

Us Too

Sexual Violence Against
North Korean Women & Girls

James Burt | 2018



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Songdowon International Children's Union Camp. Wönsan, North Korea

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When I arrived in South Korea, a National Intelligence Service (NIS) officer asked the room of North Korean escapees:

Why did you come to South Korea?

One hundred escapees replied with the same answer:

We came to South Korea seeking freedom

The NIS officer then asked:

What do you think freedom is?

Although we had all been in solitary confinement since we arrived in South Korea, we said:

We are free because we are no longer shackled

Visibly irritated, the NIS officer responded:

Placed here in solitary confinement, you are deprived of your freedom. Are you still enjoying it?

I responded:

We eat, we watch television, and we sleep and to go to the toilet whenever we want. We are enjoying our freedom

At the time we actually thought that was freedom.

A North Korean survivor of sexual violence, 2017.

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Executive summary

The Government of North Korea has a problem with women and girls. Acts of sexual violence are perpetrated against females of every class, age, and status. Legislation designed to protect women and girls is not just inadequate and unenforced, it is repeatedly bypassed by men with power, money, and political influence. A thinly disguised misogyny pervades all that the government touches, allowing perpetrators to find shelter in its institutions and society's patriarchal conventions.

In the face of extreme brutality, many North Koreans have escaped their homeland. In the first great exodus of 1998, nearly one-thousand refugees arrived in South Korea bringing news of a famine that had decimated towns and cities and a government apparatus that had violated human rights on a nationwide scale. In 2002, exile testimonies adopted an increasingly gendered aspect when, for the first time, more women than men reached freedom, harbouring experiences of rape, human trafficking, forced abortions, and sexual slavery.¹

Sexual violence is not unique to North Korea. It is pervasive in every society, culture, and nation. Estimates suggest that thirty-five percent of women globally have experienced either sexual and/or physical intimate partner violence or non-partner sexual violence.² Data shows that the first sexual experience of up to one-third of adolescent girls is forced.³ Women and girls account for over seventy-percent of human trafficking victims, and approximately three-out-of-four victims are trafficked into sexual slavery.⁴

Nor are North Korean men more prone to perpetrating sexual violence than men from other nations and societies. It is an enduring cross-cultural and cross-border problem that can exist independently of its social context. However, this report establishes that distinctive and oppressive social institutions and practices of the Government of North Korea and its agents physically and psychologically dominate women and girls to such an extent that the government increases the space for sexual violence and provides shelter to perpetrators.

Taking many forms — including rape and gang rape; sexual assault, such as forced kissing, touching, and grabbing of the body; intimate partner sexual violence, such as marital rape; sex trafficking and sexual slavery; and other violent acts, such as forced abortions and the refusal of contraception or measures to protect against sexually transmitted infections — the damage caused to survivors can last a lifetime and impact their physical, psychological, and behavioural wellbeing.

¹ At the beginning of 2018, seventy-one percent of exiled North Koreans residing in South Korea were female, but nearly two decades since reports first emerged, sexual violence still endures in their homeland. See: Ministry of Unification, 2018. *Data and Statistics: Policy on North Korean Defectors*. Available at: www.eng.unikorea.go.kr

² World Health Organisation, 2013. *Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence*; p.2; World Health Organisation, 2017. *Violence against women*. Available at: www.who.int/mediacentre/factsheets/fs239/en/

³ Krug, EG, et al., eds, 2002. *World report on violence and health*. Geneva: World Health Organisation.

⁴ UNODC, 2016. *Global Report on Trafficking in Persons*; pp. 7, 28.

The extent of the problem in North Korea is difficult to estimate. The government does not release data on sexual violence and its reports on the protection of women are designed to obscure realities. Nevertheless, interviewees hailing from such geographically and socially diverse locations as Sinuiju, Wonsan, Kaesong, Pyongyang, Sinhung, Musan, Kumchon, Chongjin, Hamhung, and Sariwon had all either personally experienced sexual violence; had known of a family member, friend, or colleague who had experienced sexual violence; or knew exiled countrywomen who were survivors. Associating their testimonies with global trends indicates that North Korea is not a “heaven for women”,⁵ but is instead a theatre of extensive, although unquantified, misogyny and sexual violence.

North Korea’s survivors expect to encounter silence, not justice, from the authorities. The government retains power by violating human rights and withholding freedoms. Kim Jong-un and those few men who head the Organisation and Guidance Department know that the blood of millions of innocent lives can never be washed from their hands. Apologies to survivors or reforms of institutions would acknowledge fallibility and invite retribution from those who have suffered, signalling the beginning of the end for the Kim dynasty.

Regrettably, a silence has also pervaded the international community who have largely overlooked the suffering of North Korean women and girls. Determining an effective response is undeniably problematic, but it is clear that United Nations reports, resolutions, and condemnations have been insufficient to halt, or even reduce, sexual violence in North Korea. Inter-Korean dialogue has actively excluded human rights for the sake of ethno-nationalism and ideology, while foreign engagement with the Government of North Korea continues to be sought in vain.

The best chance for North Korea’s beleaguered citizenry will certainly accompany the removal of the Kim dynasty, but such forecasts are beyond the scope of this project. Instead, the findings in this report simply reflect what many, including the Government of North Korea and its supporters,⁶ wish to remain hidden — namely the experiences of survivors of sexual violence.

⁵ Oh Seong-Gil, 2006. *Creator of Happiness*. Pyongyang Publisher; p. 240; as cited in Korea Institute for National Unification, 2014. *White Paper on Human Rights in North Korea*, p. 462.

⁶ Park Jihyun, 2015. *DMZ activists don’t understand plight of women in North Korea*. Available at: <https://edition.cnn.com/2015/05/23/opinions/north-korean-defector-march/index.html>

Key findings

1 North Korea is a misogynistic state.

Misogyny lies at the core of the Kim dynasty and manifests in numerous ways, including male privilege, violence and sexual violence against women, political and social exclusion, sex discrimination, and patriarchy.

2 Intimate partner sexual violence, specifically marital rape, was cited as the most prevalent form of sexual violence in North Korea.

Closely aligned with the use of physical violence, such as beating and strangulation, sexual violence is perpetrated by intimate partners in a context where wives and female partners are pressured by social norms to submit to 'uncontrollable male sexual desires' and a perceived male right to sexual intercourse.

3 The forced sexual initiation of girls under the age of fifteen is both targeted and opportunistic.

The forced sexual initiation of girls is prevalent in a host of State-led institutions, such as Saro-cheong (League of Socialist Working Youth of Korea); Sonyeon-wondan (The Korean Children's Union); detention facilities; and schools. Perpetrators are aided by a limited awareness among victims of sexually violent acts and a fear of reprisals among survivors.

4 The trafficking of women into domestic sexual slavery persists.

The trafficking of women and girls into domestic sexual slavery endures in 2018. Distinct from sex workers, sex slaves are trafficked between North Korea's provinces on the promise of work in restaurants, hotels, or factories. Some women are later sold into China.

5 Sexual violence perpetrated by public officials occurs throughout North Korea.

Gender and power inequalities intersect with destructive social norms on sexuality to leave women at particular risk of exploitation, harassment, and multiple forms of sexual violence.

6 Sexual violence has long-lasting physical, psychological, behavioural, and social consequences for survivors.

Sexual violence damages the immediate and long-term physical and psychological health of survivors, increases their risk of further health problems, degrades their self-worth, and harms their social behaviours. These effects accompany survivors who escape to freedom in South Korea and Europe, where the care they receive is often inadequate.



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Map of North Korea



8

⁸ Image courtesy of the United Nations Office for the Coordination of Humanitarian Affairs.

Acronyms

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

CRC

Convention on the Rights of the Child

DPRK

Democratic People's Republic of Korea (North Korea)

ICCPR

International Covenant on Civil and Political Rights

ICESCR

International Covenant on Economic, Social, & Cultural Rights

IPO

Invested Public Official

KPA

Korean People's Army

MSS

Ministry of State Security

MPS

Ministry of People's Security

NGO

Nongovernmental organisation

PTSD

Post Traumatic Stress Disorder

ROK

Republic of Korea

STI

Sexually Transmitted Infection

US

United States of America

WPK

Workers' Party of Korea

Foreword

This far-reaching report of sexual violence against North Korean women and girls maps a landscape of cruelty and brutality that should be read by all who seek a better future on the Korean peninsula. Far from being an information black hole, the report highlights multiple forms of sexual violence that have and are taking place across North Korea. It establishes that the Government of North Korea remains inherently hostile to women and that its institutions shelter perpetrators who commit sexual violence. Laws protecting women and girls are insufficient, poorly enforced, and easily circumnavigated by men with power. And the intersection of propaganda and physical power that masquerades as a ‘unique’ ideology has done nothing to undermine enduring patriarchal social norms and gendered dangers. In the words of the author, North Korea truly is a “misogynistic state”.

The voices of victims and survivors of sexual violence fill this report. Their testimonies, and those of many North Korean exiles, have too often been dismissed as unrepresentative or biased — a reaction that will be unsurprising to those who have followed the #MeToo and #BelieveWomen movements. Women who speak out against their abusers are routinely met with cynicism and dismissal by apologists or those who give cover to predators. This cannot be the case when it comes to North Korea.

The information shared by survivors in this report should appal and upset us. For the sake of our common humanity, we cannot afford to ignore gendered crimes against women and girls. To do so would be an abrogation of our duty as compassionate, free, and responsible human beings. North Korea’s horrors should not suffer distance or time. Nor should they be far from our thoughts. Terrible atrocities are happening now – as I write this, and even as you read this.

What must we do to aid North Koreans? It would surely be a suspension of reason to assume that we can convince the Organisation and Guidance Department — an entity that has overseen the murder of hundreds of thousands of innocents, kept millions in hunger and poverty, and confined hundreds of thousands to prison camps — to negotiate away its survival. Instead, we must continue to document and publicise human rights violations. We must continue to rescue vulnerable North Koreans. We should begin to quietly support a meaningful opposition in North Korea and train exiles in leadership roles so that they may one day take ownership of their country. And we must build support for change in North Korea among international partners.

Sexual violence degrades its victims, harms its survivors, and damages the communities it inhabits. Let us never forget that millions of North Korean women and girls continue to suffer.

Fiona Bruce MP is Co-Chair of the United Kingdom’s All-Party Parliamentary Group on North Korea, Chair of the Conservative Party Human Rights Commission, and a serving Conservative Member of Parliament in the United Kingdom.



Acknowledgments

The expertise and support of many people have made possible this report. First, the exiled North Korean women and men who had experienced, witnessed, or known of sexual violence in their homeland and so generously gave their time to discussions, interviews, and phone calls during the lifecycle of this report. The author acknowledges with sincere thanks and gratitude their ability to recall often distressing experiences in a shared belief that their accounts could contribute to a greater awareness of sexual violence and a better future for survivors.

Special thanks are due to Park Jihyun, who was always available to answer questions and offer advice. Her bravery and resistance bears testament to the triumph of female power over misogyny.

Particular acknowledgment is made to Jaeyoung Wee and Nah-Yeon Kim for providing invaluable assistance in interviews and correspondence with survivors in Seoul and London, and to Agnese Morganti for contributing photographs to this report. Special thanks are also due to Heejin Choi; Young Sun Song; Nayoung Ahn; Sohyeon Song; Suyeon Yoo; Mira Shin; Younghoon Jo; and Rosaria Im for their research and interview assistance.

