

Additional Report submitted to the CEDAW

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This submission relates to articles 2, 5, 9, 10, 11, and 12 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Research and interviews for the submission was conducted in early October. The interviewees are seven female escapees (appendix 1) from the DPRK (North Korea): two of them came from Musan, North Hamkyung Province, three from Chongjin, North Hamkyung Province, and the other two from Hyesan of Yangkang Province. Of the six, two interviewees came to the ROK (South Korea) in 2016, immediately after leaving North Korea, while three came to the South in 2010 and 2012. The sixth woman came to the South in 2013, after experiencing a five-year detention in *gyohwaso* (an ordinary prison in North Korea), upon forced repatriation to North Korea. Arrested and repatriated in 2008, she had to leave her one month-old baby behind in China. The last woman was detained in the Hamheung *gyohwaso* for seven years because she was trafficked to a Chinese man and lived there for 3 years and crucially belonged to the hostile class due to her grandfather's career contributing to the Japanese colonial government. The other five interviewees were all housewives who earned a living by selling home-made products in markets, so called *jangmadang* in North Korean. Lastly, one of the women held the title of chairwoman of a women's unit in a neighborhood of Hyesan.

Through the testimonies of women who left North Korea both during the Kim Jong Il era and the Kim Jong Un era, a different point in the situation of the society was found. It was the extent of surveillance on market activities. Under Kim Jong Un, restrictions on the kinds of products sold and the age of merchandise vendors have become less strict than under Kim Jong Il. Aside from this, all other fields and characteristics of society, including personal day-to-day life, mentioned by the interviewees remained consistent throughout the two eras. The following explanations are all based on the experiences and thoughts of the six interviewees and are, in parts, based on the accounts of the writer's other acquaintances who came from North Korea in the early 2010s.

1. Campaigns promoting awareness of human rights, domestic violence, etc. regarding paragraphs 3, 12, 18, 19, 22, 23, 37, and 41 of the Replies of the DPRK

There have been no educational efforts or public campaigns to promote the rights of women, children, people with disabilities or old people in North Korea. Even though there are weekly lectures as well as weekly evaluation meetings organized by the people's unit, (*inminban*), as well as the women's union, human rights-related topics are not part of the agenda for weekly lectures and people's unit meetings. The agendas of these lectures and evaluation meetings are solely dedicated to praise for and loyalty to Kim Jong Un and often review the rules on forbidden activities and various other restrictions. However, one interviewee reported being informed of a ban on domestic violence.

On the question of publications and pamphlets regarding human rights, UN conventions, and welfare, the former chairwoman of a people's unit said that she had not received even one

sheet of paper from the women's unit, people's committee or any other organization relevant to those issues. In addition, interviewees reported that there were no programs talking about human rights or UN conventions on state television, KCNA TV. All the interviewees added that, even if there were such programs, they would have had little influence as people tend not to watch KCNA TV due to the shortage of electricity.

Consequently, all interviewees did not have any understanding of the terms: "human rights," "well-being," "discrimination against women," "protection of the rights of people with disabilities," "welfare policies," "UN treaties," and other terms mentioned in the Replies of the DPRK. They never heard of any of these terms when living in North Korea during both the Kim Jong Il and Kim Jong Un eras. Despite this, the "UN" is a familiar term to each of them. They each understood the UN as a body that provides rice to North Korea, while one interviewee believed the UN to be a country.

2. Job opportunities for women regarding paragraphs 11, 14, 37, 59 and 63 of the Replies of the DPRK

The interviewees all reported that women in North Korea tend to quit their jobs when they get married and, instead, earn money in the markets. According to article 92 of the Administrative Punishment Law adopted in 2008 (2), unemployed are to be sentenced to labor detention facilities, if at least one member of a household is not registered to a company. In the case of a husband's death or a divorce, a housewife must seek employment with a company. When a woman loses her husband, she must report to the workplace of her husband, where she is charged with simple labor such as cleaning, regardless of her abilities or will. Women are deprived of the opportunity to earn money through private business in markets due to this system of forced employment. Since the average monthly salary for employees is around 3,000 North Korean won (2), with which people can purchase only approximately 500 grams of rice, working at a company does not provide nearly enough compensation to earn a living.

