

Committee for Human Rights in North Korea

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Universal Periodic Review of the Democratic People's Republic of Korea (DPRK) Fourth Cycle (2024)

HRNK Submission

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The Committee for Human Rights in North Korea (HRNK) is the leading non-partisan, non-governmental organization in the field of North Korean human rights research and advocacy, based in Washington, D.C. Since our establishment in 2001, we have sought to raise international awareness of the human rights situation in the DPRK through the publication of well-documented reports and outreach activities in support of the recommendations made in those publications. All our reports are available at <https://www.hrnk.org/publications/hrnk-publications.php>. We have published 63 reports to date, investigating the DPRK's vast system of unlawful imprisonment, the DPRK's policy of human rights denial, and vulnerable groups, especially women, children, and people in detention. HRNK received UN ECOSOC consultative status in April 2018. Ever since, we have proactively represented North Korean human rights at the UN. By participating in the Universal Periodic Review and organizing online and in-person international conferences, seminars, and meetings with Permanent Missions, UN agencies, and other offices in Geneva, New York City, Brussels, and Seoul, HRNK continues to disseminate the findings and recommendations put forth in our reports.

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Focus

In this submission, HRNK focuses its attention on the following issues in the DPRK:

1. The status of the system of detention facilities, where a multitude of human rights violations are ongoing.
2. The post-COVID human security and human rights status of North Korean women, with particular attention to sexual and gender-based violence (SGBV).
3. The issue of Japanese abductees and South Korean Prisoners of War (POWs), abductees, and unjust detainees.

Findings

Detention Facilities and Human Rights Violations

4. In 2014, the UN Commission of Inquiry on Human Rights in the DPRK determined that “crimes against humanity have been committed in the DPRK.”¹ Many of these crimes against humanity take place against persons detained in political and other prison facilities. The Commission determined that these persons are among the “primary targets of a systematic and widespread attack” by the North Korean regime, including murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution, and the enforced disappearance of persons. Ten years since the publication of the UNCOI, crimes against humanity in detention facilities are ongoing.
5. The DPRK has yet to acknowledge the existence of political prison camps or support any recommendation concerning detention from a Member State during its UPRs and has repeatedly denied requests by UN bodies and Special Rapporteurs (SR) for access to the country, including its detention centers.
6. However, satellite imagery and escapees’ testimonies continue to prove the existence and expansion of such camps. HRNK has found the continued operation of political prison camps (*kwan-li-so*) and long-term prison labor facilities (*kyo-hwa-so*). *Kwan-li-so* are high-security political prison camps primarily used for detaining political prisoners, where individuals are deported without due process or legal proceeding. Here, most inmates are imprisoned for life together with their families up to three generations of family members.²

¹ United Nations Human Rights Council, “Report of the detailed findings of the commission of inquiry on human rights in the Democratic People’s Republic of Korea,” A/HRC/25/CRP.1, 2014, para 1160.

² A feature of the *kwan-li-so* system is the penal philosophy of “guilt by association” (*yeon-jwa-je*), where spouses, children and sometimes also grand-children of the political offender are imprisoned. Find more information on: *The*

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Prisoners detained in political prison camps are accused of having engaged in “political crimes”, including any form of behavior or conduct considered as a threat to the State. In *Kyo-hwa-so* facilities individuals are imprisoned for criminal and political offenses, including violent and economic crimes but also for exercising their basic human rights.³ The regime often sends individuals to these camps for re-education purposes or as a form of punishment for committing criminal offenses. Inside of *kyo-hwa-so*, detainees are subjected to forced labor and constant abuse, and guards have the legitimacy of beating, punishing, and torturing prisoners without facing any accountability.⁴

7. Based on witness testimony and satellite imagery, HRNK has found:
 - a. The location of 27 detention facilities.⁵ These facilities are strategically located across the country in remote mountainous areas, near the border with China, or along the coastal strip. The strategic position of these centers is intended to impede detainees to escape and isolate them from the rest of the North Korean population.
 - b. An ongoing restructuring of the political prison camp system, with inland facilities expanding.

Hidden Gulag, Second Edition. The Lives and Voices of “Those Who are Sent to the Mountains” by David Hawk, published by the Committee for Human Rights in North Korea (2012), available at https://www.hrnk.org/uploads/pdfs/HRNK_HiddenGulag2_Web_5-18.pdf.

³ United Nations Human Rights Council, “Report of the detailed findings of the commission of inquiry on human rights in the Democratic People’s Republic of Korea,” para 789.