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Heartfelt thanks are extended to the many exile-led organisations that have helped guide this work, particularly New Focus, The North Korean Defectors' Association, and the North Korean Refugees Human Rights Association of Korea.

This report is dedicated to the former Chair of the Korean Network for the Advanced Country.

¹⁰ Image courtesy of Agnese Morganti, www.aggieimorganti.com

Part One



Introduction



We are all born of woman and were once all children. We must protect and care for those who are in danger

Seoul Crisis Intervention Centre for Women & Children,
South Korea.

In the first great exodus of the North Korean people, close to 1000 refugees successfully found a path to the Republic of Korea (hereinafter South Korea). These refugees, who were predominantly male, brought not just news of a famine that had decimated the provincial towns and cities of their homeland, but also accounts of a government-sanctioned system of human rights violations that included concentration camps, systematic denials of freedoms, and the total destruction of communities.

Stories of horror and destruction in the Democratic People's Republic of Korea (hereinafter North Korea) took on a more sinister and gendered aspect in 2002 when, for the first time, more women than men escaped to South Korea with testimonies of sexual and gender-based violence that included rape, human trafficking, forced abortions, sexual harassment, and sexual slavery.¹¹ At the beginning of 2018, seventy-one percent of exiled North Koreans residing in South Korea were female.¹²

Sixteen years since a body of evidence on gendered violence in North Korea first emerged, global awareness has slowly increased. This has largely been due to the tireless activism of female exiles, such as Dr. Lee Aeran, Kim Jong Ah, Hyeon A Ji, and Park Jihyun. Travelling across the world to tell of their experiences, this strong band of survivors ought to receive far greater recognition.¹³

In spite of their work, and perhaps serving as a reflection of the societies in which we all live,¹⁴ the global scale of gender-based and sexual violence

¹¹ In 2002, 632 North Korean women entered the Republic of Korea compared to 510 North Korean men. Since 2002, the percentage of North Korean women entering the Republic of Korea has steadily increased or stayed relatively high. See: Ministry of Unification, 2017. *Data and Statistics: Policy on North Korean Defectors*. Available at: <http://eng.unikorea.go.kr/>

¹² Ibid.

¹³ This paper uses the term 'survivor' rather than 'victim' to refer to those who have suffered and lived through sexual violence.

¹⁴ Female survivors of sexual violence may not report incidents owing to feelings of shame, a fear being blamed or targeted by their abusers, or social norms in their immediate environments. See: Krug, EG, et al., eds, 2002. *World report on violence and health*. Geneva: World Health Organisation; p. 150.

has largely been under-reported by global media, under-documented by human rights organisations, and under-represented in the policies of the international community. The United Nations, governments, and international nongovernmental organisations have failed to devote significant or consistent resources toward documenting all forms of sexual violence committed against women and girls, including in North Korea.¹⁵ International conferences covering North Korea rarely include panels of exiled female survivors or focus on sexual violence. While exiled North Korean women are seldom acknowledged as ‘North Korea experts’ and continue to suffer from misogyny, denigration, and male privilege within the field.

In collaboration with survivors, the Korea Future Initiative sought to address a deficit of documentation and a deafening silence on sexual violence. Implementing a long-term project to detail patterns of abuses committed against North Korean women and girls in North Korea, China and Southeast



¹⁶ Park Jihyun speaking at a 2017 conference in London

Asia, and in South Korea, the documentation will feed into targeted advocacy and welfare work. The most significant undertaking of this project will be the partnerships forged with exiled North Korean women, exile-led nongovernmental organisations, and sexual violence centres that offer support to survivors. Research and documentation does not always beget action from policymakers or human rights advocates — and this is an issue that we are committed to change.

¹⁵ This is for many reasons, such as grant-based requirements for specific forms of research; low or absent funding; and a lack of specialism in researching and documenting sexual violence.

¹⁶ Courtesy of Agnese Morganti, www.aggieorganti.com



¹⁷ A typical apartment complex housing North Korean exiles in South Korea.

Purpose

In 1946, the Union of Soviet Socialist Republics transferred its authority of the northern territory of the Korean peninsula to the Provisional People's Committee of North Korea.¹⁸ Appointed Chairman, Kim Il-sung secured his position with targeted human rights violations that removed political rivals and eliminated communities that held competing power or influence. By 1960, Kim Il-sung's government had executed thousands of individuals deemed "hostile and reactionary", including political leaders and landlords, and created a system of prison camps that would later incarcerate hundreds of thousands of men, women, and children.

In the seven decades that followed Kim Il-sung's enthronement, his brutal legacy was continued by Kim Jong-il and now Kim Jong-un, who has deliberately subjugated and violated the human rights of his people to retain power and eliminate threats to his dynasty.



¹⁹ A Korean family mourns their murdered father, victim of the wholesale murder at Chonju by North Korean soldiers. September 27, 1950

In the sixty-seventh year of Kim family rule, the United Nations Human Rights Council established a Commission of Inquiry to investigate historic and ongoing human rights violations in North Korea. Reporting in 2014, the Commission of Inquiry detailed crimes against humanity that included extermination, enslavement, torture, sexual violence, and persecution on political, religious, racial and gender grounds.

¹⁷ Courtesy of Agnese Morganti, www.aggemorganti.com

¹⁸ The Provisional People's Committee of North Korea would later become the Government of the Democratic People's Republic of Korea upon its proclamation on September 9, 1948

¹⁹ Courtesy of United States Department of Defense/M. Sgt. E. T. Tarr.

In its response, the Government of North Korea labelled the Commission a “marionette of the U.S. and its satellite forces” and declared the report to be “fabricated” and “based on ‘testimonies’ of human scum who betrayed their homeland and people”. The Chairs of the Commission were described as “despicable human rights abusers bribed by the U.S. and its allies”, while the response of the Human Rights Council and the international community was labelled a “fuss about fictitious ‘human rights situation’ [sic]”.²⁰

Whether reports, resolutions, condemnations, or dialogue at the United Nations are sufficient to halt, or even reduce, crimes against humanity is contentious.²¹ Yet the need for committed nongovernmental stakeholders to continue recording human rights violations in North Korea remains. Documentation has proved essential in raising a global awareness of the human rights landscape and can now shine a light on a distinctively targeted and pervasive violation — namely, sexual violence. Reports do not save lives, that is assured, but they are crucial in defining the historical record and telling the world precisely why change is required.²²

As in the rest of the world, men are the overwhelming perpetrators of sexual violence in North Korea, while women and girls are predominantly the victims.²³ Men commit sexual violence for many reasons, including adherence to prevailing social and institutional norms, low education, a perceived male superiority over women, a history of child maltreatment, harmful use of alcohol, and a tolerance of physical violence towards women and girls.²⁴

A small number of interviewees attributed sexual violence in North Korea to a unique male ‘yearning’ for sexual acts, but this concept of male exceptionality — namely the justification of male sexual violence as innate — has long been an influential and unsupported social construct used to validate male power.²⁵ Conversely, sexually violent acts in every part of the world are conscious and aggressive behaviours that can be employed by either men or women to dominate, demean, and frighten victims;²⁶ but most perpetrators of sexual violence are men.

²⁰ DPRK Association for Human Rights Studies, 2014. *Report of the DPRK Association for Human Rights Studies*; p. 123.

²¹ Former chair of the Commission of Inquiry, Michael Kirby, has observed that the “steps that can be taken within the United Nations system are limited. Most of them have already been tried. Many of them have gone as far as they can in the form of affirmative resolutions of the Human Rights Council; of the General Assembly; and even of the Security Council...Meanwhile, the crimes against humanity inferentially continue”. See: Michael Kirby, 2016. *Making Progress On North Korea*; p. 12.

²² Some of the most valuable English-language work was undertaken by Siobhan Hobbes, an expert Gender Advisor seconded by UN Women to the Commission of Inquiry. The Commission’s report devoted time and space to gendered violations and collected vital testimonies and evidence of systematic and structural violence committed against women, putting their plight onto the international community’s radar. Owing to the constraints of time, resources, and a difficulty in acquiring information, the Commission noted that it “may have only partially captured the extent of relevant violations”. See: United Nations, 2014. Report of the detailed findings of the commission of inquiry on human rights in the Democratic People’s Republic of Korea; pp. 85-86 (hereinafter: COI).

²³ Sexual violence perpetrated against men and boys was not a focus of this report, however, its existence was noted by interviewees.

Common Myths About Sexual Violence ²⁷	
Myth	Fact
Sexual gratification is the primary motivation for the perpetration of sexual violence.	Hatred, power, anger, and control are the main motivating factors behind sexual violence.
Only certain types of women and girls are targeted by perpetrators of sexual violence.	Anyone can become a victim of sexual violence.
Sex workers are not victims of sexual violence.	A significant proportion of sex workers have been raped by their users, police, or partners.
A man cannot rape his wife.	Any forced sex or forced sexual activity constitutes rape, regardless of whether or not the woman is married to the perpetrator.
Sexual violence is reported to the police.	The majority of sexual violence is never reported to the police owing to shame, guilt, or a fear of not being believed.

For the author, the distinctively gendered nature of sexual violence makes it a quintessentially male problem. Male politicians, human rights advocates, journalists, and exiles cannot ignore the primary role of men as perpetrators

²⁴ Motivations for rape can encompass “feelings of helplessness, to reassure the offender about his sexual adequacy, to assert his identity, to retain status among his peers, to defend against sexual anxieties, to achieve sexual gratification, and to discharge frustration”. See: Groth, AN, 2000. The rapist’s view. In Burgess, AW, ed. *Violence through a forensic lens*. King of Prussia, PA: Nursing Spectrum; World Health Organisation, 2017. *Violence against women*. Available at: <http://www.who.int/mediacentre/factsheets/fs239/en/>

²⁵ For example: World Health Organisation, 2003. *Guidelines for medico-legal care for victims of sexual violence*.

²⁶ For both perpetrators and survivors, the myths surrounding sexual violence can often be easier to comprehend than the reality. Enduring myths on the nexus of sexual violence-male sexuality-female subservience-self-blame influenced the beliefs of a small number of interviewees, all of whom now live in free societies.

²⁷ Adapted from World Health Organisation, 2003. *Guidelines for medico-legal care for victims of sexual violence*; p. 11.

and their widespread and devastating impact. An onus is on men to stop the rape, violations, assault, and sexual abuse of the world's wives, mothers, and daughters. This project will be insufficient to end the suffering endured by North Korean women and girls — actions, not words, will provide relief to those who continue to suffer — yet it is the hope of the author that this work will begin a conversation that swiftly moves from the confines of papers and conferences to a world of action.



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Methodology & ethical standards

The scope and study of sexual violence was unavoidably limited by certain research constraints, not least the inability to access North Korea. Accordingly, over forty interviews were conducted with exiled North Koreans in Seoul throughout 2015 and 2016, and in September 2017; London between July-December 2017; through online questionnaires sent to pre-identified participants between July 2017-January 2018; and in follow-up conversations in December 2017 and January 2018.

