testified about human trafficking of North Korean women defectors. It is not known whether the number of cases has decreased or not, but it is still highly likely that they will be sold to Chinese men in the form of forced marriage.

“My daughter defected in February, 2020 and was trafficked. I heard that she was sold for 120,000 Chinese Yuan just 15 days after defecting from North Korea. Seven or eight people were sold together with my daughter. Fortunately, I can call my daughter. But I’m afraid that she’ll be caught because she doesn’t have an ID. And she lives in a rural area without getting the COVID-19 vaccine.”

- Gil-soon Shim

4) Restriction of family contact with defectors living abroad

North Korean defectors who responded to the investigation all agreed that it is becoming increasingly difficult to continue contacting and communicating with their families still living in North Korea. For now, the North Korean authorities seem to be paying attention to the control of Chinese mobile phones, which are indispensable in currency and remittance issues.

“Until March (2022), I often contacted my daughter. But in April, (my daughter) was only able to make a phone call by going to a deep

⁸¹ Hyo-sung Joo Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho) May 7, 2022, COI-1.

mountain. She said how (North Korean authorities) brought in additional jamming equipment.”

- Hyo-sung Joo

In this regard, North Korea established an ‘illegal international communication crime (Article 222)’ in 2015 and also set regulations on external callers. Specifically, it was stated that ‘a person who illegally communicated through international call shall be sentenced to labor training up to a year and correctional labor up to five years’.

However, it is said that there are many cases where excessive punishment is given compared to the legal regulations⁸². It is interpreted that they shifted their strategy to ‘fear’ rather than ‘convincing’ that if a person surrenders, they will forgive the person.

In particular, some witnesses said that the Pyongyang Cabinet, not the State Security Department, will directly take control from April this year⁸³. Although we’ll have to go over the facts of the matter carefully, the North Korean-style policy of blocking human exchanges is expected to be maintained in the future, given that there have been cases in which families of North Korean defectors are punished for taking money from inside the North⁸⁴.

⁸² Yuna Kim Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 25, 2022, COI-6.

"If you get caught on the phone with your family (South Korea), everyone around you will be interrogated and tortured in the process.", "If you get sick, you won't be compensated."

⁸³ Hye-ok Baek Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 11, 2022, COI-3.

⁸⁴ Sun-joo Cho Interview (Interviewer Bada Nam), September 23, 2022, COI-12.

D. Infringement of right to food and related rights to life

“They feed us like chickens. Every time, they gave us (a little bit) as if he were sprinkle food on the ground. The authorities and security offices give us food periodically, but we cannot live on it. Since I just lived there, I thought ‘I should live like this.’”

- Hye-sook Kim

The right to food is a right connected the one to human life and is an individual right recognized by international law. The holder of food rights is every individual human being, but the obligation to food rights consists of a normative system borne by the parties to individual human rights treaties that stipulate food rights, that is, the state. Therefore, individual food rights are guaranteed through the faithful performance of individual countries' obligations⁸⁵.

Specifically Article 11 Paragraph 1 from the International Covenant on Economic, Social and Cultural Rights adopted in 1966 states that “the parties to this treaty recognize that everyone has the right to a decent standard of living for themselves and their families, including adequate food, clothing and housing⁸⁶, and to continue to improve living conditions. To that effect, the parties acknowledge the essential importance of international cooperation based on free consent and take appropriate measures to secure the realization of their rights.” In other words, it emphasizes that each state should cooperate with the international community to fulfill their responsibility so that its citizens should not suffer from food problems.

Since North Korea also ratified and joined the treaty (September 14th, 1981), it should act through international cooperation to resolve the food rights issues. However, allegedly international cooperation has virtually not been pursued due to the principle of “II self-reliance”.

In particular, the North Korea Constitution states that “we provide all conditions that you can eat, wear and use”; however, in reality it only applies to the higher status people.

⁸⁵ Ju-young Lee et al., *Human Rights of North Koreans from a Social Rights Perspective* (Institute for Unification, 2017), 53.

⁸⁶ In the Korean language version of treaties by the Ministry of Foreign Affairs, the right to enjoy a 'reasonable' standard of living is used, but in this report, the term 'appropriate' is used, which is commonly used in academia and practice for the right to enjoy adequate food.

In this regard, some say that the food problem has been resolved somewhat by marketization, which has been accelerating since 2010, but some analysts say that the North Koreans' own efforts have been more effective than the North Korean government's active efforts.

In particular, the vulnerable, such as children, the disabled, the elderly, and women, appear to be in a major food crisis due to various blockade and movement control taken after the COVID-19 pandemic. Furthermore, the welfare system for them is not operating properly.

1) Food as a means of residence control

It seems that North Korea continues its policy of maintaining the system through an unequal distribution structure.

It is said that only Pyongyang, where many of the elite reside, or places that secure funds through foreign currency earning are selected for distribution⁸⁷.

As the absolute shortage of food continued, food was distributed only to military and party officials, war-related sectors such as those in the military industry, and Pyongyang citizens, including those who Chairman Kim Jong-un has a personal interested in.

“Kim Jong-un has been nicer to scientists. They gave a lot of fish, too. I think it's because he's afraid that scientists will be dissatisfied. In that way, it can be said that North Korea is doing well in politics.”

- Jung-hyuk Choi

It is said that other local residents are even sacrificing to supply these key sectors⁸⁸. In particular, it seems that the rest of the residents are

⁸⁷ Hye-ok Baek Interview (Interviewers Kim Tae-hoon, Nam Bada, Josol), May 11, 2022, COI-3, "They only distributed supplies in Pyongyang and did not give them to other places. They traded the iron ore from Musan mine with China and distributed the supplies to the residents".

⁸⁸ Sun-joo Cho Interview (Interviewer Bada Nam), September 23, 2022, COI-12, "From around 2010, they told residents to give more supplies to the People's Liberation Army".

thoroughly discriminated against by class, region, and occupation and left outside of the distribution system⁸⁹.

However, contrary to the expectations of the North Korean authorities, food seems to be losing its function as a means of control.

This is because expectations for distribution have disappeared due to long-term neglect⁹⁰, and more residents have found ways to make their own living⁹¹. As a result, residents' trust in the system as well as expectations are falling.

"No one is blaming the country now. We think it's natural that the country doesn't give us something. There is no one who expects something from the country."

- Jung-hyuk Choi

2) Persistent death due to starvation

There are continuous unfortunate cases in which people starve to death due to the North Korean regime's intentional neglect⁹².

Some say that the operation of the collective farm system⁹³ may have improved the economic situation in rural areas due to the increased distribution to individuals, but the Unification Research Institute judged that

⁸⁹ Hyo-sung Joo Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho) May 7, 2022, COI-1, "The government is neglecting people who are struggling to make a living. Many children go to the military and come back malnourished and sick".

⁹⁰ Yuna Kim Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 25, 2022, COI-6, "When there are distributions, they also used food as a means of control. But now that there are no distributions, they cannot do anything with the food and the residents".

⁹¹ Young-chul Choi Interview (Interviewers Tae-hoon Kim, Bada Nam) May 15, 2022, COI-5, "Now residents are self-sufficient through the market. It's not a means of control anymore." From the same source, "I think there were more children who couldn't eat. In the 2015-2016 period, there were people starving to death in the Hwanghae Province area (I heard)."

⁹² Ibid., "Farming methods with autonomy for 4-5 people at the divisional level of the cooperative farm, which is the grassroots unit of the cooperative farm, regarding farming methods and surplus production".

⁹³ Kyung-sub Oh et al., North Korean Human Rights White Paper 2021 (Seoul: Korea Institute for National Unification, 2021), 241.

the system was not effective in many farms because it was not implemented according to the principle⁹⁴. In fact, there were witnesses who said there were more people who starved to death in rural areas⁹⁵. As a result, the vicious cycle of rural collapse and food shortages seems to be deepening.

“Young people don't want to continue their parents' jobs. In the case of farmers, they have to farm for life, but they hate it. There are many people who just leave the countryside and live in the city. The resident registration system is broken. It is also a serious problem within North Korea, and the number of people living in places with income, not in their own area, is increasing”

- Dong-chul Jang

“There is a perception among people that they should not believe in the system now if they lived on it during the Arduous March. They think they have to live on whatever they do. Whether you do something illegal, go to China, or go to Korea, they think they have to live on their own. I heard that there are more people starving to death in rural areas.”

- Sun-joo Cho

The problem is not ending here. A respondent who worked at a hospital when he lived in North Korea testified that he witnessed the starvation at the time and heard that one family committed suicide together because they were unable to overcome hunger.

“If a person starves to death at home, the person won't be taken to the hospital. A person who died from starvation was brought to the hospital that was outside and was told to enter the warm station. If a person dies inside the station, the station has the responsibility, so he or she is sent to the hospital. The story of ‘companied suicide’ was heard from somewhere even until I defected from North Korea (2019).”

—Yuna Kim

⁹⁴ Kung-sub Oh et al., North Korean Human Rights White Paper 2021 (Unification Research Institute, 2021), 241.

⁹⁵ Sun-joo Cho Interview (Interviewer Bada Nam), September 23, 2022, COI-12.

