

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL
COMMISSION ON THE STATUS OF WOMEN
COMMUNICATIONS PROCEDURE

The North Korea Freedom Coalition)	
Working Group on North Korean Women)	UN CSW 65 (2021)
% Jubilee Campaign ¹)	
9689-C Main St.)	Filed August 1, 2020
Fairfax, VA 22031)	

THE SITUATION OF NORTH KOREAN DEFECTORS
IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

This report serves to inform the United Nations Economic and Social Council Commission on the Status of Women on the conditions faced by North Korean women. According to the latest report by the Special Rapporteur on the Democratic People's Republic of North Korea, women and girls make up 51.1 percent of the total population.² Combined with the state of human rights abuses known to be occurring in North Korea, North Korean women are one of the most vulnerable groups of people in the world. As noted in the latest report by the special rapporteur, the human rights situation of women in the Democratic People's Republic of Korea has made no sign of improvement, and may even have further deteriorated.³ This is in spite of the fact that the Democratic People's Republic of Korea has ratified the Convention on the Elimination of All Forms of Discrimination against Women in 2001, has ratified the Convention on the Rights of the Child; and the optional protocol on the sale of children, child prostitution and child pornography.

Further, North Korea has left the status of women vulnerable, despite constitutional provisions and laws that appear to provide protections and guarantee equality for women. For instance, Article 65 provides that all citizens may enjoy equal rights in all spheres of State and public activities and Article 77 provides that women shall be given equal status and rights with men. The Gender Equality law provides for gender equality in areas of life such as marriage, divorce, and inheritance rights. In 2010, North Korea even adopted the Law on the Protection of the Rights of Women, which includes social, political, educational, cultural, medical, and labor rights. Yet despite these laws with legitimate goals and meaningful titles, women in North Korea remain particularly vulnerable to discrimination and abuse by the North Korean government and society.

¹ Jubilee Campaign holds special consultative status with the Economic and Social Council.

² Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea*, Advanced Unedited Version, pg. 8, 25 February 2020, A/HRC/43/58.

³ *Ibid.* at pg. 3.

As this commission is well aware, due to the suppression of women by the North Korean government, reliable data regarding the North Korean regime is difficult to acquire. Numbers referenced in this communication come from United Nations reports and documents, the 2008 DPRK Census, non-governmental organizations, and notably the most recent report by the United Nations on the Status of Violations against Women Detained in the DPRK, which was released on 28 July 2020. With the difficulty surrounding North Korea and the known extent of human rights abuses, any numbers referenced in this communication are likely underestimated and underreported.

Ongoing Concerns

In addition to the concerns regarding the status of women highlighted in this communication, we remain concerned over the issues raised in last year's communication on women in North Korea, particularly violence against women at home, in public, in workplaces, in military bases, and in detention facilities. Further, we remain concerned over access to food, trends of malnutrition, education disparities, and discrimination in employment.

Violence against North Korean Women

Domestic Violence

Violence against women continues to be a global concern and is heightened in repressive regimes such as North Korea. While North Korea has in effect prohibited domestic violence through its incorporation of the Convention on the Elimination of all forms of Discrimination Against Women into domestic law, as noted by the Special Rapporteur, there is no way for victims to bring claims against perpetrators and secure justice.⁴ Further, the government of North Korea continues to claim that “domestic violence is not a social problem in the DPRK.”⁵ While conceding that “some families ... tend to resolve in a violent manner conflicts or problems,” such domestic violence continues to be downplayed as being resolved amicably with the “help of advice and persuasion of neighbours, colleagues, and relatives.”⁶ Any domestic violence prevention is classified as “domestic dispute” prevention, which downplays the seriousness of this form of abuse that primarily impacts women.⁷

Violence against North Korean Women Repatriated

Leaving North Korea and crossing its border without permission is criminalized in North Korea.⁸ As highlighted in the recently released report by the United Nations on the status of North Korean defector women who are repatriated, violence experienced by these women at the hands

⁴ Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea*, Advanced Unedited Version, pg. 9, 25 February 2020, A/HRC/43/58.