Guided by the principle of ‘Do No Harm’, in-person interviews were led by two female and one male member of staff. On certain occasions, and with the approval of interviewees, more than two female members of staff were present. Roundtable discussions on sexual violence were also held with survivors. Follow-up conversations were conducted by one female associate.

Given the sensitive and distressing context of the interviews, best practices in researching violence against women were followed.²⁹ Interviewees were pre-informed, verbally and in writing, of the purpose of the documentation process, the potential traumas that may occur through their retelling of painful experiences, and the ways in which the information would be used in reports and advocacy. Interviews were paused or ended when questions or discussions placed interviewees under emotional distress or when interviewees requested. In order to avoid undue trauma, survivors were interviewed only once unless they agreed to further discussion.

Quantitative and qualitative studies on sexual violence and acts of sexual violence were pre-issued to random interviewees. Testimonies pertaining to the physical and behavioural consequences of sexual violence were provided by some interviewees on the provision that they be omitted from this report. An offer of referral to organisations specialising in support and physical, medical, and psychological treatment to survivors of sexual violence was extended to every female interviewee.

Interviewees provided consent to be interviewed and were advised that they could decline to answer any questions and finish the interviews at any period. Interviewees were extremely generous in their responses and time. The Korea Future Initiative offered no financial compensation to interviewees and requested they limit their testimonies to personal experiences or knowledge of sexual violence, meaning those abuses that they had personally suffered, had witnessed, or had been inflicted upon a close family member, friend, associate, or known member of a local community.

Secondary sources consulted in the writing of this report included North Korean legislation and reports, and documents from the United Nations and its various bodies. Further dialogue was held with exile-led nongovernmental organisations and exile-led groups who rescue vulnerable North Koreans

²⁹ Ellsberg M and Heise L, 2005. *Researching Violence Against Women: A Practical Guide for Researchers and Activists*. Washington DC: World Health Organisation.



³⁰ Interviews were conducted at a host of venues, including private homes

The names and identifying details of all interviewees have been withheld to protect their identities and safety. In some cases, potentially identifying details concerning experiences of sexual violence have also been withheld based upon security concerns or personal requests. Details that may put the families or friends of interviewees who are still alive or living in North Korea at risk have not been included in this report. Pseudonyms are used in all cases with the aforementioned concerns and requests in mind.

Names, jobs, ranks, geographies, and addresses of alleged perpetrators of sexual violence were obtained, but are not included in this report.

The author formally invited the Government of North Korea to participate in this project by contacting their embassy in London. At the time of publication, no response had been received.

³⁰ Courtesy of Agnese Morganti, www.aggieorganti.com

Defining sexual violence

Sexual violence assumes many forms and extends beyond acts of non-consensual sexual intercourse to include a range of behaviours. For the sake of clarity and comprehensiveness, this report uses the World Health Organisation's description of sexual violence as:

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the survivor, in any setting, including but not limited to home and work.³¹

During research and interviews, predominant and enduring acts of sexual violence in North Korea comprised, but were not necessarily confined to:

Rape

Namely the forced penetration of the vagina, anus, or mouth with a penis, body part, or object without consent; attempted rape; and gang rape.

Sexual assault

Namely, forced contact between a penis and mouth, vagina, or anus; forced kissing, touching, fondling, and grabbing of the body; unwanted sexual advances or sexual harassment, including demanding sexual acts in return for favours, employment, or freedoms, or under application of psychological pressure, such as the threat of arrest, exposure, or dismissal from employment.

Sexual abuse of children

Namely forcing a girl to touch any part of a body; rape of a girl by putting an object or body part inside a mouth, anus, or vagina; forcing or encouraging a girl to take part in sexual activity with one or multiple adults; forcing a girl to disrobe; the sexual grooming of a girl with the intent of later sexual violence.

Intimate Partner Sexual Violence

Namely, rape and forced oral, anal, or vaginal intercourse within marriage or relationships, other forms of violent sexual intercourse; and degrading sexual behaviour.

Sex trafficking and sexual slavery

Namely the human trafficking of women and girls for the purpose of forced sexual exploitation and slavery.

Other violent acts

Namely, but not exclusively, female genital inspections; forced abortions; and the refusal of the right of women to use contraception or measures to protect against sexually transmitted infections.

³¹ Krug, EG, et al., eds, 2002. World report on violence and health. Geneva: World Health Organisation; p. 149

Part Two



32

Social context of sexual violence in North Korea

North Korean men are not more prone to perpetrating sexual violence than men from other nations and societies. Sexual violence is an enduring cross-cultural and cross-border problem. Nevertheless, its prevalence can be higher in societies that govern women through male-dominated and powerful physical and psychological institutions, suggesting that durable historical and patriarchal norms support sexual violence, even if they cannot explain it in its entirety.



³³ Korean lower-class women wear veils over their heads 1904

Early-modern Korean women and girls existed in an environment fundamentally susceptible to sexual violence. Concepts on the purity of a woman's virginity, female ownership by male relatives or husbands, the perceived right of men to sexual intercourse with a partner, and female subservience to men — as symbolised by *chilgeojiak* (the 'seven vices') and *kisaengs* (female courtesans) — persisted throughout the Joseon dynasty (1393-1910).³⁴

Upon the annexation of the Korean peninsula by the Japanese empire in 1910, the role of women and associated practices of sexual violence underwent gradual, complex, and uneven changes. The steady opening of Korean society to the international community — a process that had begun in the late nineteenth century and continued to the end of the Japanese empire in 1945 — allowed upper-class women to recognise, and in some cases exercise, newfound autonomies and agency.

³³ Courtesy of the Division of Rare and Manuscript Collections, Cornell University Library.

³⁴ For example, see: Kim, Y and Pettid, M, 2011. *Women and Confucianism in Choson Korea: New Perspectives*. Albany: State University of New York Press; Jung, K, 2003. *Practicing Feminism in South Korea: The Issue of Sexual Violence and the Women's Movement*, Hecate Press; Maynes, K, 2012. *Korean Perceptions of Chastity, Gender Roles, and Libido: From Kisaengs to the Twenty First Century*, Grand Valley Journal of History, 1:1.

Termed 'New Women' in reference to the late nineteenth century global movement, Korea's young, affluent, and educated women engaged an international discourse on gender equality, reforms of patriarchal familial and marital institutions, and new thinking on divorce, chastity, and birth control.³⁵ Kim Wŏnju, who was profoundly influenced by ideas stemming from Japan's feminist publication, *Bluestockings*, published Korea's first feminist magazine, *Sinyŏja*, in 1920,³⁶ heralding the beginning of a loose movement that sought freedoms through social and cultural intervention.³⁷

Social calls for female autonomy were not confined to the Korean middle and upper classes. The March First Movement of 1919, the mass migration of women to urban areas in the 1920s and 1930s,³⁸ and the Total Mobilisation of women into the national workforce to compensate for a shortage of male labour in the 1930s introduced a new and competing version of womanhood: the working woman.³⁹

Whereas New Women were marked by their knowledge of Western ideas, education, and activism, Korea's working women were materially inspired by changes in gender-roles they experienced in the workplace.⁴⁰

But as women sought greater freedoms through work and education, their bodies were being commodified and sexualised by the ruling political system.⁴¹ Licensed sex work and the age a woman could legally become a sex worker (set at seventeen years of age in Korea, but notably set at eighteen years in Japan) was unilaterally established in 1916.⁴² During the 1920s, a re-classification of Korea's familial system established the Japanese Emperor as the figurative head of the family and instituted new gender hierarchies in favour of men. And by 1945, the sexual subservience of Korean women to the existing political system had become apparent as tens of thousands of unmarried women were sexually enslaved to the Japanese military during the Pacific War — the so-called 'comfort women'.⁴³

³⁵ For an analysis of how the Korean movement differed from the global New Woman movement see: Suh, J, 2013. *The "New Woman" and the Topography of Modernity in Colonial Korea*, Korean Studies, 37; pp. 11- 43.

³⁶ Meaning 'New Woman'.

³⁷ It is prudent to note that as the first edition of *Sinyŏja* went to press in 1920, an estimated ninety-percent of the Korean population was illiterate. See: Song, Y, 2011. *What Did Japanese Colonial Rule Bring to Korean Women?* Voices from Japan, 25; p. 11.

³⁸ Eighty-percent of the Korean population was engaged in agriculture when Japan took power in 1910. See: King, B, 1975. *Japanese Colonialism and Korean Economic Development, 1910-1945*, Asian Studies, 13:3; pp. 5-6.

³⁹ See: Choi, H, 2013. *New Women in Colonial Korea: A Sourcebook*, NY: Routledge.

⁴⁰ Yoo, TJ, 2008. *The Politics of Gender in Colonial Korea: Education, Labor, and Health, 1910-1945*. London: University of California Press.

⁴¹ By the 1930s, the challenge posed by a female workforce to social, political, and economic institutions faced hostility from men who felt threatened by women diverging from their traditional role of housewives. See: Barraclough, R and Faison, E, 2009. *Gender and Labour in Korea and Japan: Sexing Class*. NY: Routledge.

⁴² Song, 2011; pp. 10-16.



⁴⁴ A statue commemorating the victims of sexual slavery under Japanese colonial rule

Upon the defeat of the Japanese empire, two very different male-dominated societies occupied the Korean peninsula. In the United States-backed South Korea, women remained repressed but won incremental gains until the country's democracy movement ended four-decades of militaristic rule in 1987.⁴⁵ Today, women's rights have improved dramatically, but unevenly.⁴⁶

Starting their journey at a similar beginning, North Korean women have witnessed a markedly different outcome to their Southern sisters. The newly formed Kim Il-sung government appeared to embark on an ambitious drive for gender equality, passing the Law on Sex Equality in 1946 that outlawed concubinage and the sale of women; weakened the familial system that had demanded female subservience to husbands and fathers; and ushered more women into the workforce.⁴⁷ Following the armistice that ended the Korean

⁴³ Min, PG, 2003. *Korean "Comfort Women": The Intersection of Colonial Power, Gender, and Class*, Gender and Society, 17:6; pp. 938-957.

⁴⁴ "Peace statue comfort woman statue" by "Yunho Lee". Licensed under Creative Commons 1.0 Universal. Available at: <http://bit.ly/2DMTvN6>

⁴⁵ Song, 2011; pp. 10-16.

⁴⁶ South Korean women continue to struggle for gender equality — the World Economic Forum ranks South Korea 116/144 on its global Gender Gap Report — and sexual violence perpetrated against women, particularly rape, remains an issue that has yet to be adequately addressed. See: World Economic Forum, 2018. Country Profiles. Available at: <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=KOR>

⁴⁷ COI; 2014; pp. 85-86.

War in 1953,⁴⁸ the government instituted further measures to increase female participation in an economy that had lost up to one million latent workers.⁴⁹

However, beyond words and paper, the economic and social status of women remained well below that of men who enjoyed higher incomes and dominated the halls of power.^{50/51} As the Soviet Union collapsed in 1991 and the North Korean economy entered terminal decline, contradictions were exposed and women were swiftly removed from State employment, lost access to pensions and wages, and were forced to seek survival on the margins of society.⁵²

First emerging in the mid-1980s in the northern cities of Chongjin and Sinuiju, and then Hyesan in the late-1980s, women sought survival in illegal markets. Modelled on northeast China's open markets, women would commonly receive capital and supplies from family members living in China's Jilin Province to buy and sell goods in North Korea, before moving back across the Chinese border to trade prized Korean delicacies, such as dried squid and sea cucumber.⁵³

But as the famine of the mid-1990s struck North Korea, millions of women and girls faced a new danger that was rapidly invading the country's institutions — namely, sexual violence.⁵⁴ Already contending with a double burden of securing an income and undertaking unpaid labour at home and for the government,⁵⁵ women and girls were forced to negotiate sexual violence in schools and government institutions, on public transport, in the home, and across society.

