

arranged anti-trafficking trainings during the reporting period for signatories to the Code. While government efforts to curb child sex tourism continued to improve during the year, local reports claimed these efforts largely involved prohibiting the entry of perpetrators at immigration check-points rather than arrests and prosecutions. The government made efforts to reduce the demand for commercial sex acts and forced labor. The Ministry of Foreign Affairs (MFA) provided anti-trafficking training for all newly posted diplomatic personnel and vetted employment contracts between Kenyan diplomats posted abroad and their domestic workers to ensure the legality of the domestic workers. The MFA provided all diplomats with an employment contract template for use with their domestic workers abroad. The government's training for troops deployed overseas on international peacekeeping missions included a module that addressed human trafficking.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Kenya, and traffickers exploit victims from Kenya abroad. Within the country, children are subjected to forced labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Girls and boys are also exploited in commercial sex throughout Kenya, including in sex tourism on the coast, in Nairobi and Kisumu, particularly in informal settlements; at times, their exploitation is facilitated by family members. Children are also exploited in sex trafficking by people working in *khat* (a mild narcotic) cultivation areas, near gold mines in western Kenya, by truck drivers along major highways, and by fishermen on Lake Victoria. Kenyans are recruited by legal or illegal employment agencies or voluntarily migrate to Europe, the United States, Southeast Asia, and the Middle East—particularly Saudi Arabia, Lebanon, Kuwait, Qatar, the UAE, and Oman—in search of employment, where at times they are exploited in domestic servitude, massage parlors and brothels, or forced manual labor. NGOs reported that IDPs, particularly those who live close to a major highway or local trading center, are more vulnerable to trafficking than persons in settled communities. Nairobi-based labor recruiters maintain networks in Ethiopia and Uganda that recruit Ethiopian, Rwandan, and Ugandan workers through fraudulent offers of employment in the Middle East and Asia. Kenya continues to serve as a transit point for Ethiopians and other East Africans seeking work in South Africa. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian traffickers. Young Kenyan men and women are lured to Somalia to join criminal and terrorist networks, sometimes with fraudulent promises of lucrative employment elsewhere.

Kenya hosts approximately 470,000 refugees and asylum seekers, primarily located in two camps: Kakuma Refugee Camp and Dadaab Refugee Complex. Refugees are generally required to live within the camps and have limited access to education and livelihood opportunities, therefore increasing their vulnerability to abuse and exploitation, including sex trafficking. Children from East Africa and South Sudan are subjected to forced labor and sex trafficking in Kenya. Stakeholders assert domestic workers from Uganda, pastoralists from Ethiopia, and others from Burundi, Somalia, and South Sudan are subjected to forced labor in Kenya to work in jobs vacated by Kenyan youth who are being educated; however, this trend has reportedly waned. Nepalese, Indian, and Pakistani women recruited to work in *mujra* dance clubs in Nairobi and Mombasa face debt bondage, which they are forced to pay off by dancing and through exploitation in forced prostitution.

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: TIER 3

The Government of the Democratic People's Republic of Korea (DPRK or North Korea) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore the DPRK remained on Tier 3. The government did not demonstrate any efforts to address human trafficking. The government continued state-sponsored human trafficking through forced labor in mass mobilizations of adults and children, in prison camps as part of an established system of political repression, in labor training centers, and through its exportation of forced labor to foreign companies. It used proceeds from state-sponsored forced labor to fund government functions as well as other illicit activity. It did not protect potential trafficking victims when they were forcibly repatriated from China or other countries.



PRIORITIZED RECOMMENDATIONS:

End the use of forced labor, including among North Korean workers abroad and in prison camps used as a source of revenue and tool of political repression. • End the practice of summary executions and other harsh punishments for victims who are forcibly returned from destination countries. • Provide assistance to victims exploited in the DPRK and to North Korean victims returned from abroad. • Criminalize sex trafficking and labor trafficking. • Investigate and prosecute trafficking cases and convict traffickers in accordance with the rule of law. • Eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas. • Cease the garnishing of their wages for the purposes of furthering forced labor. • Increase transparency by allowing international human rights monitors to evaluate living and working conditions of workers, both domestically and abroad. • Forge partnerships with international organizations and NGOs to combat human trafficking. • Allow North Koreans to choose their form of work and leave their employment at will. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report any law enforcement efforts. It is unclear whether North Korean laws criminalized sex trafficking or labor trafficking. Fair trials did not occur in the DPRK, and the government did not explain what provisions of law, if any, were used to prosecute trafficking offenses. The government did not provide law enforcement data; there were no known investigations, prosecutions, or convictions of traffickers or government employees complicit in trafficking offenses.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims

or providing protective services, nor did it permit NGOs to provide these services. Authorities penalized victims for unlawful acts traffickers compelled them to commit. North Koreans, including potential trafficking victims, forcibly returned by Chinese authorities were sent to interrogation centers, where the government subjected them to forced labor, torture, forced abortions, and sexual abuse by prison guards and were potentially sent on to prison camps. The government treated returning victims as criminals for crossing the border, and North Korean defectors reported instances of the government executing trafficking victims forcibly returned from China.