⁵ Convention on the Elimination of Discrimination against Women, *Replies of the Democratic People's of Korea*, 16 June, 2017, CEDAW/C/PRK/Q/2-4/Add.1 Par. 40.

⁶ *Ibid.*

⁷ *Ibid.* at Par. 41.

⁸ OHCHR, [Human rights violations against women detained in the Democratic People's Republic of Korea “I still feel the pain...”](#), July 2020, Pg. 9.

of the North Korean government is of grave concern. Forms of violence include forced abortions and sterilization, infanticide, physical and sexual abuse, starvation and malnutrition, torture, forced compulsory labour, unhygienic conditions, and other horrific forms of violence. North Korea had previously self-reported that approximately 6,473 women had been returned between 2005 and 2006.⁹ Additionally, in 2019, of the 636 North Korean women who arrived in a nearby safe, third-country, 27% of the women had been detained at least once before fleeing North Korea.¹⁰

Although the government claims that these women were not treated poorly upon their return, as documented in the UN report, this is blatantly untrue. The Office of the High Commissioner for Human Rights reported evidence of malnutrition, the use of beatings and similar violence, and overcrowding and unsanitary conditions in detention facilities across North Korea, refuting such claims by the North Korean government.¹¹

Further, the numbers reported by the North Korean government are likely inaccurate and lower than the actual number of women defectors returned given the number of women that are reported to have successfully defected to a nearby safe, third country each year, totally up to approximately 33,658 defectors, with an estimated 72.1% of defectors being women.¹² Given the extreme difficulty North Korean women face when defecting, these high numbers reported by other countries indicate that North Korea's reported numbers of women defectors who have been repatriated may be low.

Forced Abortions and Infanticide

Pregnant women who are repatriated back to North Korea face horrific abuse in the form of forced abortions and infanticide. While North Korea claims to protect the rights of pregnant women through its Law on the Protection of the Rights of Women, protection is not extended to women who are detained after being repatriated back to North Korea. This is evidenced by testimonies of North Korean defector women on the government/police practices of forced abortions, abusing women until they have a miscarriage, and allowing children who are born alive to die. For instance, a woman who was detained in 2015 reported that, "I suffered no violence but the other woman had become pregnant in [another country] so the guards knew that her baby had [mixed race] blood. This was an issue as the local laws prevented any North Korean woman from giving birth to a mixed race baby. The doctor in the MPS centre told her to get an abortion despite the fact that she wanted to keep the baby. She was eventually forced to have an abortion and sent to a kyohwaso."¹³ Other women who had hopes that they would be

⁹ CEDAW/C/PRK/Q/2-4/Add.1, "Replies of the Democratic People's Republic of Korea", 5 July 2017.

¹⁰ A/HRC/43/58, *supra* note 3 at pg. 13.

¹¹ *I still feel the pain*, *supra* note 7 at Pg. 12.

¹² Ministry of Unification, [Policy on North Korean Defectors](#).

¹³ *I still feel the pain*, *supra* note 7 at Pg. 24.

treated better because they were pregnant were instead kicked repeatedly in order to induce a miscarriage before they were released from the facility.¹⁴

Abortion and infanticide are also used by the North Korean government when forced miscarriages fail to produce the desired results. Another woman defector witnessed the treatment of a pregnant defector reporting that, “from the moment she was detained she was told she should go through a miscarriage and was told to fall on her hips in order to cause a miscarriage. She did it three or four times but it did not happen. She was taken out of the holding centre and given an injection to make her miscarry. I saw her giving birth with my own eyes... I heard crying, but then the baby was placed face down, wrapped in plastic and taken out of the cell by a prison guard... No medical attention was given [to the mother]. She died after a week or so.”¹⁵

Another illustration of the extent to which North Korea’s practice of forced abortions on defector women who are repatriated and detained is well-documented and constitutes a valid fear, is the impact COVID-19 has had on pregnant women who would normally have been repatriated to North Korea. Because of COVID-19, North Korea has taken more extreme measures than normal to seal its borders. While this is harmful to women who are desperate to flee North Korea, it has essentially protected the lives of pregnant women and their unborn children who would have otherwise been repatriated.¹⁶ It has been reported that 20 individuals, including a pregnant woman, are imprisoned in a third country and would have been repatriated to North Korea under “normal” circumstances.¹⁷ Families of this women are reported to be thankful for the current situation because the woman and her unborn child have been spared from undergoing a forced abortion.¹⁸

Such actions by the North Korean government amount to sexual violence that is prohibited by the International Covenant on Civil and Political Rights protection of the right to life.