⁴⁸ The scale of sexual violence perpetrated against North and South Korean women and girls during the Korean War remains under-researched. Rape, sexual slavery, and other forms of sexual violence are habitually prevalent during sustained military conflict, and it is likely that a significant number of North and South Korean women and girls experienced sexual violence throughout the conflict.

⁴⁹ As embodied in the 1972 Socialist Constitution and the 1978 Labour Law. See: Yan, X, 2003. *Korean War: In the View of Cost-effectiveness*, Consulate General of the People's Republic of China in New York. Archived from the original on 13 September 2012 at: <https://archive.fo/O2Yj#selection-187.12-187.89>

⁵⁰ COI, 2014; p. 87.

⁵¹ A fact that persists to this day. In 2010, the Korean Workers Party Central Committee was composed of just five female members (amounting to four percent of Committee members) and only three female candidate members (amounting to three percent of all candidate members). See: Korea Institute for National Unification, 2013. *Study on the Power Elite of the Kim Jong Un Regime*; pp. 24-25.

⁵² Kang, JW, 2008. *The Patriarchal State and Women's Status in Socialist North Korea*. Graduate Journal of Asia-Pacific Studies, 6:2; pp. 55-70.

⁵³ Illegal markets later evolved into 'greyer' state-sanctioned and legal markets. These venues continue to offer a lifeline to women and their families. It was estimated by interviewees that over half of North Korean families rely on private trading as their sole source of income.

⁵⁴ Korea Institute for National Unification, 2016. *White Paper on Human Rights in North Korea*.

⁵⁵ Work for the State includes, for example, mobilisation under the *inminban* system. For more on the *inminban* system, see: Burt, J, 2017. *A Truth Commission for a Future North Korea*. London: Korea Future Initiative.

Monitoring & reporting sexual violence in North Korea

Global data on incidents of sexual violence is typically collected by law enforcement agencies, nongovernmental organisations, hospitals and specialised clinics, and research bodies. In North Korea, the protection of women’s rights is the legal obligation of every institution, enterprise, organisation, family, and individual.⁵⁶

Two organisations, the National Committee for Implementing International Human Rights Treaties and the Korea Democratic Women’s Union, are responsible for collecting an unquantified remit of data on women’s rights, including sexual violence.⁵⁷ Monitoring of policy implementation is assigned to a multitude of institutions, such as supervisory departments of Ministries and inspection departments of People’s Committees, while health institutions are responsible for conducting educational campaigns and distributing “circulars and notifications” that “sensitize the general public on the harmful effects of [sexual violence]”.⁵⁸

The World Health Organisation describes the worldwide magnitude of sexual violence as “an iceberg floating in water” and the “small visible tip [of the iceberg] represents cases reported...But beneath the surface remains a substantial although unquantified component of the problem”.⁵⁹ Notwithstanding global trends and monitoring mechanisms that are inadequate when judged against international best practices, the Government of North Korea claims that the “sexual exploitation of women is in no way a social problem”.⁶⁰

No survivor interviewed for this project had reported to North Korean law enforcement agencies, hospitals, or health clinics following their ordeal, and no interviewee had been aware of any legislation on sexual violence. According to Ms. Bok, “Anyone can report sexual violence, but the identity of the survivor is publicised and if the perpetrator has money, they can harm the woman and her family. Survivors are reluctant to report because they will be damaged as a consequence. A number of survivors who declared [to authorities] suffered”.

⁵⁶ As proscribed in the 2010 Law on the Protection and Promotion of the Rights of Women.

⁵⁷ The National Committee was formed in April 2015 to merge national coordinating committees that are said to implement human rights treaties to which North Korea is a State Party. The Women’s Union is said to conduct surveys of the situation of women in institutions, enterprises, and organisations. It supposedly makes recommendations to the Presidium of the Supreme People’s Assembly, the Cabinet, and where appropriate, to prosecution and security institutions.

⁵⁸ United Nations, 2016. *Combined Second to Fourth Periodic Report of North Korea on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*; p.13 (hereinafter: CEDAW Submission).

⁵⁹ Krug, EG, et al., eds, 2002. *World report on violence and health*. Geneva: World Health Organisation; p. 150.

⁶⁰ CEDAW Submission, 2016; p. 12.



Perceptions of sexual violence in North Korea

Perceptions of sexual violence in North Korea continue to be influenced by a social narrative of women enduring particular sexual acts, such as marital rape; a gender hierarchy that disadvantages women; and a political and economic system that degrades women.

Interviewees were asked to provide a description of how they understood sexual violence while living in North Korea. Many likened sexual violence to understandings of rape, aggression, and male physical violence, but a majority of interviewees freely admitted that they had only understood sexual violence after entering free societies.⁶² Mrs. Dae explained:

“ [Many female exiles] do not even consider the abuses and violations they faced in North Korea [as] sexual violence. They do not understand what sexual violence is and what sexual crimes are. They think that sexual violence is, specifically, the sexual abuse and beatings they faced in China.

The issue of a woman or girl retaining her ‘reputation’ — defined nebulously as female virginity, marital sexual fidelity, or ‘womanly respectability’ — was closely aligned to understandings of sexual violence. Women who suffered physical violence would often be able to ‘retain’ their reputation if beaten or physically abused, whereas women who were raped or sexually violated could ‘lose’ their reputation and suffer social shame. This concept of reputation endures to such an extent that women who fall pregnant following rape would likely be unwilling to seek medical care or obtain an abortion in a State-run medical facility.⁶³

Social perceptions of sexual violence and the status of the perpetrator influences the willingness of survivors to report the crime. Especially violent sexual crimes and sexual violence perpetrated against wives or daughters of high-ranking officials would commonly be reported to local law enforcement.

⁶² Perceptions of sexual violence among women who had left North Korea between 2015-2018 were found to be fragmented and dependent upon experience, class, and age. Interviewees who had escaped to Europe or South Korea before 2015 exhibited a greater understanding of certain forms sexual violence, namely rape, trafficking, and sexual slavery. A minority of interviewees were less aware that verbal sexual harassment and forms of physical sexual assault, such as groping, constituted sexual violence.

⁶³ Interviewees explained that the concept of ‘reputation’ would not be applied to a man guilty of sexual violence unless he was convicted of sexual assault against a woman from a high-ranking family or a young girl.

Other sexually violent acts, such as those perpetrated by an intimate partner or family member, rape within the Korean People’s Army, fondling or grabbing within workplaces and in public, and verbal or physical harassment, were all cited as unlikely to be reported.

Sexual violence perpetrated by intimate partners

Intimate partner violence, specifically marital rape, was cited as the most prevalent form of sexual violence in North Korea and was closely aligned with the use of physical violence, such as beating.⁶⁴ Perpetrators were said to embody a gendered entitlement to sexual acts supported by a common understanding of “uncontrollable male sexual desires” as part of male “DNA”. Even when female partners were menstruating, they were obliged to have sexual intercourse. Mrs. Dae recalled:

“It is uncomfortable to have sex during menstruation because it can make you bleed more and for longer. But North Korean men will have sex whenever they want, especially after drinking alcohol. If the wife refuses, the husband will say: “Are you having an affair with another man?” He will then beat her. It is not even perceived to be wrong.**”**

The physical effects of intimate partner violence are well documented and can include: bruises and lacerations; abdominal injuries; fractures and broken bones or teeth; head injuries; attempted strangulation; and back and neck injuries. Additional conditions often include irritable bowel syndrome and chronic pain syndromes. Women who survive intimate partner violence are at a higher risk of depression and anxiety than non-abused women. This can lead

⁶⁴ Nearly one billion women will suffer from violence at the hands of an intimate partner or sexual violence by a non-partner in their lifetime. Globally, nearly forty-percent of murders of women have been committed by an intimate partner. Available data shows, for example, that the prevalence of rape or attempted rape by a partner stands at twenty-three percent of women in North London, England, and Guadalajara, Mexico; twenty-two percent in Lima, Peru; and twenty-five percent in Midlands Province, Zimbabwe. See: Krug, EG, et al., eds, 2002. *World report on violence and health*. Geneva: World Health Organisation; p. 152.

to secondary effects, such as alcohol and drug abuse; sleep disorders; low self-esteem; and self-harm.⁶⁵

The Government of North Korea asserts that crimes which take place within family units are “in most cases resolved, through conciliation of both parties under the influence of the advice and persuasion of relatives and neighbours”.⁶⁶ No interviewee had heard of such occurrences. Ms. Son explained:

 If my husband wanted to have sex, how could I say no? You could not complain. If I did complain, even women would criticise me.

Forced sexual initiation of girls

It is estimated that thirty-percent of women globally were forced into their first sexual experience, with nearly half being under fifteen years of age.⁶⁷ An assortment of socio-cultural, political, and behavioural factors motivate men to perpetrate forced sexual initiation upon girls, and most situations will deny a girl the choice to refuse sexual violence or to escape the physical and mental consequences of the act.⁶⁸

Forced sexual initiation experienced by girls can include, but is not limited to, men (either acquaintances or strangers) forcing a girl to touch any part of their body or the body of someone else; rape or penetration of a girl’s mouth, anus, or vagina; forcing or encouraging a girl to take part in sexual activities with one or

⁶⁵ See: World Health Organisation, 2012. *Understanding and addressing violence against women*. Available at: http://apps.who.int/iris/bitstream/10665/77432/1/WHO_RHR_12.36_eng.pdf

⁶⁶ CEDAW Submission, 2016; p. 39.

⁶⁷ For example: UN Women, 2012. *Fast facts: statistics on violence against women and girls*. Available at: <http://www.endvawnow.org/en/articles/299-fast-facts-statistics-on-violence-against-women-and-girls-.html>; World Health Organisation, 2012. *Understanding and addressing violence against women*; p. 3. Available at: http://apps.who.int/iris/bitstream/10665/77432/1/WHO_RHR_12.36_eng.pdf; UNICEF, 2014. *Hidden in Plain Sight: A Statistical Analysis of Violence against Children*; p. 167.

⁶⁸ Modern-day North and South Korea defy easy comparisons, however a study of South Korean women employed in an export-zone found that nine-percent had experienced sexual violence by factory supervisors or colleagues. See: United Nations Economic and Social Commission for Asia and the Pacific, 2003. *Fifth Asian and Pacific Population Conference*; p. 287.

multiple adults; forcing a girl to undress; and sexual grooming with the intent of later sexual violence.⁶⁹

Kotjebi

North Korea's homeless children, termed *kotjebi*, are vulnerable to forced sexual initiation. Driven into homelessness by the death or escape of one or both parents, or a family's inability to provide food or economic security, *kotjebi* must survive by begging for money and food on the streets. Often congregating in groups that comprise children between the ages of three to seventeen, *kotjebi* exist on the fringes of North Korean society.