Of course, along with the efforts of the residents, the revitalization of the market has resolved the lack of nutrition to some extent and reduced the number of deaths from starvation compared to before⁹⁶.

Nonetheless, another issue arose. The aftermath of the economic crisis caused by the COVID-19 blockade is should not be underestimated.

[Table 4] Major articles posted on deaths due to starvation related articles posted on DailyNK⁹⁷

Date of publication	Name of province	No. of people (approximate)	Main Reason
August 3, 2022	Chagang Province		Family distribution suspended, border blocked due to COVID-19 spread, which blocked smuggling
June 7, 2022	Hoeryong City, North Hamgyong Province	20	Containment measures according to emergency disease control
May 31, 2022	Shin won-gun, Paechon gun, etc. South Hwanghae Province	20	Aftermath of the national lockdown order
March 31, 2022	Sinuiju	3-4 from each household	Following the authorities' ban on movement, a series of starving farmers occurred

As shown in <Table 4>, the main cause of starvation seems to be due to the authorities' prohibition of movement. In other words, residents who failed to obtain food faced a tragic situation by forcing a nationwide or regional blockade order under the name of infectious disease prevention.

It does not seem to be a light issue in that similar incidents are occurring in several regions, not in one region.

As a result, there are voices of concern about the food situation in that North Korea is implementing strict COVID-19 quarantine measures,

⁹⁶ Hye-sook Kim Interview (Interviewers Tae-hoon Kim, Bada Nam), May 27, 2022, COI-8.

⁹⁷ Excerpts were taken from articles published in Daily NK between March and August 2022.

including border blocking and restrictions on domestic movement⁹⁸. They also state that the problem of food shortage will still be serious, given that it is not being relieved from outside.⁹⁹

Overall, the survival of residents has been jeopardized recently due to food shortages caused by the COVID-19 crisis. In fact, some testified that they heard the death of a relative living in North Korea.

“More and more people are starving to death. My uncle also died from COVID. It is said that there are cases of suicide because life is hopeless. A woman in her 70s committed suicide after taking medicine at night, and I heard that the head of the People’s Party (in charge) and the secretary of the city party’s organization are under review by the Central Party.”

- Eun-duk Kim

As such, residents died of hunger rather than germs in quarantine struggles as if it was during the war. The saying, “Hunger is scarier than COVID” is coming out naturally from people’s mouths.

3) Correlation with Arms Development and Food Aids

More and more residents are putting the cause of the worsening situation in the strengthening the country’s military capabilities, including the development of nuclear weapons¹⁰⁰. There are even testimonies that voices criticizing the system of focusing only on missiles are getting stronger¹⁰¹.

⁹⁸ United Nations General Assembly, "Report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea," A/77/247 (2022): 11.

⁹⁹ World Food Program, "Country Brief: Democratic People's Republic of Korea" (2021), <https://www.wfp.org/countries/democratic-peoples-republic-korea>. The World Food Program has been unable to distribute food aid in North Korea since March 2021 due to COVID-19 restrictions and predicted a shortfall of around 860,000 tons out of 5.5 million tons harvested in September and October 2020.

¹⁰⁰ Jung-hyuk Choi Interview (Interviewers Tae-Hoon Kim, Bada Nam, Sol Cho, Danny Kim), COI-4, 12 May, 2022, “They took the rice from the farm and didn’t give it to the residents, which made the residents to talk about how ‘they would have used it to develop nuclear weapons again’”.

¹⁰¹ Young-chul Choi Interview (Interviewers Tae-hoon Kim, Bada Nam), May 15, 2022, COI-5, “people laugh, saying: ‘what kind of missile is it when they can’t even give us rice.’ There was also criticism that ‘they can’t save the people and solve a single problem of eating’”.

However, ironically, there is constant criticism that the military is not properly supplied. As a result, there are many cases in which discipline is disrupted even within the military, which has to maintain absolute loyalty in protecting the system from the perspective of the authorities.

“Malnutrition among soldiers in Gangwon-do between 2017 and 2018 was disastrous. At that time, I thought it would be nice to feed the soldiers to their full capacity instead of pouring money into the military, regardless of whether it was missiles or not. Border Patrol used to be able to eat. Before I came out (2019), border guards came to my house and ate and went back.”

- Sun-joo Cho

“In 2016, I went to Pyongyang and stayed with the people of the 2nd Army. Seeing them eat, I thought I was better than them. The military gave the corn, which had no rice at all, only a little soybean paste. Some soldiers went to work when they asked for help on the farms, but this would have eliminated crops every day.”

- Chul-jin Kim

Despite Kim Jong-un's directives on the food supply, it is difficult to determine that practical measures have been prepared because each military has the principle of ‘self-reliance’ by which every problem must be resolved on its own. One of the factors affecting the food problem in the North Korean military is the corruption of military officers¹⁰².

This is a form of corruption that is being revealed throughout North Korea. In other words, not only high-ranking officials but also middle-ranking officials are committing misconduct by siphoning off national public goods to take care of their own well-being¹⁰³.

¹⁰² Seung-ju Lee, NKDB Report - Prisoners in Military Uniform: Human Rights Situation in North Korean Military during the Kim Jong-un Era, (North Korea Human Rights Information Center, 2022), p. 2.7.

¹⁰³ Sun-joo Cho Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho) September 23, 2022, COI-12, “Because bribery is common, everyone only think about taking advantages by using their position”.

It seems that there is also an inhumane form of punishment through food by discriminating based on ingredients, in detention facilities ¹⁰⁴.

“Disobedient cells are punished with lack of meals. The food is not given to the entire cell and they are not allowed to eat. This actually happened in 2015 at the detention center of the Musan-gun Security Office.”

- Hyo-sung Joo

As a result, food aid from the international community is unlikely to go to residents in real need due to corruption by executives, along with the authorities’ neglect and strategies to use food as a means of control¹⁰⁵.

It is necessary to thoroughly consider that unconditional food aid to the North Korean regime without minimal monitoring and without considering food rights or food access rights for class, region, and age vulnerable groups could result in supporting such inhumane distribution or system maintenance costs under the guise of humanitarianism.

¹⁰⁴ Hyo-sung Joo Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho) May 7, 2022, COI-1.

¹⁰⁵ In fact, all witnesses agreed and said, "We have never received any items that were supported by the international community."

E. Arbitrary detention, torture, execution, and political prison camps

“When I was taken by the state security department in 2017, I was slapped in the face with leather gloves and stomped on. If I screamed, they beat me for screaming out loud. They would ask me to “speak properly” as they beat me. If I answered no, they would tell me that they would beat me until I said yes. I was beaten for almost an hour. When I fell to the ground after being beaten, they would say I was feigning and grab me by my hair to beat me again.”

- Hyo-sung Joo

The International Covenant on Civil and Political Rights stipulates that every human has the inherent right to life in Articles 6, no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment in Article 7. All persons have rights to bodily autonomy in Article 9, all accused persons be treated with humanity and dignity in Article 10, all persons shall be granted fair trials in Article 14, and that no one shall be held guilty of any criminal offence which is not prohibited by law in Article 15. Arbitrary detainment or acts of torture are both clear violations of the treaty. Although North Korea has its own regulations on torture and inhumane treatment, it continues to fail to comply with the basic principles of life and bodily autonomy. Specifically, North Korea resolutely denies the existence of political prison camps while continuing to practise “politics of fear” through the operation of political prison camps.

1) Arbitrary detention and torture

According to North Korea’s Criminal Procedure Law, an arrest warrant must be issued by a prosecutor to arrest a criminal subject (Article 181). Furthermore, a written approval on prolonged detention must be requested by the prosecution within 48 hours of the arrest (Article 182).

Despite these legislations, such procedures have been rarely observed. In a 2020 survey conducted by the Korean Bar Association, only

25% (6 people) of the respondents said they had been presented with an arrest warrant or certificate¹⁰⁶.

In addition, one of the respondents to the survey, who was arrested for working as a telephone broker, testified that they had not been presented with an arrest warrant during the process.

“There is no due process when someone is arrested. If we did something that was prohibited within the country, we would be taken away. We weren’t shown any documents. The officers would say, “we have to take you in for investigation”. If we objected and said “I did nothing wrong so let us talk here”, they would respond, “come with us when we ask nicely”.

- Hye-ok Baek

Furthermore, punishment without trial is prevalent among political prisoners. In particular, even in cases in which trials are granted, the court continues to remain non-compliant with due legal process¹⁰⁷. Moreover, corruption, lack of judicial independence, and external factors such as songbun continue to undermine the fairness of trials.

“Whoever handles the case determines the gravity of the crime. North Korean officers of the law side with the judges. Even if one gets a lawyer, the lawyer will not defend their best interests. When I was arrested in 2017, I did not have a lawyer. The ability to hire an attorney when one finds oneself in an unjust situation is power in itself.”

- Seon-joo Cho

“When I went to prison in 2014, I was tried in public. It was an unjust trial. An individual received remittance through another broker, but the state security officer appeased the other broker to conspire against me just to be rewarded for his achievements. It took the preliminary examination officers six months to deliberate on their decision after which I was given a one-year sentence.”

- Hyo-sung Joo

¹⁰⁶ Korean Bar Association, White Paper on North Korean Human Rights 2022, (2022), p. 62.