Sexual Violence

Women who are repatriated and subsequently detained by the North Korean government face physical and sexual abuse by those in power. Human Rights Watch reported in 2018 that of its interviews with North Korean defectors, 37.7 percent of women interviewed reported that sexual harassment and rape was common at detention facilities.¹⁹

Sexual abuse of North Korean women begins when they are interrogated by male investigative officers in pre-trial detention. Invasive body searches are conducted on all women, often by male officers, in order to confiscate any items of value, remove anything that might be concealed in body cavities by the women, and in some instances to determine whether or not the women had

¹⁴ *Ibid.* at pg. 25.

¹⁵ *Ibid.*

¹⁶ Jong So Yong, [N. Korea refuses repatriation of defectors imprisoned in Dandong](#), 4 March 2020.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ Human Rights Watch, [You Cry at Night but Don't Know Why](#), 2018.

given birth while they were outside North Korea.²⁰ Searches were conducted in humiliating ways requiring women to be completely nude, in front of other officers or detainees, and often requiring women to “squat and jump” in order to ensure nothing was hidden in their body cavities.²¹ As stated in the OHCHR’s 2020 report, by forcing women to be nude in front of male officers, North Korea has perpetrated a form of sexual violence against these women that is in violation of Article 7 of the International Covenant on Civil and Political Rights.²²

Women defectors report that rape of detained women by guards and other officials in charge of detention centers in North Korea is a common occurrence. While North Korean law reportedly prohibits such action and codifies stiff penalties for abusers,²³ perpetrators are rarely held accountable and women are fearful to speak out and possibly face further abuse. Additionally, North Korea’s criminal code does not provide a definition of rape even though it has been criminalized.²⁴ For instance, a woman defector who was detained in 2013 reported that “... the Ministry of State Security officers sexually abused detainees but no one could speak about it. No one was willing to share their story for fear of being beaten up. I witnessed one officer who called out a woman in her 20s one night while the rest of the detainees were told to go to sleep. He was drunk. She was told to remove her clothes and was sexually abused. Detainees reported the case to the officer in charge of preliminary investigation, but the detainees who reported this were later punished and beaten up.”²⁵ Women in these detention centers are vulnerable to such abuse and violation of their inherent human rights under the ICCPR without any accountability for those who perpetrate these abuses.

Malnutrition

In addition to physical and sexual abuse experienced by detained North Korean women, malnutrition and starvation are commonplace. All women interviewed by the OHCHR reported that they were given extremely inadequate amounts of food and that what food was given was of low quality.²⁶ For instance, a woman who was detained in 2016 reported that she was only given a handful of corn per meal.²⁷ Another woman was so undernourished by the North Korean officials that she would eat what was left in the dishwater after washing the prison officials’ dishes.²⁸ Malnutrition has further impacts on detained women’s overall health as noted by a woman detained in 2016, “During the detention, I was provided only with a small amount of corn. After a month of going through hardship which got even worse, my period stopped. All

²⁰ *I still feel the pain*, *supra* note 7 at Pg. 21.

²¹ *Ibid.*

²² *Ibid.*

²³ *Criminal Law of the Democratic People’s Republic of Korea*, last amended in 2015, Article 221. Article 221 provides for a sentence of up to one year of “discipline through labour”, and up to five years of “reform through labour” in the case the act constitutes a grave offence.

²⁴ *Ibid.* at Article 279.

²⁵ *I still feel the pain*, *supra* note 7 at Pg. 23-24.

²⁶ *Ibid.* at Pg. 15.