While there are groups of *kotjebi* who inhabit rural and agricultural areas that are apart from urban centres, most subsist in towns and cities and settle outside markets, train and bus stations, and factories where there are increased chances of obtaining food or other goods essential for survival.

Beside poorly-funded detention facilities for homeless children, known as *guhoso*, that are scattered throughout major towns and cities, *kotjebi* receive little care from the government.⁷⁰ Interviewees who were accustomed with *guhoso* claimed that *kotjebi* were forced into uncompensated labour and provided limited food rations. After these experiences, many would escape back to the streets.⁷¹ *Kotjebi* who resist or evade institutionalisation are at risk of arrest and deportation back to their home provinces.



⁷² A train travels in Hamhung, North Korea's second largest city

The vulnerable and precarious existence of *kotjebi* leaves them exposed to many dangers, including sex traffickers and predatory adults. Approached with offers of food and shelter, *kotjebi* were reported to have been taken to abandoned buildings in Sinuiju, Pyongsong, and Hamhung where they were subjected to

⁶⁹ For the purposes of clarity, the use of Article 295 of the North Korean Criminal Law that defines a girl as being under the age of fifteen was used in interviews.

⁷⁰ COI, 2014; p. 166.

⁷¹ Korea Institute for National Unification, 2014. White Paper on Human Rights in North Korea; pp. 503-507.

forced sexual initiation and other forms of sexual violence.

It is unknown whether *kotjebi* are subjected to regular sexual violence or whether predatory adults are opportunistic in their rape and assault of children, but a small number of interviewees stated that *kotjebi* would provide sexual services as a form of payment for food or shelter. Mrs. Yeong recalled that in Hyesan:

“ Lots of *kotjebi* get syphilis. One family of four – a brother and three sisters – were interred at a local *guhoso* and all had syphilis. Everyone in North Korea knows that syphilis comes from sexual relationships and people with syphilis are seen as being ‘dirty’. I assume that the sisters contracted syphilis from sex work. Of course they did not tell other people what they did. But they did not have parents and, hence, were more vulnerable.

Although interviewees spoke of systematic sexual violence being perpetrated against homeless children, no evidence exists to suggest that *kotjebi* are forced *en masse* into organised sex slavery and no evidence on paedophilia in North Korea is available.

Detention facilities

While *kotjebi* are at particular risk from forced sexual initiation, girls in North Korea’s numerous detention facilities are equally vulnerable on a far greater scale.⁷² Stemming from Kim Il-sung’s oft-cited teaching that “Class enemies and factionalists, whoever they are, their seed must be eliminated through three generations”, North Korean boys and girls can be born, live, and die as prisoners of the State.

⁷² “Hamhung DPRK” by “Clay Gilliland”. Licensed under CC BY-SA 2.0. Available at: <https://www.flickr.com/photos/26781577@N07/14721967969/>

⁷³ Namely: *kuryujang* (interrogation centres), *kamok* (police holding centres), *kwanliso* (political labour colonies), *kyohwaso* (prison labour camps), *rodong danryeonda* (labour training facilities), and *jipkyulso* (regional holding facilities).

Incarcerated aged four for the crime of ‘guilt-by-association’ and then re-convicted aged eight and interred in Pukchang’s Kwanliso 18 for the remainder of her childhood and young adult life, Mrs. Sang explained how young girls were vulnerable to sexual violence:

“ I began work in the camp mines when I was sixteen. There are multiple responsibilities for girls in mines, such as digging, transporting, and pumping, but I carried the wooden supporting posts that prevented the mines from collapsing. There were no exceptions to work, but if girls were liked by the camp personnel they were assigned easier work. I saw lots of senior camp staff ‘playing’ with girls. If the girls did not do what they were told, they knew they would remain in the camp all of their lives.

Sexual violence inflicted upon girls in regional detention centres for repatriated citizens was cited as habitual. Mrs. Park explained:

“ The guards from the Ministry of People’s Security stripped women naked to conduct examinations. If there were attractive women or girls, they were quietly taken away by the guards and sexually abused. These girls were unable to speak about what happened, because if they did they would be beaten further.

Mrs. Kim from Pyongyang, who was repatriated and interred at a regional detention centre, recalled:

“ Younger and more attractive girls are often sexually abused. The guards take them out to the hall [of the detention facility] and sexually molest them. Other guards who are passing by just pretend not to see anything. They do not report what they see to their superiors

Schools

Globally, schools are a frequent setting for sexual violence against girls. Perpetrators are often assisted by students’ limited awareness of sexually violent acts, existing power relations between men and girls, and a fear of reprisals. Sexual violence can include physical and psychological violence occurring on school premises and on journeys to and from school, and often take the forms of “sexual harassment, non-consensual touching, sexual coercion and assault, and rape”.⁷⁴ Perpetrators can include teachers, adults designated to care for children, and predatory adults.

Sexual violence negatively impacts a child’s willingness and ability to learn and attend school, in addition to presenting dangers of sexually transmitted infections, rape-induced pregnancies, and the social stigma of being a victim of sexual violence.⁷⁵

Interviewees explained that while incidents of North Korean teachers being sexually violent toward young girls was not common, once girls had reached the age of fourteen and begun menstruating the risk of sexual violence increased. Molestation and sexual harassment were reported to be the most common forms of sexual violence perpetrated against school girls, frequently occurring in isolation and away from school premises, particularly when children were required to travel for forced labour or to participate in festivals.⁷⁶ Ms. Dae, the mother of two children in North Korea, stated:

⁷⁴ Jere, K. *School-related gender-based violence is a major barrier to education equality*. United Nations Girls’ Education Initiative. Available at: http://www.ungei.org/news/index_5995.html

⁷⁵ UNESCO, 2015. *School-Related Gender-Based Violence Is Preventing the Achievement of Quality Education for All*. Available at: <https://en.unesco.org/gem-report/node/818#sthash.Kkjg5dDh.dpbs>

 Lots of sexual violence happens around schools. Since the victims are children, teachers do try and protect them – but protection all depends on one’s social class. Some children cannot be protected. If the perpetrators of sexual violence are from the higher classes, they can get away from the law with just one phone call

Outside of the school setting, testimonies reported that girls aged fifteen and above resort to sex work to supplement family incomes; sexual violence is common in the *Saro-cheong* (League of Socialist Working Youth of Korea) and *Sonyeon-wondan* (The Korean Children’s Union); and sexual violence against ‘housekeeping-girls’ without parents is normal. Mrs. Yeong recalled:

 Girls graduate from school when they reach seventeen and eighteen, but they cannot find employment because the government is unable to pay salaries. Under a programme, termed *Balssam*, adults were forced to contribute fifteen-percent of their earnings to the government. Girls who had recently graduated sold their bodies in order to make money. If they had been unable to pay, they would have been considered ‘delinquent youth’ and sent to unpaid work camps for six months

⁷⁶ Students over the age of twelve in North Korea are required to engage in forced labour during summer holidays, with many children spending up to six weeks on farms in local areas or in neighbouring provinces.

⁷⁷ “North Korean Classroom” by “BRJ INC”. Licensed under CC BY-NC-ND 2.0. Available at: <http://bit.ly/2nQHV9o>

⁷⁸ Male and female interviewees noted that North Korean society can attribute male sexual desires to girls growing taller, appearing more ‘adult’, and having larger breasts.



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Interviewees suggested that parents, many of whom would work during the day, could do little to protect their children from sexual violence unless their family's *songbun* (a political, social, and economic status) was of sufficient worth to warrant protection.⁷⁸ Ms. Cha recalled:

“ My father had been re-assigned to work in Pyongyang. Our family was not particularly important, but he would tell me that we had a good background. When I arrived at my new school, I was obedient and did what I was told. We all did. Occasionally we would be mobilised with other schools to undertake small labour projects. During one day of mobilisation, two classmates went missing for over an hour. We heard months later that they had been taken by two officials and raped in an apartment. They never returned to school and their families were eventually expelled from Pyongyang

In Musan County, Mrs. Yeong recalled:

“ There is nothing that people without money and connections can do but to bow before those who have money and power. Politically powerful people will threaten the daughters of ordinary people if the girls do not undress and sleep with them

The effects of forced sexual initiation on girls varies, but includes: manifold physical injuries; increased risk of STIs; emotional and behavioural issues; depression and PTSD; suicidal thoughts; and an increased risk of engaging in sex work later in life.⁷⁹ Ingrained patriarchal norms, social class distinctions, and an absent education on sexual or legal rights compound the problem in North Korea and leave girls ill-equipped to understand or cope with sexual violence. Ms. Son recalled:

“ An older girl in my daughter’s school was raped on her way home in the winter. No one knew the perpetrator...but the school told her not to come back. Eventually we heard she was pregnant... I still feel sorry for her

⁷⁹ National Research Council and Institute of Medicine, 2005. *Growing Up Global: The Changing Transitions to Adulthood in Developing Countries*. Washington DC: The National Academies Press; p. 206.

⁸⁰ Both human trafficking and sex work are illegal in North Korea.

⁸¹ CEDAW Submission, 2016; p. 13.

⁸² Sex work is outlawed under the North Korean Criminal Law (Article 261) and is punishable by forced labour.

Domestic sex trafficking and sex work

A notable difference exists between the trafficking of women into sexual slavery and a chosen occupation of sex work. Sex trafficking occurs when women and girls are either coerced, forced, or compelled into sexual slavery. Sex work differs in that women make a decision to sell sexual services of their own accord in exchange for goods or money.⁸⁰

Although the Government of North Korea claims that human trafficking is “inconceivable” on its territory unless “committed under the manipulation of the south Korean authorities [sic]”,⁸¹ interviewees spoke of women being trafficked into sexual slavery in towns and cities across the country — albeit less numerous than those trafficked into China.⁸²

North Korean women engaged in sexual slavery and sex work were found to fall into three broad categories. First, women who are compelled to undertake sex work out of financial necessity. Second, women who supplement incomes with occasional sex work. Third, women who are trafficked into sexual slavery.

Women who undertake sex work out of financial necessity

Women who undertake full-time sex work in North Korea often do so for survival and can be defined as having low *songbun*, a low socio-economic status, no employment, or no work in the market. Their ages vary and can include high-school students, middle-aged *ajummas*, and older women. Ms. Nam noted:

“My neighbour’s husband was arrested by the Ministry of People’s Security. I heard he was reported for criticising the Kim family...The wife was severely interrogated and beaten by officials, but was eventually released and told to divorce her husband. She had a small child and no form of income...[and] when I saw her next she had a broken leg and bruises on her face from the interrogation. I would see her on the edge of the markets, but I knew she had nothing to sell. At that point I realised that she was selling her body

Earning as little as \$5 per-day, sex workers are active in brothels in major towns and cities; small and large hotels servicing KWP members; hotels servicing foreigners in Special Economic Zones and cities; train stations and markets; and in private homes.⁸³ Users of sex workers were said to range from high and mid-level KWP officials, KPA soldiers, merchants and goods smugglers, foreign businessmen and diplomats, and South Korean politicians (during the Sunshine-era) and businessmen (in Kaesong).