⁴ Joseph S. Bermudez, Jr., Greg Scarlatoiu, Amanda Mortwedt Oh, and Rosa Park, 2021, “North Korea’s Long-term Prison-Labor Facility Kyo-hwa-so No. 8, Sŭngŏ-ri (승호리) - Update,” *The Committee for Human Rights in North Korea*, retrieved from: https://www.hrnk.org/uploads/pdfs/Bermudez_KHS8_FINAL_2021_10_04.pdf.

⁵ The Committee for Human Rights in North Korea, “North Korea’s Short Term Detention Facilities in Google Earth: HRNK-IBA Project,” HRNK, 8 June 2021 (“HRNK-IBA Project”). These facilities include: Onsong Mobile Labor Brigade; Onsong Ministry of Social Security Interrogation/Detention Facility; Onsong Ministry of State Security Interrogation/Detention Facility; Hoeryong Shorter-Term Labor Detention Facility; Hoeryong Mobile Labor Brigade; Hoeryong Ministry of State Security Interrogation / Detention Facility; Hoeryong Ministry of Social Security Detention Facility; Hoeryong City Yuseon-gu Police Station; Re-education through Labor Camp No. 3, Jongŏ-ri; Saetgol-ri Ministry of State Security Interrogation/Detention Facility; Musan County Ministry of State Security Interrogation/Detention Facility; Musan County Ministry of Social Security Interrogation/Detention Facility; Musan Mobile Labor Brigade; Chongjin Ministry of State Security Interrogation/Detention Facility; Chongjin City Shorter-Term Labor Detention Facility; Samjiyeon Police Station; Samjiyeon Detention Facility; Hyesan City Detention Facility; Hyesan Mobile Labor Brigade; Hyesan Detention Facility; Kilju Police Station; Kilju County Labor Training Camp; Danchun (Tanchon) Mobile Labor Brigade; Danchun (Tanchon) City Gumdeok District Ministry of Social Security Detention Facility; Chŭngsan No. 11 Detention Facility Headquarters, “Foreigner Prison”; and Re-education through Labor Camp Sungho - Prison 2 and 3 at Pokchong-ni. i. See also Committee for Human Rights in North Korea, Video, “Six Years After the UN COI Report: A Discussion with Justice Michael Kirby,” 17 June 2020 (“Discussion with Justice Kirby”), at 1:11:34–1:13:49, <https://www.youtube.com/watch?v=IVQU6A19XmY> (explaining that satellite images exactly confirm the testimony of witnesses interviewed for the COI Report and that the DPRK refused to allow a neutral third party to inspect the areas identified by satellite imagery of prison camps) [last accessed 18 March 2024].

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- c. A potential correlation between nuclear facilities and prisoners' forced labor in prison camps. Through satellite imagery, a clear connecting path was identified between Camp 16 and Punggye-ri Nuclear Facility.⁶ This implies the possibility of forced labor from the camp being dispatched via the connecting path to perform activities related to the development of the nuclear program, in turn exposing political prisoners to serious health and safety risks associated with constructing or maintaining a nuclear testing facility.
- d. By 2020, it was estimated that 160,000 individuals were being detained in political prisons for “political crimes”, highlighting an increase from previous estimates.⁷
 - i. In 2022, HRNK conducted an Accountability Hearing on Crimes Against Humanity in Detention Facilities.⁸ Based on the evidence presented and reviewed by an international commission of judges, the Inquiry found that there are reasonable grounds to conclude that ten of the eleven crimes against humanity in the Rome Statute have been and are being committed – murder, extermination, enslavement, forcible transfer, imprisonment or severe deprivation of physical liberty, torture, sexual violence, persecution, enforced disappearance, and other inhumane acts.⁹
 - ii. Extensive evidence demonstrated that DPRK officials detain individuals for illegitimate reasons, such as exercising basic human rights, with no due process, in facilities with unsanitary living conditions.¹⁰

Sexual and Gender-Based Violence (SGBV)

8. In the DPRK, women and girls constitute a particularly vulnerable group. Human rights violations against North Korean women and girls remain rampant and egregious, as they face various forms of discrimination, abuse, and exploitation.

⁶ Jacob Bogle, Greg Scarlatoiu, Raymond Ha, “Switchback: Evidence of a Connection between Kwan-li-so No. 16 and the Punggye-ri Nuclear Test Facility?,” *The Committee for Human Rights in North Korea*, https://www.hrnk.org/uploads/pdfs/punggyeri_FINAL.pdf [last accessed 18 March 2024].

⁷ Lee Ho-jin, “How has Kim Jong Un changed his country’s prison camps?,” *Daily NK*, 2020, August 10, <https://www.dailynk.com/english/how-has-kim-jong-un-changed-prison-camps/> [last accessed 18 March 2024].