PREVENTION

The government did not report any efforts to prevent trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to trafficking in destination countries. As many as 30,000 children born in China to North Korean women and Chinese men have not been registered upon birth, rendering them stateless and vulnerable to possible exploitation. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers—including government officials—exploit North Koreans in the DPRK and abroad. Within North Korea, forced labor is part of an established system of political repression and a pillar of the economic system. The government subjects its nationals to forced labor in North Korean prison and labor camps, through mass mobilizations, and in overseas work. The DPRK holds an estimated 80,000 to 120,000 prisoners in political prison camps and an unknown number of persons in other forms of detention facilities, including re-education through labor camps. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Prisoners are subjected to unhygienic living conditions, beatings, torture, rape, a lack of medical care, and insufficient food. Many prisoners do not survive. The North Korean government operates regional, local, and sub-district level labor camps and forces detainees to work for short periods doing hard labor while receiving little food and being subjected to abuse, including regular beatings. Authorities reportedly send people to these camps if they are suspected of engaging in simple trading schemes or are unemployed; North Koreans who were not officially registered as being employed for longer than 15 days were at risk of being sent to labor camps for a minimum of six months.

Officials forcibly mobilized adults and school children to work in various sectors, including in factories, agriculture, logging, infrastructure work, information technology, and construction. An NGO reported the government withheld food rations or imposed taxes against adults who did not participate in these forms of forced labor. Schools receive compensation from the government for labor conducted by children. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites. The effects of such forced labor on students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies.

North Korean laborers sent by the government to work abroad, including through bilateral agreements with foreign

businesses or governments, also face conditions of forced labor. Credible reports show many North Koreans working overseas are subjected to working excessively long hours in hazardous temperatures with restricted pay for up to three years at a time. North Korean government “minders” restrict and monitor their movement and communications. These workers face threats of government reprisals against them or their relatives in the DPRK if they attempt to escape or complain to outside parties. Workers’ salaries are appropriated and often deposited into accounts controlled by the North Korean government, which justifies its retention of most of the money by claiming various “voluntary” contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work and face punishment if they fail to meet production or work targets. According to NGO reports, the North Korean government withholds 70-90 percent of wages from overseas workers, which generates an annual revenue to the North Korean government of hundreds of millions of dollars (more than a trillion won). Wages of some North Korean workers employed abroad reportedly are withheld until the laborers return home, increasing their vulnerability to coercion and exploitation by authorities. Other reports note these laborers work on average between 12 and 16 hours a day, and sometimes up to 20 hours per day, and are allowed only one or two rest days per month. In 2017, UN Security Council resolutions banned other countries from issuing new work authorizations to DPRK laborers and required the expulsion of North Korean nationals earning income, consistent with international human rights and refugee law, no later than the end of 2019. Reports suggested many countries took steps to reduce the number of North Korean workers in their countries during the year, although some reports suggested several countries resumed issuing work authorizations for North Korean workers in the second half of 2018. There were still roughly 90,000 workers earning revenue for the DPRK regime during the reporting period. The majority work in China and Russia, but workers were also reportedly present in Algeria, Angola, Bangladesh, Belarus, Brazil, Cambodia, Cameroon, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Fiji, Georgia, Guinea, Italy, Kuwait, Kyrgyz Republic, Laos, Mali, Malaysia, Mauritius, Mongolia, Mozambique, Nepal, Nigeria, Oman, Peru, Poland, Qatar, Republic of Congo, Senegal, South Africa, Sudan, Tanzania, Thailand, Uganda, the United Arab Emirates, Vietnam, Zambia, and Zimbabwe in 2018.

The North Korean government’s egregious human rights violations can fuel trafficking in neighboring China. Many of the North Korean refugees and asylum seekers living illegally in China are particularly vulnerable to trafficking, and traffickers lure, drug, detain, or kidnap some North Korean women upon their arrival. Traffickers also operate networks spanning from China into North Korea to recruit North Korean women and girls to smuggle into China. These women are subjected to physical abuse and sexual exploitation by their traffickers, forced into prostitution in brothels or through internet sex sites, or compelled to work as hostesses in nightclubs or karaoke bars. Traffickers sell North Korean women to Chinese men for forced marriages, whereby they are subsequently forced into prostitution, domestic service, agricultural, or other types of work. These victims often lack identification documents and bear children with Chinese men, which further hinders their ability to escape. If found by Chinese authorities, victims are often forcibly returned to the DPRK where they are subject to harsh punishment, including forced labor in labor camps, torture, forced abortions, or death.