⁸⁴ The Rajin Hotel, a hotel built for foreign investors and tourists visiting the Rason Special Economic Zone

KWP officials commonly pay for sex in hotels and massage parlours, but can also request sex workers in private restaurants or at guesthouses. Mr. Ryu and Mr. Hwa explained that Chinese businessmen will commonly request sex workers in hotels and that South Korean businessmen or Government officials were known to have either requested or been provided with sex workers in the Kaesong Industrial Complex and in Pyongyang. Mr Ryu recalled:

⁸³ Owing to the illegal nature of their work, sex workers are obliged to pay bribes to local MPS officials to prevent arrest and ensure protection, to local pimps or madams, and to owners of private houses, hotels, or brothels used.

⁸⁴ “North Korea - The Rajin Hotel” by “Roman Harak”. Licensed under CC BY-SA 2.0. Available at: <http://bit.ly/2E7ldRF>

// A friend worked at a hotel in the south of Pyongyang that was very important and catered to officials who came to bathe and eat...but foreigners would also come. When important foreigners arrived, [such as] businessmen and diplomats, two older men would appear and give orders to the hotel staff. He could not say who [the men] were, but they must have been officials.

On one occasion he was told to escort three women to the rooms of two foreigners. It was in the afternoon. An older white man was given two women, one of whom kept crying...She was younger than my friend's sister who was fifteen at the time. A young white man looked nervous when he opened his door, so my friend looked away

Merchants and goods smugglers, lower-level KWP officials, and soldiers from the KPA employ sex workers in brothels, private homes, and guesthouses across North Korea. In border cities, such as Sinuiju and Hyesan, sex workers congregate around transit points for trade and the movement of people. Inland areas, such as Wonsan, Hamhung, Pyongyang, and Kilju, see sex workers concentrate near markets, train stations, and in guesthouses. Mr. Hwa explained:

// I once went to a train station to sell my goods and *ajummas* kept asking me whether I needed a 'chestnut blossom'. Some men did not know that a 'chestnut blossom' inferred sex, so the *ajummas* would simply carry on walking and ask other men who did know

Certain individuals who live near train stations and markets will erect temporary partitions in their rooms and rent their houses to sex workers. Mr. Ban noted:

// In markets, sex workers will openly approach men. I would see women offering sex by placing different types of red flowers in their hair or on their clothes. Men would simply follow the sex workers

Prevailing social norms continue to mark sex work as taboo in North Korea, but socio-economic realities and corruption have allowed the practice to flourish. Periodic clampdowns on sex workers and brothel owners occur, and KWP officials who accumulate large sums of foreign currency by controlling sex workers are known to have been arrested. Nonetheless, interviewees perceived a growing acceptability of sex work. Mr. Hwa even recollected that while a friend had used violence against a cousin who had become a sex worker, “she was able to earn enough to buy an apartment”. Similarly, Ms. Gil recounted:

// Owing to my illegal business, I was arrested. While in custody I met a nineteen-year-old woman. She explained that she had been arrested for sex work. I asked who her clients were and she told me that officials from the local Ministry of People’s Security office would pay for sex every night. Because of this she expected to be released after one week

Women who supplement alternative incomes with occasional sex work

Despite the practice remaining largely undocumented, North Korean women have long supplemented low and changeable incomes with occasional sex work. Interviewees who had worked in markets explained that women resorted to selling sexual services as a form of payment to goods suppliers or to supplement stagnant incomes. In North Hamgyong, Mrs. Jun explained that some women would even request payment for sexual services in the form of rice:

“ There are women who support their families through sex work. They will either request or buy rice with the money they make. They have to support their children and husbands – there is nothing to eat. Once Chinese men came looking for sex, but now it is North Koreans who pay with food instead of money, such as five kilograms of rice

Women & girls trafficked into sexual slavery

The trafficking of North Korean women into sexual slavery in China is well known, yet the trafficking of women and girls into domestic sexual slavery has been practiced since the mid-1990s.

Sex traffickers are rarely known by local communities and will travel to markets in neighbouring provinces to target vulnerable women and girls. Interviewees described how sex traffickers would appear as well-off merchants and approach female *kotjebi* and homeless or poor young women with offers of employment in restaurants, hotels, and State-run factories in neighbouring provinces. Once a small group of women had agreed, they would travel with the trafficker and, often unknowingly, be sold to pimps or madams once they reached their final destination. Interviewees reported that some victims are later sold and re-trafficked into China for further sexual slavery or forced marriage.

Ms. Nam encountered a fellow North Korean woman while escaping through China who explained how she had been forced into sexual slavery in North Korea:

She was fourteen and her father had died, so she agreed to travel to Pyongsong on the promise of work. When she arrived, she was taken to a guesthouse and put in a room with twelve other girls. Some were only wearing underwear, but even then she did not realise that she had been sold to a brothel. The owner was a relation of a KWP official in Pyongsong. She had already contracted gonorrhoea and was suffering during menstruation when I met her, but she was still pretty and tall. She once joked with me that she wished she had only slept with high-ranking officials and foreigners at the Jangsusan Hotel!

In certain situations, traffickers and IPOs will form ad-hoc alliances to traffic women. Mrs. Won described how KPA border guards and traffickers worked together to intercept women and girls crossing into China and force them into sexual slavery. Victims would be taken to buildings close to the border that were used by traffickers and forced to service KPA border guards.⁸⁶ Mr. Choe, a former goods smuggler, recalled:



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⁸⁶ “Kim Il-sung Pin, North Korea.” by “Stephan”. Licensed under CC BY-SA 2.0. Available at: <https://www.flickr.com/photos/fljckr/2603173071/>

// Border guards would ask for cash bribes, but sometimes wanted to take some of the goods I was transporting to send to their families back home. I would occasionally encounter lone women or families attempting to cross into China...[and] I would warn them about traffickers waiting across the border. They were Chinese, Joseonjok, and South Korean men, but they never bothered me.

On two occasions, a group of border guards who I knew quite well offered me the use of two girls they had captured. In return, they asked for foreign cigarettes from my next run into China. The girls were locked up in a house not far from the border... I was married with a child so I did not go.

Sexual violence perpetrated by invested public officials

Invested Public Officials (IPOs) can be defined as persons who occupy positions allocated by the Government of North Korea that imbue relative power over the vast majority of citizens. IPOs may, but not exclusively, be employees of Government Ministries, such as the MSS and MPS; members of the judiciary in provincial courts and county courts; and KWP officials in special cities, normal cities, counties, wards, and districts, towns, neighbourhoods, villages, and workers' districts. Interviewees noted that while IPOs were overwhelmingly male and from backgrounds with good *songbun*, families with money could increasingly secure positions of authority.

⁸⁵ Given restrictions on travel between provinces and the requirements for official travel documents, it is likely that MPS officials are also implicated in each step the trafficking process. MPS officials are known to accept bribes to issue travel permits.

Detention facilities

Perhaps the most notorious theatres of sexual violence in North Korea are its detention facilities. Operated and overseen by the MSS and MPS, these facilities are home to sustained sexual violence, including rape, often on multiple occasions and by multiple assailants; verbal and physical harassment; forced abortions; forced marriage; infanticide; forced oral sex; groping; sexual humiliation; and forced nudity.

Interviewees stated that sexual violence was most prevalent in regional holding facilities, prison camps, and labour camps where it was used alongside physical and psychological abuse to elicit confessions of guilt and degrade and punish women and girls. In these environments, IPOs often acted with impunity when committing acts of extreme sexual violence. Deaths resulting from physical and sexual violence were frequent.

Ms. Kim was interred in Sinuiju:

// The guards called girls into a room and ordered them to take off their clothes. There were girls who were fifteen or sixteen years old and they started to cry. The guards would put on rubber gloves and push their hands inside the girls' vaginas to check if they had money. The girls were still virgins and had not even started their menstrual cycles. They would bleed and cry. The guards kept doing this even though they did not find any money

Transferred to a detention centre and then sentenced to re-education in a labour camp, Ms. Kim experienced a new cycle of sexual abuse:

// In the prison, the room was small and had a toilet to the side. The door had a hole through which the guards would send food. There were nine girls in the room. At 22:00, when we were ordered to go to sleep, a guard that stayed outside our room on patrol would call out for a nineteen-year-old girl to stand up and come close to the door where the hole was. He would tell her to come closer and then he would molest her and touch her breasts

No in-depth research has been conducted on sexual violence perpetrated against men and boys in detention facilities, but former inmates did not rule the practice out. According to Mr. Hwa:

// I am unsure about sexual violence targeting men. I only witnessed male officials approaching female inmates. Never the other way around. In male-only camps...the men are incredibly emaciated – they are far more emaciated than we can imagine them to be – and if one cannot eat, the skin colour changes. I have been to three camps in North Korea and none of the people there are 'normal'. Their anuses are so wide open [rectal prolapse from malnutrition] that a hand could easily go in. The anus is so wide that it could probably fit a fist. It would be difficult to commit anal rape against men under such circumstances

Public transport

Mobility is a crucial method of survival for every North Korean woman who buys and sells in the markets. Travelling between towns, cities, and provinces, women can journey for days or weeks to earn a living for their families.

To maintain total control over its citizens, the Government of North Korea ostensibly denies men and women the freedom to travel. Any citizen who wishes to travel must apply for a permit from the MPS and carry a written confirmation of intent and a letter of validation from an arrival destination. If a permit is granted, travellers will be checked at train stations, transit points, on buses, at MPS checkpoints, and upon arrival at a destination or with an *inminban*. Owing to the difficulty in receiving a travel permit, only three interviewees had sought a travel permit, and only one had received a permit after a significant bribe.⁸⁷



⁸⁸ An official checks a woman's permit at a checkpoint

⁸⁷ North Koreans who wish to permanently move to a new town, city, or province — particularly provinces neighbouring China — face particular challenges.

⁸⁸ "North Korea - Checkpoint" by "Roman Harak". Licensed under CC BY-SA 2.0. Available at: <http://bit.ly/2BH91cv>.

Faced with impediments to mobility and survival, women have increasingly used bribes to obtain false travel documents or bypass local MPS officials at checkpoints.⁸⁹ With the erosion of their salaries, this has been opportune for IPOs, but it has also created space for sexual exploitation and violence. Mrs. Heo explained how a group of young MPS officials in Kimchaek City would target young women and girls who travelled alone with goods to sell at the market. In lieu of cash bribes, the officials would escort the women behind the train station to grope, molest, or assault them.

Korean Workers' Party

Several testimonies were received regarding targeted sexual violence perpetrated against women inside institutions of the KWP. Owing to the specific and identifying nature of each incident, testimonies and summaries have not been reported — except for two, upon request of the interviewees. Ms. Gil, who moved provinces without a permit and attempted to apply for residence, asked for her experience to be included:

// As I needed a house, I went to the Mayor's office. I lied and told his office that a relative of mine worked in his city, and I was allowed to see the Mayor. I was thirty-two years old and I must have looked attractive in his eyes. I was raped in his office and received a house in return. I could not tell anyone about what happened.

What I want to say is this: In North Korea, a woman's dream cannot be achieved without being raped or without selling her body

⁸⁹ Interviewees explained that false travel documents cost between \$50-100 and are issued within two days, but they can cost less if a person is willing to wait two to four weeks. Those who do not obtain travel permits can pay up to \$15 per day in bribes or seek alternative and illegal transportation, such as service-cars.