As men are legally required to work for companies, they cannot do business in markets or participate in social labor-activities. Therefore, the responsibility is left to women in North Korea to earn a living by doing private business in markets and mobilized farming, construction, and street cleaning.

3. Social welfare regarding paragraphs 3, 6, 7, 9, 22, and 30 of the Replies of the DPRK

No interviewee has heard of the terms, "social welfare" or "welfare policy," especially welfare for old people and people with disabilities. North Korean people consider these problems as matters to be handled and remedied individually. Therefore, elderly people, who do not have children to take care of them, and orphans are the most pitied individuals as they don't have any other means of providing for themselves.

The best and only welfare policy for the vulnerable classes of people is to have a family. This is especially the case for people with disabilities, since they cannot attend school and have no opportunities to earn money. There are subsidies for the disabled, but only for

disabled veterans. Interviewees explained that food and an apartment is provided to some disabled veterans, who rendered distinguished services.

4. Domestic violence, sexual offenses, and sexual harassment regarding paragraphs 39, 40 and 41 of the Replies of the DPRK

Domestic violence, sexual offenses, and sexual harassment are rampant in North Korea but are almost entirely not reported to the police.

According to two interviewees who regularly traded in markets and one who smuggled goods at a border city, when women want to do business on a larger scale, they desperately need a good connection with government officials, such as the State Security Ministry (intelligence agency), People's Safety Ministry (police), or prosecution office. Oftentimes, women must establish these connections by engaging in sexual relations with the officials. Failure to gain an official's favor puts a trader's stable background and business severely at risk.

Domestic violence is also a common practice where police tend to not intervene. The former chairwoman of an *inminban* reported that, in a single *inminban* of 40 households, around 8-10 wives were assaulted multiple times a week. Chairwomen of *inminban* and agents of the People's Safety Ministry do little to prevent a husband from beating his wife as it is considered a domestic affair and a common, natural practice.

Sexual harassment prevails in North Korea. The only way for women to avoid this danger is by covering their body with their arms when in crowds, according to one interviewee who worked as part of a train crew. Working on a train, she often saw male passengers touching women's breasts, buttocks, and genitals.

The attitude towards these crimes comes down to an absence of education and a lack of awareness. There are no campaigns to raise visibility of these issues and, in cases where crimes are reported, victims are looked down upon by society.

5. Exploiting valuable materials regarding paragraph 57 of the Replies of the DPRK

The six interviewees, as well as other escapees from North Korea, all stated that there is no such thing as voluntary submission of valuables to the People's Army or voluntary participation in construction brigades. Almost every other day, housewives at *inminban* and children at school have to submit valuable materials to support the People's Army and construction brigades. The interviewee who was an *inminban* chairwoman said that one of the toughest jobs for chairwomen of people's units (*inminban*) is seizing valuable materials from households by knocking on the doors of houses and mobilizing housewives of the *inminban* for construction, street refurbishing, and other projects.

Due to the coercive atmosphere and fear of political criticisms or denouncement, women of the *inminban* have no choice but to forfeit their valuables and take part in farming, construction, and street cleaning projects. Interviewees added that resisting exploitation would bring punishment and risk a family's place in the community.

6. Repatriation and punishment regarding paragraphs 72, 73, and 76 of the Replies of the DPRK

One interviewee was forced to leave her one month-old baby in China after being repatriated and sentenced to a five-year detention in *gyohwaso*, an ordinary prison in North Korea. She had not been involved in smuggling or drug-selling. Another interviewee was sentenced to a seven-year detention in *gyohwaso* in 2004 and released in 2011 even though she was not involved in any grave crimes as drug trafficking and attempted murder while staying abroad. However, she assumes that it was because she escaped the country two times to live in China and belonged to the hostile class due to her grandfather's career during the Japanese colonial period. The three interviewees who had experienced repatriation explained that the longer one lived in China, the longer one's prison sentence will be. This information runs contrary to the claims contained in the Replies of the DPRK.

