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2023 Trafficking in Persons Report: North Korea

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KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF (Tier 3)

The Government of the Democratic People's Republic of Korea (DPRK) does not fully meet the minimum standards for the elimination of trafficking and, even considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity, 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. During the reporting period, there was a government policy or pattern of human trafficking in prison camps as part of an established system of political repression, as well as in labor training centers, in the mass mobilizations of adults and children, and in the imposition of forced labor conditions on DPRK overseas workers. The government used proceeds from state-sponsored forced labor to fund government operations.

PRIORITIZED RECOMMENDATIONS:

End the use of state-sponsored forced labor, including among DPRK workers abroad, in prison camps, and through mass mobilizations of adults and children.

End the use of forced labor as punishment for DPRK citizens involuntarily repatriated from other countries.

Eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas.

Cease the garnishing of wages of overseas workers for the purposes of subsidizing the state budget.

Provide assistance to victims exploited in the DPRK and to 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.

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 all 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 trafficking-related law enforcement efforts. The government did not report laws criminalizing sex trafficking or labor trafficking. Fair trials did not occur in the DPRK, and the government did not report what provisions of law, if any, it used to prosecute trafficking crimes, if it did so. The government did not provide trafficking-related law enforcement data; there were no known investigations, prosecutions, or convictions of traffickers, including government employees complicit in forced labor or other trafficking crimes.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services, nor did they permit NGOs to provide these services. Authorities penalized trafficking victims for unlawful acts committed as a direct result of being trafficked. Though pandemic-related border closures limited cross-

border movements, authorities consider returning victims as criminals for departing the DPRK without authorization, as reported in previous reporting periods. The government sends North Koreans, including potential trafficking victims, forcibly returned by the People's Republic of China (PRC), to detention and interrogation centers, where the government subjects them to forced labor, torture, forced abortions, and sexual abuse by prison guards; in some cases, authorities allegedly sent them on to prison camps. DPRK defectors previously reported instances of the government executing trafficking victims forcibly returned from the PRC.

PREVENTION

The government did not report any efforts to prevent trafficking. Government economic and political oppression in the DPRK often prompted North Koreans to flee the country in ways that heighten their risk of trafficking in destination countries. The government did not report any efforts to raise awareness of human trafficking. The government did not report making efforts to reduce the demand for commercial sex acts, nor to provide anti-trafficking training to its diplomatic personnel. 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. Forced labor is part of an established system of political repression and a pillar of the economic system in the DPRK. The government subjects its nationals to forced labor in DPRK prison and labor camps, through mass mobilizations, and in overseas work. The law criminalizes defection, and individuals, including children, who cross the border for the purpose of defecting or seeking asylum in a third country are subject to a minimum of five years of “reform through labor.” In “serious” cases, the government subjects asylum-seekers to indefinite terms of imprisonment and forced labor, confiscation of property, or death. Within the DPRK, traffickers exploit women and children in sex trafficking. Female college students, unable to pay fees charged by universities to meet demands set by the government, were vulnerable to sex trafficking.

The DPRK holds an estimated 80,000 to 120,000 persons in political prison camps and an undetermined 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, and sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including in logging, mining, manufacturing, or farming for long hours under harsh conditions. In many cases, the government also detains all family members if one member is accused or arrested. Authorities in some cases subject children to forced labor for up to 12 hours per day, do not allow them to leave the camps, and offer limited access to education. The government subjects prisoners to unhygienic living conditions; beatings; torture; sexual exploitation, including rape; a lack of medical care; and insufficient food, including reduced food rations for not meeting work quotas. Many prisoners do not survive. Witnesses reported detainees arrested for attempting to leave the country or engaging in religious practices often received especially harsh treatment. In December 2020, the government adopted a “Law on Rejecting Reactionary Ideology and Culture” that stipulates sentences that include forced labor in re-education through labor camps for adults or children discovered to be consuming or distributing media from South Korea. For example, in November 2021, authorities sentenced six high school students to five years’ hard labor for watching a South Korean drama series.

The DPRK government also 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 mobilize adults and school children to work in various sectors, including in factories, agriculture, logging, mining, infrastructure work, information technology (IT), and construction. The government reportedly withholds food rations or imposes taxes against adults who do not participate in these forms of forced labor. In 2020, there were reports that government officials required all women in the area of Hyesan to work daily on construction and other projects; those physically unable to work had to pay a fine, and security forces arrested evaders. In 2021, the government forced nearly 14,000 married women from across the country to perform farm work in South Hwanghae province to increase food production following a bad harvest and the 2020 trade suspension with the PRC, which cut off food imports. In October 2021, an international organization also reported the government mobilized urban residents, discharged military personnel, and orphans to work on farms. The law requires all citizens of working age to work and “strictly observe labor discipline and working hours.” Some farms and factories do not pay wages or provide food to their workers.