Ms. Pyo recalled her mother's experience:

// My mother was an *inminban* in our apartment block in Pyongyang. It seems silly now, but it was a role that she was proud of – even though it would cause her issues with our neighbours. One summer she was told to mobilise residents... they all had to put on their best clothes and walk in an area of the city. Tourists were visiting and the government wanted to give them a good impression. She had to walk for five hours straight and an officer from the Precinct would angrily tell the women they should look happier. My mother saw him grope and touch the breasts of two neighbours. She had to pretend that she did not see him.

Interviewees described how sexual violence, from molestation to rape, had become normalised within local institutions and workplaces. IPOs who molested women were euphemistically said to “play” with victims and would explain that sexually violent acts were “encouragements”. Multiple interviewees recalled how women who fell pregnant from IPOs were granted short breaks so they could seek abortions.⁹⁰

Workplace

A similar fear of sexual violence prevails in male-dominated workplaces, such as factories, processing plants, and mines. Interviewees spoke of everyday verbal sexual harassment, superiors forcibly kissing younger women, and the fondling or grabbing of sexual body-parts. Mrs. Gun recalled:

⁹⁰ State-employed obstetricians require single women to record who they have had sexual relations with in order to obtain an abortion. For reasons of cost and ‘reputation’, many women opt for illegal abortions.

// I was moved to a different job where there were many men. I do not know how to say this, but women are seen as 'officially' weak in North Korea. Young and single women are there to be assaulted and we have nowhere to report such crimes.

At a sewing factory in Chongjin City, Ms. Song recalled how young unmarried women were especially susceptible to sexual violence:

// Two twenty-three-year-old women were assigned to our factory straight from school. They were vulnerable because of their social class and age. Soon they both became victims of the factory official



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Sexual violence perpetrated against girls and young women is bolstered by an ignorance of the crime. Ms. Jwa explained:

// One day the secretary of the mine called me into the emergency-aid room and asked me to dye his hair. There were barbershops and hairdressers nearby, but he wanted me. I did not know why. At the time, many young women wanted to be in his favour because we thought it possible that he would move us to workplaces with easier jobs.

I was alone in the room when he asked me to spread my legs open and place his head on my lap. Suddenly a man from the mine banged on the door of the emergency-aid room and shouted that there had been an accident. I survived thanks to that intervention. If he had not come to the door, I would have been a victim. I was only nineteen years old – I had no clue.

Ms. Wi explained how officials from the Ministry of Public Health abused a friend at a hospital in Pyongyang:

// Two or three officials would visit the hospital every month under the pretence of checking the facilities or the efforts of the doctors and nurses. Sometimes they would visit every two months. If they saw a young nurse or employee they admired, they would whisper in the ear of the chief hospital official who accompanied their inspection. The woman would then be taken, sometimes forcibly, to a secluded room and abused by the officials. My friend told me that she was sedated on one occasion, but after that she stopped resisting. She could not tell me what the officials did to her.

A fear of retribution by IPOs and the damage to reputations dissuades survivors from reporting to law enforcement officials. Mrs. Dae explained that women who report sexual violence will be “socially disadvantaged, because prosecutions rarely depend upon the law, but on the social statuses of the victim and perpetrator”. When victims do report that they have suffered acts of sexual violence and law enforcement officials apprehend the suspect, interviewees confirmed that they would often be able to evade punishment by offering a bribe.⁹²

Korean People’s Army

Since 2015, conscription into the twelve-million strong KPA has become mandatory for most women aged seventeen to twenty. During service, a former Captain of the KPA Seventh General Department described how “Female soldiers in particular will find, upon defection, that their basic women’s rights were violated on a regular basis”⁹³

Mrs. Dae described how during her military studies with the KPA, a twenty-five-year-old soldier raped eight girls and women who were aged eight, twelve,

⁹² Korea Institute of National Unification, 2016. *Human Rights Situation of Women and Children in North Korea*; p. 24.

⁹³ New Focus International, 2016. *The life of the women of the North Korean Army*. Available at: <http://newfocusintl.com/life-women-north-korean-army/>

fourteen, fifteen, eighteen, and twenty-one in the nearby community. Although the soldier was convicted and executed by firing squad, Mrs. Dae attributed his death to his low *songbun*, rather than his crimes:

// If a high-ranking official sexually abuses women, he can avoid punishment with one phone call. This is the biggest problem for women: laws are only applied based upon who the offender is.



⁹⁴ Female KPA personnel

⁹⁴ "North Korea - The Palace of International Friendship" by "Roman Harak". Licensed under CC BY-SA 2.0. Available at: <http://bit.ly/2Gy4M1Q>

Mrs. Ju recalled her sister's experiences in the KPA:

// I volunteered to join the KPA...I was young and would not make the same mistake today. I had lived without a steady supply of food...but I experienced new hardships during my service. I begged my sister not to join the army, but she wanted to follow me. She joined and was sent to a construction unit in the mountains. After I escaped North Korea, I was able to phone my mother and she told me that my sister had fallen pregnant by a ranking officer. My mother had to be careful when speaking to me, but she inferred that the sex was forced. My sister had to abort the pregnancy on her own, but I hear that she still suffers pains. I send money when I can, but I do not have much

Overview

Gender-inequalities and social norms regarding sexual violence have endured in North Korea from the late Joseon-era and Japanese colonial rule. Despite the social activism that occurred during and preceding the fall of the Japanese Empire, the intersection of North Korea's patriarchal totalitarian rule and the erosion of the economy has created a uniquely dangerous environment for women and girls within an already dire landscape for human rights. International denials and poorly enforced laws further exacerbate the problem.

Certain acts of sexual violence, such as marital rape, find justification in cultural norms, while other crimes find refuge in the physical and ideological pillars supporting the Government of North Korea. Intimate partner sexual

violence is found across North Korean society and is supported by cultural institutions concerning male and female sexualities, weak legislation, and non-enforcement. The forced sexual initiation of girls is prevalent in a host of State-run institutions, such as *Saro-cheong* (League of Socialist Working Youth of Korea); *Sonyeon-wondan* (The Korean Children's Union); detention facilities; and schools. Perpetrators are emboldened by the oppressive power structures of the State and often act with impunity. The trafficking of women and girls into domestic sexual slavery persists and is dependent on the existence of an ill-functioning economy where sexual slaves can be trafficked on the false promise of work in restaurants, hotels, or factories.

Change is not coming from within the Government of North Korea.⁹⁵ The unchallengeable narrative of the Kim dynasty and absent female representation at the highest levels of power will ensure that women are unable to substantially participate in political life.⁹⁶ They will remain recipients of political authority and all that entails. Local officials will continue to be given license to perpetrate physical, psychological, and sexual violations, so long as they uphold the political status quo. And North Korea's rulers will continue to ignore and overlook the sexually violent acts of their officials, so long as the officials obediently dominate and subdue the population under Kim rule. For North Korean women, hopes for reform will not do. Only the destruction of this misogynistic system can bring relief.

⁹⁵ Korea Institute of National Unification, 2016. *Human Rights Situation of Women and Children in North Korea*; p. 9: "not only do women hold fewer positions in the party, the ratio of women tend to decrease the farther they are from the core of authority".

⁹⁶ The presence of Kim Yo-jong, the sister of Kim Jong-un, at the 2018 Winter Olympics in Seoul should be disregarded as a sign of gender equality. Kim Yo-jong's power and influence extend no further than the messages she is assigned to deliver. The Government of North Korea, as directed by the Propaganda and Agitation Department, must deliver a smoke-screen that equates power with public appearances.

Part Three



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Consequences of sexual violence for North Korean women & girls

Sexual violence can have long-lasting and complex physical, psychological, behavioural, and social effects for survivors.⁹⁸ Immediate consequences are often recognisable, but evidence suggests that longer-term effects can be unique to individuals and be dependent upon the levels of support they receive and the differing levels of violence they experience.⁹⁹ Taking the example of women who suffer intimate partner violence, immediate consequences — such as beating, violent blows to the body, and vaginal bleeding — are often clearly evident. Longer term effects can present differently and include, for example, chronic bodily pains (particularly in the pelvis), low self-esteem, irritable bowel syndrome, or feelings of guilt.



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Immediate

During acts of sexual violence, such as rape, a range of physically violent acts are common, typically striking, restraining, and strangulation. Commonly cited injuries include bruises across legs and inner thighs, breasts, wrists and ankles; scratches and finger marks around the neck; bite marks across the body; and

⁹⁸ See: World Health Organisation, 2010. *Preventing intimate partner and sexual violence against women. Taking action and generating evidence*. Geneva: World Health Organisation.

⁹⁹ See: Kendall-Tackett, K, Williams, L, and Finkelhor, D, 1993. *Impact of sexual abuse on children: A review and synthesis of recent empirical studies*. *Psychological Bulletin*, 113; pp. 164-180; Campbell, J, 2002. Health consequences of intimate partner violence. *Lancet*, 359; pp. 1331-1336.

¹⁰⁰ Courtesy of Agnese Morganti, www.aggemorganti.com

bleeding from lacerations on the head.

Most survivors of penetrative sexual violence felt unable to recall their physical traumas, yet a small minority reported symptoms that align with vaginal or anal tears and bleeding. Penetrative sexual violence is also known to induce trauma to the urethra, broken and dislocated bones, pelvic damage and immediate pain, and injuries to the skin surrounding the bottom of the entrance to the vagina, the labia, and the hymen.¹⁰¹

Acute levels of psychological fear preceding regular and established acts of sexual violence were documented by survivors of intimate partner violence, sexual violence in the workplace, and by those incarcerated in detention centres and prisons.¹⁰²



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Short term

Short term effects of sexual violence vary in their relative impact, but can often last between three weeks and three months and are dependent upon individual experiences and the accessibility of multiple forms of healthcare and support. Rather than physical injuries, survivors spoke of overriding fears of further sexual and physical violence, fears of retribution, fears of unwanted pregnancies and abortions, and a distrust of individual men or men in general. Fears were said to have receded with time.

¹⁰¹ World Health Organisation, 2003. *Guidelines for medico-legal care for victims of sexual violence*; p.12

¹⁰² Mrs. Han recounted how the arrival of one particular male MPS guard — who would select one girl, aged twelve to seventeen, to rape — on duty each night at a detention centre induced extreme and visible fear in girls.

¹⁰³ Courtesy of Agnese Morganti, www.aggieorganti.com

Long term

Long term effects of sexual violence can be psychological, physical, and behavioural. A minority of survivors declared they had experienced no particular effects, while others had or were experiencing reactions to their past experiences. Physical injuries, such as lacerations or vaginal tears, heal over time, yet manifold physical issues can become apparent months or years after sexual violence. Reported long term effects included enduring back and pelvic pains; headaches; increased bleeding during menstruation; complications associated with forced and unsafe abortions; and abdominal cramps. However, a significant number of female interviewees complained of various physical complaints that remained undiagnosed.