²⁷ *Ibid.*

²⁸ *Ibid.*

women's period stopped due to malnutrition and hardship."²⁹ These actions by the North Korean government violate their obligations under the International Covenant on Economic, Social and Cultural Rights – specifically the right to adequate food.³⁰ North Korea has an obligation to take steps to ensure that women in detention centers have access to adequate food and must cease the starvation of these vulnerable women.

Heightened Violence for Women who Attended Church while outside North Korea

Women with religious affiliations or who attended Church while living outside of North Korea reportedly face additional hardship according to testimony from former defector women. "I was beaten with a club by a preliminary investigation officer and was kicked by the officer. The treatment was particularly harsh at the Ministry of State Security. If one is found to have gone to a [church] they are dead. I therefore tried hard not to reveal my life [there]. I was beaten up as a result. I was beaten to a level that my rib was broken. I still feel the pain."³¹

Human Trafficking within North Korea and Externally

Internally within North Korea

North Korea has continued to deny that exploitation of women occurs within North Korea even going as far as to state that, "human trafficking is inconceivable in the DPPK,"³² and that "sexual exploitation of women is in no way a social problem in the DPRK."³³ In the same breath, North Korea seemingly consented that some sexual exploitation of women occurs but refuses responsibility by claiming that it occurs at the hand of others with the purpose of tarnishing the world's perspective of the DPPK.³⁴ For instance, the government of North Korea continues to attempt to change the narrative regarding women defectors by claiming that twelve women defectors who recently made news by defecting were trafficked and faced an unknown fate.³⁵ Further, while continuing to deny that sexual exploitation of women occurs in North Korea, the government also claims that "some" individuals who forced women into prostitution or committed rape were punished through the Criminal Code and were convicted in public trials in order to prevent others from committing such crimes.³⁶ However, as of the writing of this

²⁹ *Ibid.* at pg. 46.

³⁰ Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea*, Advanced Unedited Version, pg. 4, 25 February 2020, A/HRC/43/58.

³¹ *I still feel the pain*, *supra* note 7 at Pg. 18.

³² Convention on the Elimination of Discrimination against Women, *Consideration of reports submitted by States parties under article 18 of the Convention Democratic People's Republic of Korea*, 1 June 2016, CEDAW/C/PRK/2-4, para. 73.

³³ *Ibid.* at para. 70.

³⁴ *Ibid.* at para. 73.

³⁵ Convention on the Elimination of Discrimination against Women, *Replies of the Democratic People's of Korea*, 16 June, 2017, CEDAW/C/PRK/Q/2-4/Add.1 Par. 43.

³⁶ CEDAW/C/PRK/2-4, *supra* note 31 at para. 70.

communication, there are no legal provisions in North Korea that criminalize human trafficking or set uniform punishments for traffickers.³⁷

Despite claiming that human trafficking and rape are “inconceivable.” North Korea in response to inquiries claimed that in 2008, 2011, and 2015 only 21 individuals were convicted of rape and only fourteen individuals were convicted of “obliging a woman who is his subordinate to have sexual intercourse.”³⁸

Claims that human trafficking and rape are not a problem for North Korea and the numbers reported for convictions of these crimes are grossly inaccurate as reflected in the latest Trafficking in Persons Report by the United States Department of State. North Korea has been classified as a tier 3 nation,³⁹ meaning that they have failed “to comply with minimum standards for the elimination of trafficking or make significant efforts to bring itself into compliance with such standards.”⁴⁰ Such failures by the North Korean government include the lack of reporting on any law enforcement efforts or laws criminalizing sex trafficking, failure to report the identification of victims or protective services, that NGOs were not allowed to provide services to victims of trafficking, and that victims were penalized for acts that their traffickers forced them to take part in.⁴¹ Further, women who are suspected trafficking victims in third countries when forcibly repatriated to North Korea are sent to interrogation centers where they continue to be subject to forced labor, torture, forced abortions, and sexual abuse by prison guards.⁴² These allegations are in direct conflict with North Korea’s claims and illustrate that North Korea is in violation of their international commitments under Article 6 of the Convention on the Elimination of All Forms of Discrimination against Women.⁴³