¹⁰⁷ Hyo-sung Joo Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), May 7, 2022, COI-1, "I saw a person who was imprisoned in solitary confinement for three months as a political prisoner in 2017. I also saw someone who was in solitary confinement for two years without any punishment or disciplinary action from the State Security Department."

North Korea has yet to join the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. According to the testifiers of the survey, inhumane treatment, such as beatings¹⁰⁸ and torture¹⁰⁹, have not been addressed and remain prevalent throughout correctional camps, labour camps, detention centres and facilities.

Although North Korea prohibits coercive methods of inducing confessions or statements (Article 167 of the Criminal Procedure Law) and requires protection for witnesses from threats or coercion during interrogation (Article 229 of Criminal Procedure Law), in reality, there are many cases where systematic torture is carried out.

Decreased levels of violence have been observed, and rumours say that this is due to the policy of "Inmin Sarang" (people's love) from the supreme leader. Also, due to this atmosphere, residents are increasingly demanding due legal procedures¹¹⁰.

However, there are still cases where proper legal procedures are not followed during investigations, so it seems difficult to conclude that the overall situation has improved.

"In pre-trial detention, severe torture is inflicted. An older sister I knew went through pre-trial detention in 2017 and suffered for several months after release. To survive, she had to be stronger than the judges themselves. If you had connections and were smart, you could be released through bribes. But for others, they were beaten with shoes weighing over 2kg. She was beaten so much that she defecated and urinated on her clothes. She was beaten to the point that she even swallowed a nail and toothbrush just to undergo removal surgery and avoid further torture. When imprisoned, the guards remove all the metal

¹⁰⁸ Shin Gil-soon Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), 11 May, 2022, COI-2,

"I was at the Chongjin concentration center for about three months, and there was violence regardless of gender. In some cases, they kicked. The people there were not treated as people but like an animal."

¹⁰⁹ Hyo-sung Joo Interview (Interviewers Tae-hoon Kim, Bada Nam, Sol Cho), 7 May, 2022, COI-1,

"The prison doesn't feed me. They didn't feed me until I admitted the crime. If you starve, the people collapse after food."

¹¹⁰ Sunju Cho Interview (Interviewer Bada Nam), 23 September, 2022, COI-12.

buckles and straps from their bodies. It was said that some people couldn't withstand the torture and even swallowed zippers."

- Sun-joo Cho

In addition, personal defamation and sexual harassment are still being committed in rallying stations¹¹¹, where forcibly repatriated defectors are temporarily accommodated before being transferred to their place of residence.

2) Public execution

Public executions are one of many examples of violating the right to life in North Korea. Generally, public executions are carried out in places where the public can gather, such as schools, company yards, farms, and a notification of a public execution is announced in advance. Firing squads are the most commonly used execution method. Public executions are considered to be fundamentally inhumane in character amongst different execution methods.

Among the survey respondents, there were also those who have heard of public executions¹¹² or directly witnessed the scene¹¹³. This is a significant example of the regime continuing to induce an atmosphere of terror by carrying out public executions by firing squads.

The North Korean government seems to have been implementing a new method to create an atmosphere of terror by summoning those involved in a case separately and forcing them to watch public executions. It seems that such devices have been utilised to formulate a sense of fear focused on specific individuals, such as high-ranking officials or their children, not ordinary residents.

¹¹¹ Gil-soon Shim Interview (Interviewers Tae-hoon Kim , Bada Nam, Sol Cho), 11 May, 2022, COI-2,

"They only took pretty women every few days. I went for half a day because the warden kept calling me."

¹¹² Young-chul Choi Interview (Interviewers Tae-hoon Kim, Bada Nam), 15 May, 2022, COI-5,

"I heard there was public execution outside Pyongyang City between 2015 and 2016."

¹¹³ Bum-soo Kim Interview (Interviewers Tae-hoon Kim, Sang-yong Lee, Bada Nam), 4 June, 2022, COI-9, Around 2015-2016, 10 were shot several times in rows, resulting in two deaths. I don't remember what it was for. After talking about the crime, they announced that they would be sentenced to death under several articles." The respondent is from Hyesan, Yanggang Province.

“From May to June 2014, a state security guard interrupted a philosophy of psychology lecture at OO University and asked my friend to follow him outside. My friend was secretary of the Youth League and had high social status, so I initially thought it would not be a big deal. When I went to see him in the evening, his face was terrified and morbid. After being told to get on the bus, he was taken to the KangKon Military Academy, a notorious location in North Korea known for executions by firing squads, with three or four other students from the university. They were blocked by wire fences from entering the shooting range. Around twenty other students were on the bus with them. They were crying and panicking, thinking they were going to be executed. But they were told instead that they were going to witness an execution. Seven people were executed for offences such as embezzlement of fuel, being under the command of Jang Song-taek, using drugs in Sinuiju, and involvement in selling pornographic materials. He said that 90 shots were fired at one person (in the past it was only 3 shots per person). The front line consisted of people who had received a prison sentence, the second line was for those with slightly lesser offences, the third line was for the university students (those who had watched South Korean TV shows), and the fourth line was reserved for the general public. They were shown that “if you commit a crime, you can end up like this too.” Witnessing such a scene was difficult for my friend.”

- Jeong-hyeok Choi

Such cases clearly show that public executions are continuously being carried out not only on accounts of ideological deviation by high-ranking officials, but also participation in prohibited activities related to the circulation of information, such as selling videos or watching South Korean TV series, as well as for drug use and smuggling.

In fact, it is noteworthy that the death penalty was added as a statutory punishment for crimes related to opium cultivation and drug manufacturing since the 2013 criminal law amendment. As the number of cases of illegal opium cultivation and drug manufacturing in North Korea increases, it appears that the country has strengthened its punishment for these offences¹¹⁴.

¹¹⁴ Gyeong-seo Oh et al., White Paper on North Korean Human Rights 2021, Unification Research Institute, 2021, 42.

In addition, in recent years, the number of death penalty cases for the viewing and dissemination of illegal South Korean video content has increased¹¹⁵. In this regard, North Korea has also stated through the Anti-Reactionary Thought Law (Article 27), enacted at the end of 2020, that “those who introduce and disseminate South Korean content will be subject to the death penalty”.

Witness Sun-joo Cho, who confirmed the information from those who trade with North Korea, said that on August 31, 2022, North Korea executed three minors on charges of watching South Korean TV dramas at the Yanggang Airfield.

Furthermore, North Korea has been placing an emphasis on indoor executions rather than public executions¹¹⁶. Such change thoroughly blocks the possibility of external exposure of information while continuing to oppress its people. In other words, such a shift in execution methods reflects the significance of not leaving a mark on Kim Jong-un regime.

Recently, there have been legislative and administrative activities that suggest an official formalisation of indoor executions. According to Daily North Korea, a media outlet specialised in North Korean affairs, on December 5, 2021, the Ministry of Social Security and Justice instructed to insert a clause into the ‘Execution of Criminal Sentences by Type of Crime’ regulation that reads ‘Execute all such acts indoors’¹¹⁷. Such can be interpreted as an attempt to create a climate of fear through actual execution while avoiding external criticism of human rights abuses.

In addition, on-site shootings of people who approached the buffer zones established in the North Korea-China border area after the COVID-19 border blockade¹¹⁸ continue to be reported, suggesting no improvement in the North Korean regime's stance on human rights.

¹¹⁵ Ibid, 46.

¹¹⁶ Young-hwan Lee, CEO of the TJWG, told Radio Free Asia (RFA) on 15 December, 2021, "We assume that the North Korean authorities are choosing an open execution method for issues that should send warning messages to the public and a closed execution method for issues that pose a threat to the supreme leader or regime."

¹¹⁷ Tae-joo Jeong, "North Korea has also released a 'complementary sentence' specifying 'in-house execution of information leakage activities'," Daily NK, December 8th, 2021. <https://www.dailynk.com/20211208-2/>

¹¹⁸ Ji-won Kang, "[North Korea] shot three people who attempted to cross the border to China, and one person death information upstream of the Yalu River," Asia Press,

3) Political Prison Camps (Kwanliso)

One of the most notorious places in North Korea where residents' human rights are being violated is the political prisoner camp. It is believed that these camps are managed by the 7th Department of the Ministry of State Security. Additionally, some are managed by the Social Safety Agency. North Korean residents refer to political prisoner camps as 'control zones', 'special dictatorship target zones', 'emigration zones', 'group detention camps for political prisoners', and 'ideological tunnels', while the North Korean authorities refer to them as 'no. camp'.

North Korean authorities officially deny the existence of these camps, but it is said to be openly discussed among the public.

According to testimony from Yuna Kim, during a power outage in 2014 at Camp no. 22 (Hoeryong, North Hamgyong Province), the responsibility for the facility was transferred and the prison was shut down because of the defection of a guard. Although the exact timing varies slightly (generally believed to be the first half of 2012), this has been confirmed by the press¹¹⁹ and research institutions¹²⁰ in South Korea.

Additionally, in a survey conducted by the Unification Media in 2022¹²¹, which investigated the use of external information and media environment among North Korean residents, seven out of 50 respondents who participated mentioned cases where they were sentenced to political prison camps due to their anti-revolutionary beliefs. Therefore, it has been confirmed that these prison camps are still in operation.