⁸ The Committee for Human Rights in North Korea (HRNK) & the International Bar Association (IBA), “Report: Inquiry on Crimes Against Humanity in North Korean Detention Centers,” March 2022, <https://www.hrnk.org/uploads/pdfs/Report%20Findings%20Inquiry%20on%20Crimes%20Against%20Humanity.pdf>, [last accessed 18 March 2024].

⁹ *Ibid*, para 127.

¹⁰ *Ibid*, para 190.

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9. Over the course of the years and through the implementation of our research projects, HRNK obtained and published evidence highlighting the intensification of a crackdown on women, triggered by their robust involvement in informal markets (*jangmadang*) that have developed since the great famine of the 1990s.¹¹ Prior to the COVID-19 pandemic, women provided for more than 70% of the household income,¹² of which 80% came from their market activities.¹³ Nevertheless, engaging in unapproved activities, including market exchanges and border crossing for import-export, remains illegal and poses an even greater risk to women ever since the COVID-19 pandemic.
10. SGBV inside North Korean prison camps is a harrowing and persisting reality. HRNK has been shedding light on the egregious human rights abuses female detainees face, highlighting the extent to which the country's harsh detention system disproportionately affects women. It is estimated that thousands of women, including political prisoners accused of crimes against the regime, are held in detention centers where they endure physical and psychological abuse. Within the wide prison camp system, women in detention facilities are consistently subjected to sexual abuse and rape by prison guards and state officials, who do not face any consequences for their actions. Hard labor, forced abortions, and rape are only a few of the violations endured by female detainees.
 - a. The 2022 HRNK Accountability Hearing obtained substantial evidence through escapee interviews and accounts of rape, sexual slavery, and sexual violence in the detention centers, allowing to conclude that SGBV is systematically committed inside the camps.¹⁴

Japanese Abductees, South Korean POWs and Unjust Detainees

11. Since the Korean War, the systematic abduction of Japanese citizens and South Korean POWs, abductees, and unjust detainees by the DPRK remains a significant human rights concern.

¹¹ Bermudez, Scarlatou, & Mortwedt Oh, 2021, "North Korea's Political Prison Camp, Kwan-li-so No. 14, Update 1," *Committee for Human Rights in North Korea*, retrieved from <https://www.hrnk.org/uploads/pdfs/Camp%2014%20v.8.pdf>.

¹² Park, 2015, "In North Korea, men call the shots, women make the money," *Reuters*, retrieved from <https://www.reuters.com/article/us-northkorea-women/in-north-korea-men-call-the-shots-women-make-the-money-idUSKBN0090Y020150524>.

¹³ Lankov, 2022, "How women run the small business world inside North Korea," *NK News*, retrieved from <https://www.nknews.org/2022/04/how-women-run-the-small-business-world-inside-north-korea/>.

¹⁴ The Committee for Human Rights in North Korea (HRNK) & the International Bar Association (IBA), "Report: Inquiry on Crimes Against Humanity in North Korean Detention Centers."

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12. The abduction of Japanese citizens has been a longstanding issue between Japan and the DPRK since the 1970s when DPRK agents abducted Japanese citizens, causing diplomatic tensions between the two countries. Despite some returns by the DPRK, many abductees remain unaccounted for. According to official Japanese government records, there are 17 recognized Japanese abductees.¹⁵ While the DPRK government admitted that 13 Japanese nationals had been taken, it claimed that 8 had passed away, and only 5 victims were allowed to return to Japan. These individuals were abducted by DPRK agents for various purposes, including espionage training and language education. The remaining abductees' whereabouts continue to remain unknown today.
13. The South Korean Ministry of Unification categorizes South Korean detainees in North Korea into three main groups: POWs, abductees, and unjust detainees. These individuals were captured or detained by the DPRK during the Korean War or in subsequent incidents.
 - a. During the Korean War, thousands of South Korean soldiers were captured by the DPRK. While some POWs were repatriated after the war, many remained in North Korean custody. The exact number of South Korean POWs still held in the DPRK is uncertain, but estimates suggest that several hundred may still be alive (the number was estimated to be over 500 in 2022).¹⁶
 - b. South Korean abductees are civilians who were forcibly taken to the DPRK for various reasons, including espionage, propaganda purposes, or forced labor. While the number of South Korean abductees is difficult to ascertain, testimonies from defectors and survivors suggest that hundreds South Koreans were abducted by the DPRK over the years. It is estimated that approximately 100,000 South Korean civilians have been abducted by the DPRK.¹⁷
 - c. Unjust detainees are individuals from the Republic of Korea (ROK) who were detained or imprisoned by the DPRK for political reasons or alleged espionage activities. These detainees often face harsh conditions and limited access to legal representation or consular assistance. The South Korean government has been advocating for the release of unjust detainees and seeking their repatriation.