Sex-Trafficking and Sexual Exploitation by North Korea’s Government

While human trafficking by any individual or organization is abhorrent and must be eliminated, it is especially violating when trafficking occurs at the hands of the government and leaders. Despite North Korea’s denial that human trafficking occurs, young women and even young girls are reportedly selected to be a part of Kim Jong Un’s “pleasure squad.”⁴⁴ Young women, some as young as 13, ‘selected’, often from school, and trafficked into this group of women that are sexually exploited by Kim Jong Un.⁴⁵ Defectors report that girls who are ‘selected’ are forced to have extremely invasive medical examinations performed on them in order to prove that they are virgins before they ‘join’ the pleasure squad.⁴⁶ These actions fall under the United Nation’s

³⁷ A/HRC/43/58, *supra* note 3 at pg. 13.

³⁸ *Replies of the Democratic People’s of Korea*, *supra* note 34 at Par. 47.

³⁹ U.S. State Department, [2020 Trafficking in Persons Report](#), pg. 295.

⁴⁰ *Ibid.* at pg. 12.

⁴¹ *Ibid.* at pg. 296.

⁴² *Ibid.*

⁴³ *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, Part I Art. 6.

⁴⁴ Bob Fredericks, [Kim Jong Un May be holed up with his 2,000-woman ‘Pleasure Squad’: report](#), 1 May 2020.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

definition of human trafficking as it is the recruitment of persons through the use of force, coercion, abduction, abuse of power and vulnerability, for the purpose of sexual exploitation.⁴⁷ Further, it is in violation of North Korea's commitments under Article 6 of the Convention on the Elimination Against all Forms of Discrimination Against Women.

In addition to Kim Jong Un, women are regularly exploited by members of the Korean Workers Party. For instance, one woman reported being raped by a mayor in his office when she was seeking a house.⁴⁸ After being violently exploited, she received a house, but could not tell anyone what had happened to her.

Discrimination against Women in North Korean Society

Access to Education and Job Discrimination

The Special Rapporteur most recently reported in February of 2020 that 18.18 percent of women were enrolled in higher education in North Korea while 35.5 percent of men were enrolled in 2018.⁴⁹ Further, women are often coerced into stereotypical roles such as that of nurses and telephone operators as the Standards of Job Assignments requires that 100 percent of these roles must be filled by women.⁵⁰ Both underrepresentation in higher education and discrimination in employment based on stereotypes is in violation of North Korea's commitments under the Convention on the Elimination of All Forms of Discrimination Against Women. Under Article 10 of the CEDAW, State parties agree to take all appropriate measures to eliminate any "stereotyped concept of the roles of men and women at all levels of education" and to give women "the same opportunities for access to programmes of continuing education."⁵¹ Article 11 provides that state parties should take measures to eliminate discrimination in employment, that women receive the same employment opportunities, and that women have the free choice of profession and employment.⁵²

Treatment of Disabled Women

The treatment of the disabled by North Korea's government is another concern that particularly affects the status of women in North Korea. According to the 2008 census, approximately 8.1 percent of the North Korean population over the age of 5 had a visual, hearing, physical or intellectual disability.⁵³ It is estimated that of those who are disabled in North Korea, women account for 62% while men account for 32%.⁵⁴ A disability sample survey which was conducted in 2014 in four provinces of North Korea estimated a disability rate of 6.2% of the overall

⁴⁷ United Nations Office on Drugs and Crime, [Human Trafficking](#).

⁴⁸ Korea Future Initiative, [Us Too Sexual Violence Against North Korean Women and Girls](#), 2018, Pg. 55.

⁴⁹ A/HRC/43/58, *supra* note 3 at pg. 10.

⁵⁰ *Ibid.*

⁵¹ CEDAW, Part III Art. 10.

⁵² CEDAW, Part III Art. 11.

⁵³ Human Rights Council, [Report of the Special Rapporteur on the rights of persons with disabilities on her visit to the Democratic People's Republic of Korea](#), 8 December 2017, A/HRC/37/56/Add.1, pg. 4.

⁵⁴ *Ibid.*

population.⁵⁵ Out of the approximately 1.5 million disabled individuals, 55.1% were women and 44.9% were men.