During the implementation of short-term economic plans, factories and farms increase workers' hours and ask workers for contributions of grain and money to purchase supplies for renovations and repairs. By law, failure to meet economic plan goals may result in two years of "labor correction." Schools receive compensation from the government for labor conducted by children, and officials occasionally sent schoolchildren to work in factories or fields for short periods to complete special projects such as snow removal on major roads or meeting production goals. Schools also require students under the minimum working age to work to raise funds for faculty salaries and maintenance costs for school facilities. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites. The government mobilizes children, including orphans, those who are unable to join the military, or those whose families are unable to bribe authorities, to participate in work groups or military-style shock brigades. They are forced to work for extended periods without pay and subjected to long working hours and hazardous work at construction sites, coal mines, farms, and factories. Authorities also sometimes subject children to mass mobilizations in agriculture away from their families, with excessive daily working hours, sometimes for periods of a month at a time.

DPRK workers sent by the government to work abroad, including through bilateral agreements with foreign businesses or governments, also face conditions amounting to forced labor. Many North Koreans working overseas are subjected to excessive working hours, sometimes in hazardous conditions, with restricted pay for up to three years at a time, and without access to their passports. They reportedly 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. North Koreans work in a range of industries overseas, including, but not limited to, apparel, construction, footwear manufacturing, hospitality, information technology services, logging, medical, pharmaceuticals, restaurant, seafood processing, textiles, and shipbuilding. NGOs report the government manages these workers as a matter of state policy, and they were under constant and close surveillance by government security agents. Workers often reside in shared dormitories with limited freedom of movement, and DPRK government officials confiscate their passports. 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. In light of border closures related to the pandemic, which prevent workers from returning home and require they remain abroad for extended periods, the government ordered harsher and strengthened control and surveillance over workers to prevent defections, including through threats of physical injury. Workers' salaries are appropriated and often deposited into accounts controlled by the DPRK 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 DPRK government for their work and face punishment if they fail to meet production or work targets. The government withholds up to 90 percent of wages from overseas workers, who generate annual revenue for the DPRK government of hundreds of millions of dollars. Wages of some DPRK workers employed abroad reportedly are withheld until the workers return home, increasing their vulnerability to coercion and exploitation by authorities. Some female North Koreans in the PRC working in restaurants or coffee shops are forced by their minders to engage in commercial sex acts with PRC national customers.

In 2017, UN Security Council resolutions prohibited UN Member States from issuing new or renewed work authorizations to DPRK overseas workers and required States to repatriate DPRK nationals earning income overseas by December 22, 2019, subject to limited exceptions. The vast majority of North Koreans employed outside the country continue to be in Russia and the PRC. There are an estimated 20,000-100,000 North Koreans working in the PRC, primarily in restaurants and factories. The Government of Russia allowed many North Korean workers to continue to enter Russia via fraudulent channels to work informally, for example by issuing tourist or student visas. In 2022 DPRK workers were also reportedly in other countries, including Algeria, Angola, Benin, Burundi, Cote d'Ivoire, Democratic Republic of the Congo, Guinea, Indonesia, Iran, Laos, Libya, Niger, Oman, Senegal, Sierra Leone, Syria, Thailand, UAE, Uganda, Uzbekistan, and Vietnam. While some removed most or all of these workers during the year, reports suggested that some governments either took no action or issued work authorizations or other documentation, allowing these individuals to work.

North Koreans seeking to leave the DPRK without authorization are vulnerable to sex and labor trafficking in the PRC. Many North Korean refugees and asylum-seekers living irregularly in the PRC are particularly vulnerable to traffickers who lure, drug, detain, or kidnap some DPRK women upon their arrival. Traffickers also operate networks that recruit women and girls in the DPRK to be smuggled into the PRC. For example, in border towns traffickers approach women with false promises of profitable employment that would enable them to pay broker fees associated with being smuggled to the PRC. These women are subjected to physical abuse and sexual exploitation by their traffickers, forced into commercial sex in brothels or through internet sex sites, or compelled to work as hostesses in nightclubs or karaoke bars. Traffickers also sell DPRK women to PRC national men for forced marriages, whereby they are often subsequently forced into commercial sex, domestic service, agricultural, or other types of work. These victims often lack identification documents and bear children with PRC national men, which further hinders their ability to escape. As many as 30,000 children born in the PRC to DPRK women and PRC national men have not been

registered upon birth, rendering them stateless and vulnerable to possible exploitation. If found by PRC authorities, trafficking 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.

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