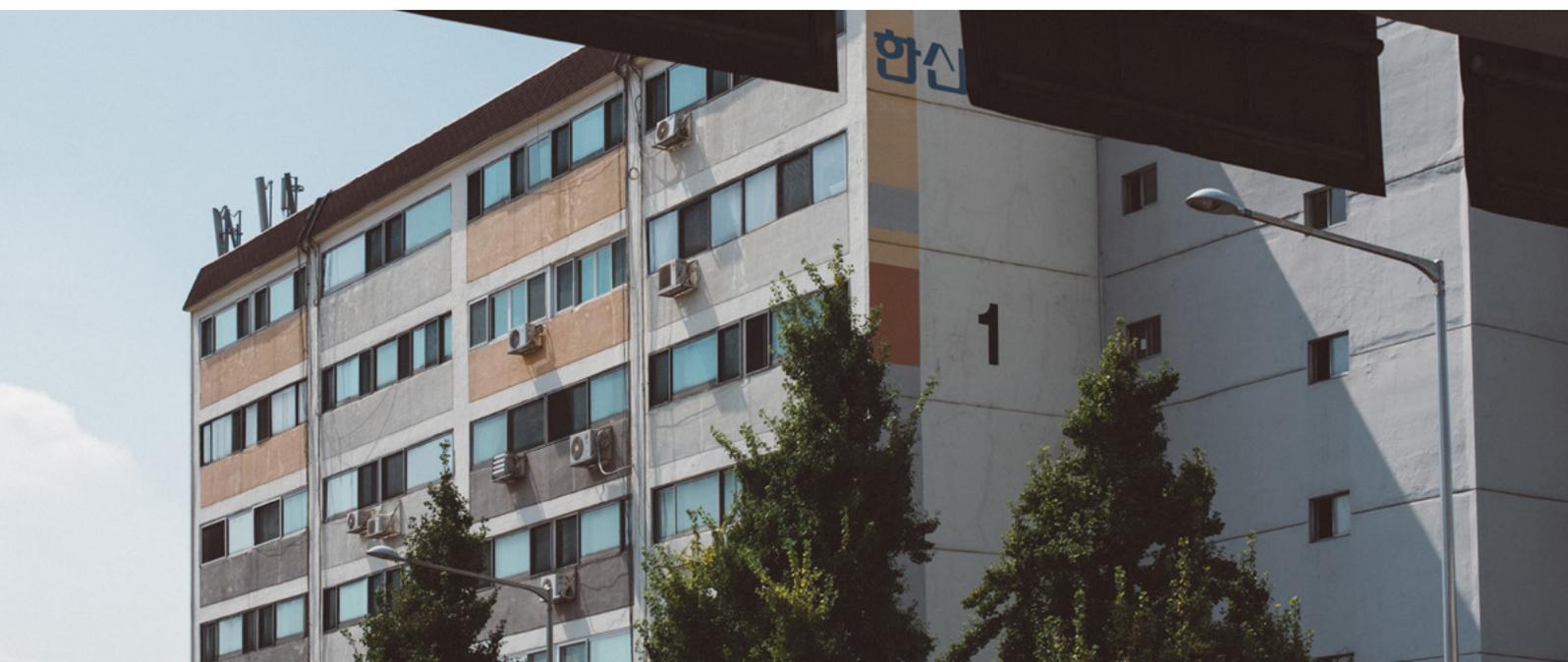
Psychological effects were experienced by the majority of survivors, notably feelings of personal guilt, shame, upset, low self-esteem, and symptoms that could be aligned to PTSD.¹⁰⁴ Non-fatal suicidal thoughts, specifically the willing of death, were experienced by a minority of interviewees.¹⁰⁵

Long Term Consequences of Sexual Violence		
Physical	Psychological	Behavioural
Lasting Damage to the Vagina and Anus	Feelings of Guilt	High-Risk of Suicide
Heavy Bleeding during Menstruation	Feelings of Shame	Dissociation
Sexually Transmitted Infections	Low Self-Esteem	Anger
Pelvic and Back Pains	Anxiety	Inability to Trust Men
Abdominal Cramps	PTSD	Alcohol Dependence

¹⁰⁴ A primary diagnosis PTSD for sexual violence and trauma is debated. Some argue that PTSD is overemphasised alongside other mental health effects and may not be suitable to define the effects of violence against women. For example, see: Mechanic, M, 2004. *Beyond PTSD: Mental health consequences of violence against women: A response to Briere and Jordan*. Journal of Interpersonal Violence, 19; pp. 1283-1289.

Overview

Just as victims experience sexual violence in different forms, survivors encounter its physical, psychological, and behavioural consequences in diverse ways. Sexual violence had undeniably damaged the physical and psychological health of many interviewees, increased their risk of further health problems, degraded their self-worth, and impacted their social behaviours. These consequences accompanied their journeys to freedom in South Korea and Europe and remain to this day.



¹⁰⁶ Many interviewees in South Korea reported feelings of isolation and dissociation from wider society

A number of survivors confessed that their interviews were the first time they had discussed their experiences of sexual violence. They had typically not accessed suitable physical or psychological healthcare services and were either unaware of such pathways or opted not to seek care. When healthcare had been provided, for example at South Korea's Settlement Support Centre for North Korean Refugees (known as Hanawon), many survivors cited it as insufficient and short-term.¹⁰⁷ Interviewees spoke strongly of a dissociation from the wider societies in which they lived, notably those who resided in South Korea, and partly attributed this to their experiences of sexual violence.

¹⁰⁵ Studies suggest that women who experience sexual violence have a forty-three percent prevalence rate of depression, while evidence points to a higher risk of suicide among young survivors of sexual violence following rape. See: Petrak, J, 2002. *The trauma of sexual assault: Treatment, prevention and practice*. New York: John Wiley.

¹⁰⁶ Courtesy of Agnese Morganti, www.aggemorganti.com

¹⁰⁷ It was noted that the Hana Foundation offers counselling and medical services to exiles.

Part Four



Legislation on sexual violence in North Korea

North Korean women and girls are ostensibly protected by a host of domestic laws, policies, and regulations; international legal obligations that the Government of North Korea has voluntarily assumed; relevant customary international law that is seen as binding; and State-led initiatives and organisations designated to uphold and protect the rights of women and children. It is incumbent upon the Government of North Korea and its supporters to explain why the following legislation has failed, and mandatory for the international community to respond in the strongest possible terms.

Decree on Gender Equality (1946) & Detailed Regulations to Enforcement of the Decree on Gender Equality (1946)

Enacted prior to the establishment of the Government of North Korea, the Decree on Gender Equality (1946) & Detailed Regulations to Enforcement of the Decree on Gender Equality (1946) encompass legislation pertaining to sexual violence, namely trafficking of women, forced marriage, concubinage, and sex work.

Law on the Protection and Promotion of the Rights of Women (2010)

Consisting of seven chapters and fifty-five provisions, the Law on the Protection and Promotion of the Rights of Women extends the Decree on Gender Equality to the prohibition of all forms of discrimination against women, as defined by the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Basic principles include protecting women's rights, public healthcare, female marital rights, the punishment of forced sex (in accordance with Article 40 of the Criminal Law), rights of the female body, and guidance on public projects to guarantee women's rights.

Law on the Compensation for Damages (2005)

Adopted as a supplement to Civil Law, the Law on the Compensation for Damages institutionalised a financial system of compensation for bodily injuries, but also served to guide law enforcement officials to uphold women's rights.

Criminal Law (2009)

A number of articles contained in the Criminal Law are pertinent to sexual violence and the rights of women and children.

Article 272 punishes intentional harm of persons through mistreatment by short-term labour of up to two years. Grave offences carry a punishment of reform through labour of up to five years. Article 284 states that grave injuries brought by violence are punishable by reform through labour for up to two years. Article 288 assigns a sentence of short-term labour for up to two years for assault.



¹⁰⁹ Mansudae Assembly Hall, home of the Supreme People's Assembly — North Korea's unicameral legislature.

Article 289 punishes the abduction of a child by reform through labour for up to three years. Article 290 punishes kidnapping by reform through labour for up to five years, while severe cases carry a sentence of between five to ten years. Article 293 stipulates that the rape of a woman is punishable by reform through labour for up to five years. In cases where rape is committed multiple times, or in the case of gang rape, the punishment is extended to five to ten years.

Article 294 states that men who subordinate women through sexual violence are to be punished by short-term labour of up to two years. In grave cases where sexual violence is committed against multiple women or when the woman, or women, commit suicide as a result of sexual violence, an offender is punished by reform through labour for between two and five years. Finally, Article 295 punishes sexual intercourse with a minor — defined as being under the age of fifteen — by reform through labour of up to five years. Grave offences, which are left undefined, carry an increased sentence of up to ten years.

¹⁰⁹ "North Korea - Nothing" by "Roman Harak". Licensed under CC BY-SA 2.0. Available at: <https://www.flickr.com/photos/roman-harak/5015831272/>

Socialist Constitution (2009)¹¹⁰

The Socialist Constitution commits the Government of North Korea to the protection of human rights and the protection of women.¹¹¹

Law on the Compensation for Damages (2005)

Adopted as a supplement to Civil Law, the Law on the Compensation for Damages institutionalised a financial system of compensation for bodily injuries, but also served to guide law enforcement officials to uphold women's rights.

Children's Rights Protection Act (2010)

The Children's Rights Protection Act is primarily a consolidation of existing legislation and consists of sixty-two articles on issues including protecting a child's right to life and development, their right to legal appeal, and protection of child asylum.

National Coordinating Committee for the Implementation of Convention on the Elimination of All Forms of Discrimination against Women

Formed in 2001, the National Coordinating Committee for the Implementation of Convention on the Elimination of All Forms of Discrimination against Women should play a key role in protecting women's rights and reporting on the implementation of CEDAW to the United Nations Committee.¹¹² All institutions in North Korea are said to contain departments for dealing with complaints concerning discrimination against women and retain officials in charge of handling complaints.¹¹³

Korea Democratic Women's Union

The Korea Democratic Women's Union is a 'mass organisation' of North Korea established to ensure the equality of women. Reportedly comprised of 200,000 women across nationwide branches, membership is restricted to women who do not work and are not members of the KWP or any other mass organisation.¹¹⁴

¹¹⁰ The Constitution was amended in June 2016 following the Seventh Congress, but this version was unable to be obtained.

¹¹¹ Articles 64, 65, and 77.

¹¹² The Committee on the Elimination of Discrimination against Women is a body of independent experts that monitors Member States implementation and compliance with the Convention on the Elimination of All Forms of Discrimination against Women.

¹¹³ CEDAW Submission, 2016; p. 6.

¹¹⁴ CEDAW Submission, 2016; p. 9.



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North Korean Association for Human Rights Studies

Founded in 1992, the North Korean Association for Human Rights Studies is mandated to study and report on the protection and promotion of human rights in North Korea. In theory, this includes submitting proposals to improve human rights based upon international treaties. According to the Association, “gender equality is fully realized” in North Korea.¹¹⁶

¹¹⁵ “A Bus Ride Home” by “BRJ INC”. Licensed under CC BY-NC-ND 2.0. Available at: <http://bit.ly/2C2HIoN>

¹¹⁶ DPRK Association for Human Rights Studies, 2014. *Report of the DPRK Association for Human Rights Studies*; p. 86.

International law & sexual violence

There exists an extensive body of international human rights law, standards, and norms that bind the Government of North Korea to the prevention of sexual violence, including provisions contained in the human rights treaties it has signed and/or ratified:