Given the proportion of disabled North Koreans who are women, it is concerning to the status of women that individuals with disabilities are highly devalued. This is in part because health and strength is highly valued in North Korean society since each person is expected to contribute to North Korea's development.⁵⁶ An example of the harm that manifests itself from this discrimination against women are reports of disabled North Korean women who will "sacrifice themselves" by marrying disabled veterans in order to contribute to their country.⁵⁷ This "sacrifice" is often made because it is felt that otherwise they would not find a spouse and to reduce stigma that accompanies individuals who are not able to contribute and are thus a burden to North Korean society.⁵⁸

Further, the Special Rapporteur on the Rights of Persons with Disabilities has noted that families with children who are disabled often prevent them from being known in society in order to prevent the shame and stigma that is attached to individuals with disabilities.⁵⁹ The Special Rapporteur especially noted that disabled women and girls in North Korea are especially excluded from society because of discrimination due to disability.⁶⁰ Such exclusion and separation includes reported separate facilities for disabled people, difficulty accessing education, and limited work opportunities.⁶¹ Since women account for a significant number of the disabled community in North Korea, each of these concerns are of importance when considering the status of women. An already vulnerable population is experiencing increased discrimination based on gender and ability.

North Korea, as a state party to the Convention on the Rights of Persons with Disabilities, should work to uphold the rights of women with disabilities and ensure their full and equal enjoyment of their rights as set out in Article 6 of the Convention.⁶² Particularly by addressing the stigma and shame women with disabilities face in society from the viewed lack of ability to contribute to North Korean society. Further, the stigma and shame disabled women in North Korea experience violate North Korea's obligations under Article 3 of the CRPD, particularly the responsibility to ensure the full and effective participation and inclusion in society and respect for differences and acceptance of women with disabilities.⁶³

⁵⁵ *Ibid.*

⁵⁶ *Ibid.* at pg. 9.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² *Convention on the Rights of Persons with Disabilities (CRPD)*, Art. 6.

⁶³ *Ibid.* at Art. 3.

Heightened Concerns of Human Rights Abuses against Women because of COVID

Although North Korea has consistently denied any concerns over infections of COVID, on 19 July 2020 the government expressed concern over the first admitted case of an individual with COVID.⁶⁴ Whether or not denial of infections of COVID is accurate or false, any actions by the government to prevent the spread of COVID have likely led to heightened concerns for the vulnerability of North Korean women. Actions of concern include strengthening the security at the border, security that already was a formative opponent to those seeking to escape the deplorable conditions within North Korea.⁶⁵

Under typical circumstances, each of the discussed concerns regarding human rights violations perpetrated by the North Korean government against women is alarming. The limited documentation and stories from women who flee North Korea illustrates the risks and difficulty these individuals face in seeking freedom. With the state of the world under COVID, these risks and difficulties have heightened as North Korea has sealed its borders for women fleeing from North Korea.⁶⁶ Women in North Korea who already have an improbable chance to flee to freedom, the prospect has been made essentially impossible.

Concluding Remarks

Women in North Korea remain one of the most vulnerable populations to abuse in our world. While North Korea has claimed to uphold the rights and status of women, the information available to the Commission on the Status of Women and the details contained in this report contradict these claims. North Korea must not only enact laws or ratify treaties that further the status of women, but must take concrete steps to ensure that such laws and standards are upheld for North Korean women. We renew our call to the Commission on the Status of Women to take notice of the situation of human rights, particularly women's rights, in the Democratic People's Republic of Korea and again urge this commission to include their plight in their work to uphold the rights and dignity of all women.

Respectfully Submitted:



Ann Buwalda, Esq.
President, Jubilee Campaign



Jason West, Esq.
Vice Chairman, North Korea Freedom Coalition

⁶⁴ Timothy W. Martin and Eun-Young Jeong, [North Korea Reports its First Apparent Covid-19 Case](#), 26 July 2020.

⁶⁵ A/HRC/43/58, *supra* note 3 at pg. 3.

⁶⁶ Jong So Yong, *supra* note 15.