However, there are conflicting predictions regarding the number of political prison camps and inmates. As shown in <Table 5>, Daily NK claims that as of the end of June this year, there are a total of seven political prison camps, including no. 14 (Gaecheon), no. 15 (Yodok), no. 16 (Hwasong), no. 17 (Gaecheon), no. 18 (Pukchang), no. 25 (Chongjin), and Hwangbuk's

December 8, 2021, <https://www.asiapress.org/korean/2021/12/society-human-rights/jyugeki/>.

¹¹⁹ Daily NK, "Horyeong 22 Disbanded Political Prison Camp last June", Daily NK, 27 September, 2012, <https://www.dailynk.com/회령-22호-정치범수용소-지난-6월-해/>.

¹²⁰ South Korea's Unification Research Institute said in a 2013 North Korean Human Rights Report that the 22nd management office was lifted in 2012, and the existing inmates seem to have been transferred to Hwaseong 16, Gaecheon 14, and Yodeok 15.

¹²¹ Unification Media, 2022 Survey on North Koreans' use of external information and media environment, 2022,

Pyongsan, with a total of over 205,800 prisoners. On the other hand, the Korea Institute for National Unification stated in its 2021 North Korean Human Rights White Paper that there are five political prison camps excluding no. 17 (Gaechon).

[Table 5] Status of the number of prisoners in North Korea's political prison camps¹²²

Camp Name	Location	No. of Prisoners		
		March 2020	July 2021	June 2022
Camp No. 14	Gaechon, South Pyongan Province	43,000	43,000	36,800
Camp No. 15	Yodok, South Hamgyong Province	55,000	56,800	42,900
Camp No. 16	Hwasong, North Hamgyong Province	24,000	24,000	28,700
Camp No. 17	Gaechon, South Pyongan Province	21,000	20,800	41,200
Camp No. 18	Pukchang, South Pyongan Province	26,000	25,800	20,200
Camp No. 25	Chongjin, North Hamgyong Province	40,000	41,000	36,000
Camp Sungho-ri	Sungho, North Hwanghae Province		21,000	0
Camp Pyongsan	Pyongsan North Hwanghae Province		Unknown	Unknown
Total		209,000	232,400	205,800

¹²² Dong-hee Moon, "The number of prisoners in North Korea's political prison camps decreased by 20,000 last year," Daily NK, 26 August, 2022. <https://www.dailynk.com/20220826-5/>.

Meanwhile, Kuk-sung Kim, a high-ranking North Korean defector who previously served in the reconnaissance bureau as a lieutenant colonel, stated in the recent investigation that the number of prisoners has been significantly reduced since a certain point in time, and is expected to be much less than 130,000. He pointed out that North Korean citizens dare not engage in behavior that could lead to their imprisonment in political prison camps, and therefore, the number of new inmates is extremely low. This indicates the need for a more thorough internal investigation.

There was no testimony collected in this investigation regarding the admission procedures or treatment of prisoners in political prison camps. However, given their characteristics, it is highly likely that detainees have been secretly arrested¹²³ and stripped of not only their rights as citizens, but also their basic human rights, and have become tools to provide production.

In the midst of this, it was reported that the “Sunghwa-dong Management Office” in Pyeongannam-do was demolished in December 2021¹²⁴. In August of last year, the North Korean Human Rights Commission revealed the existence of detention facilities, and in September of the same year, Daily NK reported that this place was a political prison camp called “Camp 27”.¹²⁵ It is not known whether North Korea was aware of this, but it seems that they demolished the facility knowing that the international community was monitoring. This once again emphasizes the need to raise awareness on monitoring North Korea's human rights situation.

¹²³ Bum-soo Kim Interview (Interviewers Tae-hoon Kim, Sang-yong Lee, Bada Nam), 4 June, 2022, COI-9

"I heard that people would be taken (to a political prison camp) without a sound. "(When I was in North Korea, I defected in 2019) I was worried that my family would kill me even if it went wrong a little bit."

¹²⁴ Jung-min Noh, "[Zoom-in North Korea] Demolished Right After The Discovery of the Forced Labor North Camp," Radio Free Asia (RFA), 31 October, 2022.
https://www.rfa.org/korean/news_indepth/zoominnk-10312022090700.html

¹²⁵ Dong-hee Moon, "Pyeongbuk Pihyeon-gun facility, 'Political prison camp', not a schoolhouse... "Of 520 Prisoners", Daily NK, 20 September, 2021,
<https://www.dailynk.com/> "Political Prison Camp, Not a Correctional Center..." "Out of 520 imprisonment

F. Abduction and forced disappearance of foreigners

Since 1950, North Korea has systematically abducted and not repatriated foreigners in the name of state policy, which has caused a massive phenomenon of forced disappearances.¹²⁶ According to Kim Jong Il's instructions, in 1970, he set up a kidnapping organization within the labor party and allegedly kidnapped foreigners around the world.

A former official who worked at the U.N. Commission on Human Rights Investigation (COI) in Labor Party Room 35 since 1990 admitted that he was part of the mission on “general intelligence activities such as kidnapping and abducting.”¹²⁷

1) Kidnapping of Foreigners

North Korea has kidnapped foreigners from other countries, sometimes by force, since 1977. The purpose of the kidnapping was for spies and military schools to gain foreign language skills and enhance technical expertise. For many abductees, the purpose was to “give out” foreigners staying in North Korea for marriage to prevent ethnic marriages with Koreans.¹²⁸

In this regard, Eun-hee Choi and Sang-ok Shin, who were kidnapped in Hong Kong in 1978, also revealed that they met a Chinese woman and a Jordanian woman who were taken from Macau at a Pyongyang invitation.¹²⁹ In addition, another witness also testified that he heard the Ministry of State Security was going to capture South Koreans and foreigners in China by inducing them to the border.¹³⁰

¹²⁶ UN Human Rights Council, "Report of the Human Rights Investigation Committee of the Democratic People's Republic of Korea", A/HRC/25/63, 2014, 530.

¹²⁷ Ibid., 491.

¹²⁸ Ibid.

¹²⁹ Jinseop Noh, "I asked Kim Jong-il to send me to South Korea, and he said it would be unified in three years," SISA Journal, 29 July, 2008, <http://www.sisajournal.com/news/articleView.html?idxno=123856>.

¹³⁰ Sunju Cho Interview (Interviewer Bada Nam), 23 September, 2022, COI-12.

In particular, North Korea carried out kidnapping operations against the Japanese, and the Japanese government officially confirmed that North Korea kidnapped 17 Japanese nationals (including eight men and nine women). Addition to this, the possibility that 875 missing Japanese nationals have also been kidnapped cannot be ruled out.¹³¹ Among them, Yaeko Taguchi (78 years old) and Megumi Yokoda (13 years old middle school student), who taught Japanese to KAL terrorist Hyun-hee Kim, and Terakoe Takeshi (13 years old middle school student at the time of abduction), who was finally confirmed to be alive in North Korea, are the representative victims. It also raised concerns that Koreans in Japan and their Japanese spouses, who travelled to North Korea between 1959 and 1984 as part of a “paradise on earth” business project, were also suspected of human rights violations.¹³²

Since 2013-2014, North Korea has continued to detain missionaries. In May 2018, U.S. Secretary of State Mike Pompeo visited Pyongyang and rescued Korean missionaries of U.S. nationality detained in North Korea, including Dong-Chul Kim, Sang-Deok Kim, and Hak-Song Kim, and returned to the U.S. North Korea released them ahead of the U.S.-North Korea summit. Also, Pastor Hyun-soo Lim, a Canadian national, was arrested by North Korea in 2015 and released due to the efforts of Canadian authorities.

Furthermore, Otto Warmbier, a U.S. college student, visited North Korea at the end of 2015 and was detained for 17 months. Due to brutal violent torture, he experienced brain tissue damage and entered a vegetative state. He was repatriated to the United States on June 13, 2017. However, he passed away six days after he was released in a state of coma. This incident is still causing international outrage.

2) Kidnapping of Korean Nationals

The South Korean government confirmed that about 100,000 people were kidnapped by the Democratic People's Republic of Korea during the

¹³¹ UN General Assembly, "Report submitted to the UN Secretary-General's General Assembly on the human rights situation in the Democratic People's Republic of Korea", A/77/247, 2022, 14.

¹³² Ibid.

Korean War. Five hundred and sixteen people were kidnapped and could not be repatriated after the end of the Korean War.

The kidnapping of Koreans abroad was carried out in Hong Kong in January and July 1978, when movie stars Eun-hee Choi and Sang-ok Shin were kidnapped. In 1979, Sang-moon Ko, a former teacher at the Capital Girls' High School who was training in Norway, was kidnapped (found to have been imprisoned in a political prison camp by Amnesty International in July 1994), and the kidnapping of Sung-Woon Ahn, a pastor of the Full Gospel Church in Yanji, China in July 1995.¹³³

Just as Kim Jong-il confessed to Eun-hee Choi, who had been kidnapped by Kim Jong-il, at his office, the Central Party building of the labor party on October 19, 1983, that "I issued an order to kidnap," Kim Jong-il himself led the major North Korean kidnapping and terrorist operations.¹³⁴

One of the emblematic cases of kidnapping Koreans is the Korean Air flight YS-11 hijacking in December 1969. North Korea ordered resident spy Chang-hee Cho (42 years old at the time) to hijack a KAL plane carrying 51 passengers and crew members over Daegwallyeong. In-Cheol Hwang, the son of the abductee Won Hwang, is leading the "Family Association of Korean Air Passenger Abductees in 1969", conducting a campaign to find out the truth about this case and confirm whether the victims are alive or not.