¹⁵ Ministry of Foreign Affairs of Japan, 2022, "Abduction of Japanese Citizens by North Korea," https://www.mofa.go.jp/region/asia-paci/n_korea/abduction/index.html.

¹⁶ Kim Seo-yoon, 2022, "S. Korea discloses symbol of S. Koreans abducted, detained by N. Korea," <https://en.yna.co.kr/view/AEN20240201005500315>.

¹⁷ Ministry of Unification of the Republic of Korea, n.d., "Definition of Post-War Abductees," https://reunion.unikorea.go.kr/abduct_eng/html/abducteeConcept.html.

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14. While precise statistics on Japanese abductees and South Korean detainees in the DPRK are challenging to obtain, numerous reports, testimonies, and investigations provide compelling and corroborated evidence on abductions, constituting human rights violations and a breach of applicable international law.¹⁸ Such evidence highlights the responsibility of the DPRK for such crimes.

Recommendations to the DPRK

Regarding Detention Facilities

15. Dismantle all political prison camps and unconditionally release all prisoners.

- a. DPRK rejected recommendations made by Canada (125.54), Greece (125.55), Lithuania (125.56), Czech Republic (125.57), Slovenia (125.58), Republic of Korea (125.59), Austria (125.60), Sweden (125.61), Spain (125.62), France (125.63), USA (125.64), Germany (125.65), New Zealand (125.67) and Argentina (125.69) during the 3rd cycle, asking to close all camps.

16. Allow international actors to visit the country and grant access to prison camps and detention facilities to international organizations, including humanitarian organizations, the COI, and the UN Special Rapporteur on human rights in the DPRK.

- a. Rejected: Czech Republic (125.26), Uruguay (125.28), Greece (125.30), Switzerland (125.31), Lithuania (125.32), UK (125.33), Sweden (125.34), France (125.35), Austria (125.36), Slovenia (125.39), Netherlands (125.68), Israel (125.71), Austria (125.72), Estonia (125.73), Ireland (125.74), North Macedonia (125.75).

17. Ensure accountability for persons responsible for human rights violations.

- a. Rejected: Switzerland (125.77) “Prosecute persons responsible for serious violations of human rights and ratify the Rome Statute”, by Canada (125.78) to “Hold those responsible for grave, widespread and systematic violations of human rights, including crimes against humanity, accountable for their depraved actions”.

¹⁸ United States, Department of State, 2022, “Democratic People’s Republic of Korea 2022 Human Rights Report,” https://www.state.gov/wp-content/uploads/2023/03/415610_KOREA-DEM-REP-2022-HUMAN-RIGHTS-REPORT.pdf.

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18. Prohibit and abolish the use of torture, the death penalty, the *songbun* discrimination system, and “guilt by association” and ratify the Rome Statute, the Second Protocol of the ICCPR, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment.

- a. Rejected recommendations to ratify the Rome Statute: 125.1 – 125.7.
- b. Other rejected recommendations: France (125.10), USA (125.40), Australia (125.41), Czech Republic (125.42), Canada (125.43), Greece (125.44), Switzerland (125.77).
- c. Noted: Portugal (124.12).

Regarding Sexual and Gender-Based Violence

19. Implement legislative measures to hold accountable perpetrators of gender-based and sexual violence and provide evidence on measures implemented following the last UPR cycle.

- a. Supported: Chile (124.107) “Punish under law violence against women [...]”, France (124.105) “Establish measures to combat discrimination and violence against women”.
- b. Noted: Canada (124.106) “Enact national legislation to combat violence against women, including a definition of rape that applies to domestic rape and rape in detention centres”.

20. Prohibit the use of sexual and gender-based violence as a tool for punishment in detention facilities.

- a. Noted: Ecuador (124.119) “Tackle impunity by [...] prosecuting those responsible for [...] human rights violations, in particular those committed by law enforcement [...], and pay special attention to women and children to avoid that they are subjected to sexual abuse in detention” and Ireland (124.100) “Immediately establish a system to prevent sexual violence against female prisoners”.

21. Implement measures to increase women’s participation in economic, political, and social contexts, including the ratification of the Optional Protocol to the ICESCR.

- a. Supported: Belarus (124.72), South Sudan (124.74), Malaysia (124.183).

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Regarding Japanese and South Korean POWs and Unjust Detainees

22. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

- a. Noted: Sierra Leone (124.6), Brazil (124.8).

23. Provide a comprehensive and transparent record of all abductions and take concrete measures to facilitate their repatriation to the ROK and Japan.

- a. Rejected: Australia (125.15), Iceland (125.25), Greece (125.46), Hungary (125.47), the ROK (125.48), Japan (125.49), Slovakia (125.50), Mexico (125.51), Chile (125.52).