7. Child birth regarding paragraphs 65, 66 and 76 of the Replies of the DPRK

Even though the North Korean authorities insist through the reports submitted to the CEDAW that medical care is free, the patients have to buy medicines and even anesthetic. Patients must buy firewood or fuel for heating the hospital and give bribes to the doctors. Only the fee for a doctor's consultation is waived. The interviewees said that approximately half of women in North Korea go to hospital for their childbirth, however, five of the six interviewees had delivered their babies at home.

One interviewee was repatriated to North Korea when she was two-months pregnant and subsequently detained and interrogated in a facility near the border for a following three months. After that, she was sent to her hometown in Chongjin. In the detention facility, run by the State Security Ministry, or *bowibu*, the interrogators attempted to force an abortion but, by offering bribes, she managed to secure her and her unborn child's safe release. While having been detained, she witnessed a few inmates go through forced abortions, so she took pains to conceal her pregnancy for the first three months.

Recommendations and Questions to the DPRK

The DPRK should

1. Accept educational materials from CEDAW or other treaty-based bodies and disseminate them to women in cities and rural areas. To meet this need, CEDAW, with the support of OHCHR Seoul Office, the South Korean Mission to HRC and especially South Korean NGOs working for human rights in North Korea, should publish books, leaflets, and relevant educational materials on human rights written in local spoken Korean.
2. Accept an international education system for teaching the concepts of women's rights and sexual abuses, particularly to improve the training of the chairwomen of people's unit and agents of the People's Safety Ministry.

3. Abolish the article 92 of the Administrative Punishment Law regarding Inoccupation and Dissolute Life, so that women without husbands may have the opportunity to conduct their own businesses without legal limitation and to allow for men to also conduct business within the legal framework.
4. Instruct the People's Safety Ministry to intervene in cases of domestic violence and sexual assault and to contribute towards raising public awareness of sexual crimes.
5. Stop seizing valuables from households through the people's units and school system and cease mobilizing women for farming, national construction, and infrastructure refurbishment projects through the people's units.
6. Receive inquiries from the Special Rapporteur to the DPRK to verify the claims (made in paragraph 76 of the Replies of the DPRK) on detention facilities for repatriated citizens.
7. Clarify the testimonies that interviewees who have experiences of repatriation said that they were sentenced to several years of imprisoned in a prison, even though they did not sell drug or were not involved in any political crimes. They were simply victims of human trafficking and left for China, but they were sentenced to several-year imprisonment.
8. North Korea states that "the Association for the Protection of the Elderly works to protect the rights and interests of old people in accordance with the relevant policy." As all the interviewees said that there have been no welfare policies to take care of senior citizens, what kinds of policy is implemented to protect the elderly people? How many beneficiaries of the policy are there with the exception of Pyongyang citizens?

Appendix:

- 1) Interviewees for the research

	Year of entering SK	Year of leaving NK	City, Province	Experience or position in NK
1	2013	2006 and 2013	Chongjin, North Hamkyung	Five-year detention in <i>gyohwaso</i>

2	2016	2016	Hyesan, Yangkang	Chairwoman of a women's union and market vendor
3	2016	2016	Hyesan, Yangkang	Smuggled Chinese products
4	2010	2005	Musan, North Hamkyung	Housewife and market vendor, victim of domestic violence
5	2010	2007	Chongjin, North Hamkyung	Housewife and market vendor. Train crew and repatriated to North Korea while three months pregnant
6	2012	2011	Musan, North Hamkyung	Housewife and market vendor, victim of domestic violence
7	2012	2011	Chongjin, North Hamkyung	Had a seven-year detention in a gyohwaso because she was sold to a Chinese man and lived in China for three years.

2) 1 kg of rice = 6,100 won / 1 US dollar = 8,100 won

<http://www.dailynk.com/english/market.php>

3) Article 92 of the Administrative Punishment Law, adopted in 2008, Inoccupation and Dissolute life, states that absence from work for more than six months for no justifiable reason or being away from work for over a month is subject to up to one month of labor-edification detention. In serious cases, the person may be subject to over three months of labor-edification detention.