In-Cheol Hwang attended a public hearing in COI Seoul in August 2013 and testified about the hard life of his family from the time his father was kidnapped. He has been active every year since the COI report. In 2019 alone, he raised issues through the UN Working Group on Arbitrary Detention (hereinafter referred to as the WGAD), sending letters from the secretaries of each branch with Amnesty International and various international campaigns, attending European Union parliamentary seminars and parallel events at the UN Human Rights Council with PSCORE. In the UPR, tremendous efforts have been made through international cooperation from numerous international civil societies, including mentioning the KAL abduction by Uruguay and Iceland. However, North Korea said in reply to

¹³³ United Nations Human Rights Council, "Report of the Human Rights Commission of the Democratic People's Republic of Korea", A/HRC/25.65, 2014, 517.

¹³⁴ Jung-ho Park, "Choi Eun-hee's last interview in her life, "Kim Jong-il, who ordered the kidnapping," JoongAng Daily, 16 April, 2018, <https://www.joongang.co.kr/article/22541593>.

the WGAD in 2020¹³⁵, "We firmly reject it as a scheme against the Democratic People's Republic of Korea for political purposes disguised as human rights." Mrs. Seok-rye Yang, Won Hwang's wife, waited 52 years to meet her husband again. Unfortunately, her long wait to see her husband ended due to her death in November 2021.

Currently, six South Koreans are detained in North Korea.¹³⁶ Three missionaries, Jung-wook Kim, Kook-ki Kim, and Chun-gil Choi, were arrested by North Korean authorities between 2013 and 2014 for missionary work with North Korean defectors in the border area between North Korea and China, including Dandong. Three South Korean nationals, including Hyun-Chul Ko, Won-ho Kim and Jin-woo Ham, have also been arrested and detained in North Korea while supporting North Korean defectors in China. Currently, the victim's fate and whereabouts are not confirmed.

Some observers explained that kidnapping and management of the detainees will be carried out directly by the Ministry of National Security, and some will be imprisoned in political prison camps. It is even said that there is a high possibility that they have already died.¹³⁷

On top of that, North Korean defector Hye-sung Jeon (her name was Ji-Hyun Lim when she was in South Korea), who re-entered North Korea in 2017, claims that she has voluntarily defected from North Korea. However, some claimed that she was kidnapped through North Korean conciliations and threats.¹³⁸

In February 2021, the Unification Ministry stated that 42 North Korean defectors had disappeared over the past five years and, in several cases, "strongly suspected kidnapping or assault killings" by the North's security ministry.¹³⁹

¹³⁵ Human Rights Council, "Opinions Adopted by the 86th Arbitrary Detention Working Committee (WGAD), A/HRC/WGAD/2019/69, 2020.

¹³⁶ The U.S. State Department first mentioned the names of six South Koreans detained in North Korea in a North Korean human rights report published in 2021.

¹³⁷ Kook-sung Kim Interview (Interviewers Tae-hoon Kim, Bada Nam), 8 July, 2022, COI-11.

¹³⁸ Min-seo Kim said, "[NK Report] North Korean defectors are kidnapped... The use of "agitator" to criticize the Southern System, Segye Daily, 21 November, 2017, <https://www.segye.com/newsView/20171121004972>.

¹³⁹ United Nations General Assembly, "Report submitted to the General Assembly of the United Nations Secretary-General on the Human Rights Situation in the Democratic People's Republic of Korea", A/77/247, 2022, 14.

President Moon Jae-in held summit talks with North Korean leader Kim Jong-un three times during his tenure. Yet, the issue of the detainee's release was not discussed at the summit. Unification Minister Myoung-Gyon Cho raised the issue of detainees at the inter-Korean high-level talks in June 2018, but North Korea explained that it was “under consideration.”¹⁴⁰

In addition, the Working Group on Enforced and Involuntary Disappearance (WGEID) under the Human Rights Council raised 385 cases of disappearance in North Korea as of May 31, 2022, and requested an answer. However, North Korea did not confirm the fate or whereabouts of those mentioned in these cases.¹⁴¹

¹⁴⁰ Jung-jin Lee, "Myoung-gyun Cho, "Explaining that institutions related to the issue of North and South detainees are reviewing", Yonhap News Agency, June 1, 2018, <https://www.yna.co.kr/view/AKR20180601178252014>.

¹⁴¹ United Nations General Assembly, "Report submitted to the General Assembly of the United Nations Secretary-General on the Human Rights Situation in the Democratic People's Republic of Korea", A/77/247, 2022, 14.

G. Others, Labor Exploitation

“The forced labor was severe. They weren’t treating us as a human being, rather like an animal.”

- Gil-soon Shim

North Koreans must spend their entire lives in structured communities, from entering kindergarten until death. North Koreans should not only play so-called political roles in each organization, but also mobilize efforts, such as attending ‘hak seub hwae’, a session where one learns about party policies and DPRK’s history of revolution, and ‘group criticism sessions’.

In addition, North Korean authorities continue to emphasize the mobilization of personnel to be dispatched to rural areas and major construction sites. This means that not only shock brigades¹⁴², but also ordinary residents are being tasked with construction work as a strategy to continuously recruit the assault force.

The problem is that even children are being mobilized, and recently discharged soldiers are being forcibly deployed in the name of ‘petition.’ It is an act of ignoring the rights of children, freedom of the body (prohibition of forced labor in Article 8 Paragraph 3 of the ICCPR, and freedom of career choice.

The COI report also pays attention to the ‘forced exploitation of labor’. It is pointed out that “forced labour can amount to enslavement if it is accompanied by aggravating circumstances that effectively destroy the juridical personhood of the victim.”¹⁴³

However, the COI report focused on forced labor of prisoners in political prison camps and incarceration centers. This seems to be due to the COI activity period and the time limit of data collection. Therefore, this report briefly deals with the forced labor situation of ordinary residents and workers dispatched abroad.

¹⁴² Organizations that are formed only for particular purposes, such as various construction projects.

¹⁴³ United Nations Human Rights Council, "Report of the Human Rights Commission of the Democratic People's Republic of Korea", A/HRC/25.1048, 2014, 325

1) Mobilization of daily efforts from the general public

North Koreans are arbitrarily transferred during the year. This is basically done for all residents in that it is conducted under an organizational structure.

“The dates for mobilizing (residents) are planned from the central government. When the new year comes, the plan for the year will be made by January 8 (the birthday of Kim Jong-un), the chairman of the State Affairs Commission. There is also a constant mobilization effort, such as 70 days of battle and 300 days of battle. There is no time to rest for a year.”

- Bum-soo Kim

According to witnesses, the first battle in the new year in North Korea is a composting movement. Compost production is allocated to businesses and neighborhood watch unit¹⁴⁴ nationwide every year. At this time, workers, farmers, and urban residents must pay human or livestock manure to make compost allocated to each household, and in 2022, it is said to be set at 500 kg per worker at the factory and 200 kg per neighborhood watch unit.¹⁴⁵ Compared to previous years (100-300 kg per worker), it is still quite high.

Next, the Spring ‘Rice Planting Battle (May)’ awaits. In addition, the Battle of Weeding (June to July) and the Battle of Autumn Girdle (September to October) will be organized. In general, residents and advanced secondary school (High Schools in South Korea) and college students were tasked to do this, but now even children are not left out.

In addition, as shown in Figure 2, whenever there are national events such as the Republic Foundation Day (September 9) and the Labor Party Foundation Day (October 10), people are mobilized for preparation work. In

¹⁴⁴ It is the last organization of social life organized to combine 20s and 30s into one unit and participate in the social life control area of the family. Each generation of street women participates.

¹⁴⁵ Chae-eun Lee, "North Korea" mobilizes all compost production until the 10th... "If you can't do it, you'll have to pay 1,000 won per kilogram," Daily NK, 4 January, 2022.

<https://www.dailynk.com/북한-10-일까지-퇴비-생산-총동원-못-내면-1kg-당-천원-상납/>.

particular, it is said that this is often carried out on a large scale in the Kim Jong-un era. In this way, various efforts are made throughout the year.

<Figure 2> North Koreans mobilized for preparations before the Republic



Foundation Day celebrations in October 2020 / provided by DailyNK

In addition to such physical mobilization, there are many cases of economic ones. In addition to the vast plans, such as national construction like housebuilding and power plants, the government is also removing the non-tax burden¹⁴⁶ from small-scale construction and work.

In particular, if one is given an organizational task but fails to do it, the government creates an atmosphere of fear by framing it as a measure of loyalty and conducting a strong ideological struggle, increasing the burden on residents.

“If the government doesn't give us something, they shouldn't even take it from the residents. But they keep taking things from us by telling us

¹⁴⁶ There is no particular name, yet meaning the burden of residents collected by the state like tax.

that they need to build a power plant. I can't help it even if I have a complaint. Nor does the country feel sorry for us. During the Arduous March, the country did not ask for anything. Now that the people are looking for a way to live, they are demanding more. Before 2010, there was no such thing as a government offer. But now, you have to pay at least three to four times a year, including building a power plant, supporting a charge force, and donating 1 kg of rice.”

- Hye-ok Baek

In addition, it is known that there are many corruption cases, such as exploitation by the upper unit of the lower unit in the process of exploitation of labor¹⁴⁷.

In addition, various ways of exploitation of young children are becoming more prevalent as state financial support does not reach even the essential parts of society. Schools have become a channel of systematic exploitation that keeps forcing children to bring something rather than an educational institution, and the least powerful children in North Korean society have become the most vulnerable to exploitation.

“Many children around me couldn't go to school. Because they don't have money. The neighborhood watch unit often forced me to pay something. [...] Actually, two of my nephews couldn't go to school either. When we go to school, there are a lot of things to pay, and I didn't have money to buy school uniforms or bags. The children grazed and farmed goats at home. When Kim Il-sung was alive, he was organized, but now it is different. There are many cases where students were doing business. Even though I was a student, I often did business with my parents.”

- Gil-soon Shim

2) Shock troops

According to the ‘North Korean Information Portal’¹⁴⁸ operated by the Ministry of Unification, shock troops are specially organized units mainly used for construction or business operations, such as the “Youth Assault

¹⁴⁷ ICNK, "Huge Slave Labor State, North Korea", 2016, 8-9.

¹⁴⁸ North Korea Information Portal website; <https://nkinfo.unikorea.go.kr>

Unit” and “Speed Battle Youth Assault Unit”. They are assembled to solve the most difficult and challenging problems encountered during construction or various business operations.

Furthermore, shock troops are being utilized in various industrial fields even in the era of Kim Jong-un. They are deployed in various places, such as the Samsoo Power Plant and Gosan Fruit Farm construction sites, and have played a prominent role in construction and civil engineering, such as the “6.18 Construction Assault Unit”, which demonstrated remarkable performance, and the “9.22 Construction Assault Unit”, established in 2012 and deployed to construction sites such as the Cell Plateau. The “Land Consolidation Assault Unit”, which participated in land consolidation projects¹⁴⁹ in Pyonganbukdo and Hwanghaebukdo in 2015, is also running an assault unit in the construction and civil engineering sectors.

It has also been reported that companies or local authorities often dispatch non-expert personnel to carry out large projects. This is a method called “bont¹⁵⁰”, where people are selected and sent to construction sites when manpower is needed. Therefore, even non-professional personnel are often suddenly mobilized for construction work. However, accidents frequently occur as unskilled laborers are deployed to dangerous and physically demanding work environments in power plants, railway construction, apartments and other building construction without proper safety equipment.

A member of a shock unit who was mobilized for the construction of an apartment building in Pyongyang testified in an interview with the International Coalition to Stop Crimes against Humanity in North Korea (ICNK) in 2016 that due to the lack of safety equipment, one person died each time the first floor of an apartment was built. He also said that there was no compensation other than receiving a commendation certificate even in the case of injuries or death¹⁵¹.

Moreover, due to the neglect of the authorities, residents who were mobilized for construction were exposed to infringements of their right to food and life. Despite the emphasis on North Korean-style self-sufficiency, proper supplies were not provided for the intensive construction work, and unfortunate incidents occurred where people fell ill or died due to the lack of proper care and attention when they returned home.

¹⁴⁹ Ibid.

¹⁵⁰ Bum-soo Kim Interview (Interviewers Tae-hoon Kim, Sang-yong Lee, Bada Nam), 4 June, 2022, COI-9.

¹⁵¹ ICNK, "Huge Slavery Labor State, North Korea," 2016, 6-7.

“From 2015 to 2017, I was mobilized for the construction work of the Samjiyeon project as part of the shock unit. Kim Jong-un gathered young people and brought them to Samjiyeon, where they worked for while sleeping two hours a day. It was really difficult and hard work. When they went home, they had to provide for themselves, and some women sold their bodies at the station to earn money to go home. At that time, there was no pay for the work they did. Shock unit members had no way to return home, so they became paupers. Many people starved to death...”

- Bum-soo Kim

3) North Korea Overseas Workers

North Korea's overseas workers, who were mainly used to acquire foreign currency, began to be dispatched in the early 1960s when the Soviet Union sent them to the logging, construction, and agriculture sectors. The North Korean authorities' dispatch of overseas workers expanded in the mid-1990s during the “North Korean famine” period and became more systematic after Kim Jong-un took power.¹⁵²

Chul-jin Kim, a witness from the military, said that since 2014, he had sent workers abroad as a unit. He said that trading companies have chosen to obtain orders for work in Russia and sign contracts related to the workforce with military units.

However, unlike the initial contract, the process did not pay labor costs. It is said that it was transformed into a national project by order of the Supreme Leader (Chairman Kim Jong-un) by whom labor was exploited. In order to secure government funds through typical North Korean-style extortion and payment methods, residents and soldiers have been reduced to tools of forced labor.

“Since the people of the trading company were smart, they lobbied the party and got Kim Jong-un's approval. The scale continued to grow. That is why the Central Party was ratified. As a result, there was no need

¹⁵² Kyung-hwa Kang, "A Study on the Characteristics and Limitations of Overseas Transmission of North Korean Personnel," Korea University's Master's Degree in North Korean Studies, 2015, 1-2.

to give money to the unit. Now, the unit has no choice but to send them even though they do not want to. I have never been told how much they pay individuals when they were sent to Russia.”

- Chul-jin Kim

They suffer from excessive labor for an extended period, and a large portion of the income earned from such labor is paid to the state as a form of bribe money or pocketed by middle managers. In particular, workers lived in a group under the surveillance and control of the North Korean authorities while their identification cards were confiscated throughout their stay in the country, raising the issue of invasion of privacy. In light of this, some point out that there may be a risk of forced labor due to debts incurred during the dispatch process.¹⁵³

Currently, North Korea's dispatchment of overseas workers violates the U.N. Security Council sanctions on North Korea. On December 22, 2017, the U.N. Security Council adopted a new resolution 2397, on sanctions against North Korea, requiring U.N. member states using all North Korean overseas dispatched workers to be sent back to their home countries within 24 months.

However, in addition to Russia and China's acquiescence, the North Korean authorities' foreign currency earning policy is said to remain abroad to work. Rather, there are reports that North Korea, which has lost its financial power in the aftermath of sanctions, used this strategy to expand its external reach to the Middle East and elsewhere.¹⁵⁴

According to media such as Radio Free Asia (RFA), the human rights situation of overseas workers is worsening amid the COVID-19 situation. They also outlined that due to the North Korean zero-covid policy has resulted in symptoms of depression due to a growing longing for their families because they cannot return even after their stay has passed.¹⁵⁵

¹⁵³ Kyeong-sub Oh et al., North Korean Human Rights White Paper 2021, Unification Research Institute, 2021, 464.

¹⁵⁴ Seul-ki Jang, "North Korea sends young soldiers to build a 'nuclear power plant' in the Middle East...95% Salary, Daily NK, 5 May, 2021, <https://www.dailynk.com/북한-중동-원전-건설에-젊은-군인-파견-월급-95-빼앗는/>.

¹⁵⁵ Jung-min Roh, "North Korean workers in Russia are also stranded due to the spread of North Korea Corona," Radio Free Asia (RFA), May 17th, 2022. https://www.rfa.org/korean/news_indepth/russianlaborer-05172022152216.html.

“I was a soldier when I first went to Russia in 2017, disguised as a civilian doing apartment construction. I went out at 8:30 a.m. and returned at 3-4 a.m. worked with a nosebleed due to fatigue and exhaustion. On the outside, I introduced myself as a worker, but on the inside, I moved like a soldier. I also did a weekly life review session.

When I went to Russia for the second time in 2019, I went on an international student visa. This was a clear violation of the UN sanctions by the Russian authorities. I got a visa as a student at a university in Russia, but I don't even know the location of the university.

In 2020, the time has come to return. Even though I said I would go home because my military service period had expired, they didn't let me go and just made me work. Just in time, North Korea also prevented everyone from entering from outside due to COVID. I drank a lot of Russian vodka daily because of body pain and sickness. I couldn't think of escaping because I was afraid it might harm my family, so I asked for treatment because I was sick, but they didn't provide any treatment. I escaped because I couldn't stand against my sickness any longer.”

- Chul-jin Kim

In addition, freedom of movement has been restricted, and voices complaining about food problems are being heard everywhere.¹⁵⁶

Before COVID-19, five or six workers were allowed to go out in groups to visit the market. However, not only has the Chinese government blocked entire cities several times since the pandemic in 2020, but the North Korean authorities were also banning overseas workers from going out.

In the meantime, it is understood that the North Korean authorities' exploitation of wages of overseas workers has also intensified since the COVID-19 incident.

Workers are said to be paying more than 50 per cent of their salaries to the party in the name of “funds of loyalty,” as well as various construction

¹⁵⁶ Seul-ki Jang, "North Korean workers trapped in dormitories due to the COVID-19 blockade in China..." Food Problems "Stamping Your Feet", Daily NK, May 9th, 2022, <https://www.dailynk.com/20220509-2/>.

funds underway in North Korea.¹⁵⁷ There are reports that the cost of maintaining quarantine is being forced on overseas workers.¹⁵⁸

Experts stated that the North Korean government should fulfill its responsibilities to transfer the cost of relocation in the process of overseas dispatch, provide an adequate working environment, guarantee promised wage payment and freedom of communication and remittance with their family members. Furthermore, North Korean authorities are responsible for ensuring that workers are not be driven into long-term labor, harmful and dangerous working environments, and low wages.¹⁵⁹

¹⁵⁷ Seul-ki Jang, "Chinese dispatched North Korean workers have been imprisoned for two years... "Working all day is painful," Daily NK, 6 April, 2022, <https://www.dailynk.com/20220406-1/>.

¹⁵⁸ Ji-eun Kim, "North Korea Forces Overseas Dispatch Workers to Support COVID-19 Quarantine," Radio Free Asia (RFA), 10 June, 2022, https://www.rfa.org/korean/in_focus/human_rights-06102022111720.html.

¹⁵⁹ Ae-rim Yoon, "The Problem of North Korean Overseas Dispatch Workers in the Context of Migrant Labor," 2020, 210.

III. Policy Implications and Future Tasks

People for Successful COrean REunification (PSCORE) confirms that although there are some areas of improvement in the domestic human rights situation in North Korea. In the process of writing the 10th-anniversary commemorative report of the United Nations Commission of Inquiry (COI) on human rights in North Korea, we have reaffirmed that fundamental changes cannot be achieved as long as the monolithic ideological system remains unchallenged.

In fact, witnesses who participated in this investigative report have testified that North Korean authorities are intensifying control, censorship, and punishment over external cultural contents and digital devices. This appears to be the regime's method to maintain control via extreme border blockade policies under the pretext of COVID-19 prevention, along with "information warfare". Such blockades and oppressive methods will be continually enhanced in order to prevent the domestic human rights situation from gaining exposure. The importance of factual investigations with a focus on human rights victims is increasing.

The concept of human rights is disseminating domestically, and cases of demanding one's rights to powerful institutions are being continuously observed as a result of international efforts to improve human rights in North Korea and an influx of external information. Such changes could be interpreted as the Kim Jong-un regime, which is in pursuit of a functioning state, showing a positive stance under pressure from the international community, and especially as such changes are being observed **after the establishment of COI**. It is important for the international community to establish new ways to promote such changes.

"I heard that it's difficult to get approval for wiretapping when state security tries to investigate a suspect. It's because of human rights."

- Dong-chul Jang

"Since the Kim Jong-un era, I started paying attention to 'human rights abuses.' The facilities were kept cleaner. When I was caught in 2009, they didn't care about that. When I was caught in 2009, they were trying to make me a prisoner by beating me before I became a criminal. In

2017, I even thought, "If I hadn't become a criminal yet, shouldn't I not commit human rights abuses?"

- Sun-joo Cho

"I heard the word 'human rights abuse' around 2014. Even if the guards broke my bones by beating me, it wasn't a problem before I went to jail. But when I went to jail in 2014, they treated me. A doctor was able to come into the cell."

- Hyo-sung Joo

In this report, it has been confirmed once again that peoples' trust in the regime is fading due to the oppressive system. Due to North Korea's discriminatory policies, marginalized communities are losing hope in the system and are choosing methods of self-reliance. In addition, the spread of the money worship culture and the Korean wave in North Korea is weakening the regime's control. Therefore, it is necessary to focus on in-depth research on the perception of the North Korean people in order to develop a strategy to improve conditions in North Korea.

The future tasks of the government of South Korea and the international community can be divided into three main areas.

Firstly, it is necessary to strongly address and endorse North Koreans' right to life and survival with the immediate suspension of the death penalty system that deprives the basic right of all humans. The immediate dismantling of political prisoner camps, the dedication of all resources to the development of nuclear weapons and ballistic missiles, and the infringement of freedom of thought, expression, and domestic and international movement need to be further addressed. Additionally, warning that North Korea's human rights violations are equivalent to crimes against humanity and emphasizing that those responsible must be punished, while constantly sending signals to North Korea for its effort in improving human rights will contribute greatly to normalized foreign relations for North Korea, instead of facing international isolation.

Secondly, it is necessary to pay particular attention to the problems of vulnerable groups such as children, women, the elderly, and persons with disabilities. This is because vulnerable groups face severe survival crises such as starvation due to the Kim Jong-un regime's excessive COVID-19 blockade and dedication of resources to nuclear missile development. Therefore, the United Nations and related international organizations need to collaborate to

create a positive environment, and develop a comprehensive strategy that includes humanitarian issues. South Korea and the international community must do their best to find specific methods, along with initiating diplomatic talks with China and Russia, to encourage international cooperation.

Thirdly, South Korea, a country that should understand North Korean human rights the best and lead the international community, has engaged in anti-human rights policies towards North Korea, such as forced repatriation of North Korean defectors, along with the murder of a South Korean fisheries official near the western sea border in 2020, the enforcement of the Anti-leaflet Act, and interference with the establishment of the North Korean Human Rights Foundation under the Moon Jae-in administration. As a result, South Korea regrettably cannot continue to lead the international community as an advocate of North Korean human rights. At this point, the establishment of the North Korean Human Rights Foundation to fully execute the North Korean Human Rights Act in order to promote North Korean human rights projects is an urgent task at hand in order for South Korea to regain its position as a leader in the efforts towards North Korean human rights.

PSCORE will continue to cooperate with North Korean human rights experts and related organisations in the field and adopt specific measures to realise such goals. It is our mission to establish a foundation for the advancement of North Korean human rights policies. We sincerely hope that such grassroots efforts lead to the improvement of human rights in North Korea, ultimately contributing to collective peace.

“Any official of the Democratic People's Republic of Korea who commits, orders, solicits or aids and abets crimes against humanity incurs criminal responsibility by international law and must be held accountable under that law.”

“The Commission urges you to take all necessary and reasonable measures within your power to prevent or repress the commission of further such crimes and to ensure that the crimes against humanity that have been committed are properly investigated and prosecuted.”

United Nations Commission of Inquiry on Human Rights in the
Democratic People's Republic of Korea
20 January 2014

Chairman Michael Kirby¹⁶⁰

¹⁶⁰ United Nations Human Rights Council, "Report of the Human Rights Commission of the Democratic People's Republic of Korea", A/HRC/25/63, 2014

Appendix: Human Rights Situation in North Korea

October 15th, 2022

Eun-duk Kim

(Defector, Previous Public Prosecutors Offices' Prosecutor)

Table of Contents

1. Human rights oppression resulting from ruthless purging and execution of unloyal officials
2. Human rights oppression due to dogmatism and bureaucracy in national economic construction
3. The struggle against antisocialism and the repression of human rights by the mastery of the system
4. Oppression of human rights in the establishment of production and living culture

1. Human rights oppression resulting from ruthless purging and execution of unloyal officials

Since Kim Jong-un took office, he has purged and executed about 450 high-ranking officials over the past 10 years, including the Party Central Committee and the People's Armed Forces, as well as the cabinet and provinces, central and provincial parties and government agencies. In April 2015, Kim Jong-un dismissed the manager and secretary of the party after seeing the old building and stains on the portraits of the present Baekdu bloodline due to poor laboratory management at Sinuiju Cosmetics Plant in Pyeonganbuk-do and by making this issue an event, factories and businesses across the country were required to rebuild or restore the Kim Il-sung-Kim Jong-il's laboratory. With this opportunity, rumors began to grow that once Kim Jong-un came, the building was demolished and executives were dismissed. In this way, Kim Jong-un has carried out a reign of terror since the beginning of his administration, and the workers below are trembling with fear of Kim Jong-un.

When Kim Jong-un visited the Seongun Youth Power Plant in Baekam-gun, Yanggang Province in June 2016, the newly appointed manager Kim Kyung-ho (then 46, former Yanggang distributor) said that he hadn't started his business yet (still hasn't started work even 15 days after being arranged as manager), which he got criticism and the other person got appointed as a new manager, which led to the previous manager to suffer from political concerns over this issue and died after two months.

With the advent of the Kim Jong-un era, executives are only maintaining their position and denying that they will not go as factory secretaries or managers.

In the fall of 2015, when Kim Jong-un visited North Hamgyong Province (Eorangcheon Power Plant), he criticized the plant for failing to complete construction for 25 years due to the irresponsibility of the plant workers, and ordered the plant's manager and party secretary to be detained at the North Hamgyong Province Prosecutor's Office for 10 days.

2. Human rights oppression due to dogmatism and bureaucracy in national economic construction

Since the 1990s, North Korean authorities have taken steps to feed only labor officials, armed institutions, and the 10th target (including offsprings of anti-Japanese Korean resistance fighters and socialist patriots) and stop supplying food to ordinary people.

On August 19, 2002, Kim Jong-il proposed a policy of “establishing a new economic management system in the face of difficulties in socialist economic construction,” and presented the necessity and task of widely introducing economic management methods that can actually benefit the people. Therefore, the North Korean authorities applied the argument that the economy should be managed in accordance with the needs of actual development, completely overcoming the alternative business system created by Kim Il-sung. It was emphasized that public and national factories and enterprises should earn ‘dutbeolyi’, self-generated income that ensures the living conditions of factory employees, in addition to the economic plan presented by the National Planning Commission.

Using by-products from furniture production at wood processing plants, factory workers are required to purchase accessories such as living expenses, factory facilities, and materials from state-owned sales facilities.

North Korean authorities are raising social controversy by collectively entering poor jobs with high labor intensity, such as coal mines, construction sites, and rural areas.

The mass deployment of North Korean veterans, which has been in place since Kim Il-sung took power in the fall of 1993, continues to this day, causing a great social controversy. The authorities have deployed veterans and high school graduates in groups in mines, coal mines, and rural areas that require a lot of national effort.

This is related to children born in rural areas, coal mines or mines, not to young people who voluntarily go to difficult and difficult places, but to their hometowns where they wanted to join the army after graduating from middle school or college. Therefore, the North's ruling Workers' Party has designated the principle of the party's execution project that those who grew up in rural areas should return to their hometowns after graduation or discharge even if they go to college or military.

The North Korean authorities are worried that their children or brothers will join the military and be caught in group deployment, and individual residents are doing their best not to be caught in group deployment by bribing them.

The North Korean authorities are forced to charge or mobilize forcefully, and teenagers and veterans are forced to go to forced group advance, not volunteer advancement, but they can't endure it and later run away from it, raising socially unfavorable public opinion.

In 2001, out of 300 discharged soldiers who were collectively deployed to farms in Daehongdan-gun, only 56 remained at the time of 2014. In addition to causing the incident of running away all at once, the North Korean authorities were experiencing a serious manpower shortage in farms across the country in April 2022, so they again issued an order from the Supreme Commander to collectively deploy military discharged soldiers to rural areas. It is raising great concern among families. Soldiers who are about to be discharged and parents in their hometowns are said to be raising public

opinion that their children will not be caught in group assignment even if they cannot join the Party.

In North Korea, on the occasion of national anniversaries and holidays of great political significance, social youth are being appealed to actively petition and advance into major sectors of the economy (rural areas, coal mines, mines, etc.).

After the 8th Congress of the Workers' Party of Korea in 2021 last year, about 100 young people entered the countryside. By giving instructions to revolutionize, people's security agencies across the country caused social controversy by forcibly mobilizing all delinquent youths in their jurisdictions to construction sites and rural areas such as Baekdu Mountain Seongun Youth Power Plant and Hicheon Power Plant.

3. Struggle against anti-socialism and repression of human rights for regime mastery

North Korea has long emphasised that law enforcement is a means of realizing politics and a front line for establishing the party's sole ideological system.

With the inauguration of the Kim Jong-un regime, the government is reorganizing the organizations of law enforcement agencies or increasing the number of departments while strengthening the legal repression of residents.

Kim Jong-un presented that he would correct social disorder by reorganizing the former People's Security Ministry into social security in October 2020 and launching a new department overseeing general inspections at affiliated security bureaus and subsequent security agencies. He even ordered the departments to increase the number of patrols to eliminate all non-socialist activities directly seen by the residents, renamed the previous former 109 Joint Command was renamed the 727 Joint Command. Acts such as viewing impurity videos, publications, Korean songs and music were considered treasonous. The suspect was ordered to hand over immediately to a safety agency or a prosecution agency.

At Hyesan City, Yanggang Province, caught 30 South Korean movie viewers and 6 Chinese phone users at the 3rd stage of the 727 Joint Command

between 2020 and 2021, 30 were sent to the management centre for 3 years, and 6 were sent to the labor centre.

Those who watch, distribute, or smuggle impurities (South Korean films, songs, hostile countries' films, magazines, etc.) are ordered to be discharged or dismissed, and those who were caught in high school or at the end of graduation are placed in military service and mining coal.

In June 2015, according to the order of the Central Committee Party, those who crossed the border for any reason were deemed to have defected for the purpose of South Korea and were transferred to the National Guard Detention Center or the Defense Agency without trial procedures.

Since the end of May 2014, barriers have been installed on borders across the country, and residents have not been allowed to move near the Yalu and Tumen rivers. However, they have also been allowed to enter the border entrance from 11 a.m. to 2 p.m. and 6 p.m. to 8 p.m. daily. 'What are we, an animal?', residents raised their voices of condemnation that this is no different from one big zoo.

Furthermore, 3,500 border security brigades have been dispatched to the Tumen River and Yalu River lines since March to crack down on residents near the border or even beat them if they revolt.

On June 18, 2021, Sang-Cheol Woo, the head of the Central Prosecutors' Office, outlined that he would enhance the function of law institutions after being promoted to a member of the party's Central Committee and order labor prisons across the country to significantly increase the number of inmates. Also by constructing five additional wards that can accommodate around 50 people at 38 labor centres, including the Hamheung Concentration camp. As a result, North Korea is transforming into a barren land of human rights oppression.

There is a bias in law enforcement and application.

Before confirming the suspect of the incident and beginning the preliminary hearing (48 hours before), the party conducts a party safety meeting. The party's safety committee reveals the evidence of the suspect's criminal activities and discusses [work confirmation].

The Central Committee absolves and subjects the suspect as an ideological education target. Only if the suspect has blood relatives between the 4th and 6th cousins, works in the Central Committee, pilots, rocket bases, submarines, 974 military units of the Korean People's Army, and 2nd economic division (special agency) and if the suspect did not commit anti-state crimes, deliberate murder, and deliberate minor murder.

The general crowds are raising their voice without hesitation, “A dark world where only money or power rules, a world where prejudice and fairness are severe, It will surely collapse”.

In early March 2014, while telling merchants about a merchant (a woman in her 40s) and her 20-year-old son being sentenced to three years of labor for manslaughter. Shortly, the security department found out that there were conversations about showing disloyalty which was said to be, “I hope this country collapses; I don't want to see this country due to discrimination and unfairness. If there is a chance, I want to go to Korea.” Consequently, the market yard seats were taken away the next day, resulting in a public exposure meeting in the marketplace seven days after the incident.

4. Suppression of Human Rights in the Establishment of Production and Living Culture

Since April 2018, it has been said that it will renew the city's appearance nationwide. It was conducted for a year until August 2019 by presenting an official national letter on removing the existing exterior materials and painting bright exterior materials of apartments in Pyongyang and other regions.

Although the North Korean authorities ordered (the government should guarantee external materials, but the efforts should be guaranteed by themselves), they have burdened the residents considerably.

In a situation where it was difficult to make a living for a day, the generation of residents who could not participate in the mobilization had to pay 150 won each in Chinese money. The labor safety facilities were poorly equipped, causing many casualties.

A resident living in Yeonsan-dong, Hyesan-si, Yanggang-do, said his son died in May 2019 after falling from the third floor while applying the exterior material of the apartment. He cried in front of the main gate of the Yanggang Party Committee building for compensation for damages. When this issue was known, residents from various parts of Hyesan Xi'an gathered in front of the main gate of the provincial party committee and provincial people's committee building and held protests that had never been in North Korean society.

In addition, in Daehongdan-gun, Yanggang-do, there was a fact that an anonymous letter was posted on the wall of the Gundang building in June 2019. The letter stated, "What's the point of painting the colour of the apartment?" Give me food if you have money to apply the exterior material!"

The North Korean authorities' countermeasures to resolving human rights issues over the past period are as follows.

North Korean authorities acknowledged their human rights repression in a report on human rights released by the U.N. Security Council in April 2008, building new kindergartens nationwide and discussing measures to renovate secondary schools that take care of children who don't have parents. In October 2010, the foundation construction was completed not only in the centre but also in each region, and it was completed by April 2014.

In October 2009, the Criminal Code of the Democratic People's Republic of Korea reduced 303 articles to 209 articles, and seven death sentences were deleted, and the sentence execution period was drastically reduced in the overall rules.

[With the death penalty as a weapon- 15 to 10 years as a 7-5 year.
With weapons abandoned- 7 to 5 years as a 3-2 year]

In April 2015, Kim Jong-un said that Pyongyang residents should be guaranteed food. Since then, he has set up a food supply system for Pyongyang residents and has been supplying food for 15 days for each generation.

Additionally, there is still no food supply in the provinces, and food security for the economic generation households in each region is provided by each provincial committee, surrounding military units, judicial

prosecutors, and social security agencies responsible and somewhat guaranteed.

Last year and this year, in Hamgyeongbuk-do and Yanggang-do, local party committees and military units took responsibility for the starving residents due to lack of food in relation to the ban on residents' flow due to COVID-19.

5. Conclusion

We believe that the human rights situation in North Korea, which has not improved up to date, will never change if the North Korean state continues to rely on internal discrepancies or socio-environmental changes without adequate measures in place.

As in the past, the human rights situation in North Korea can only be resolved on an international level.

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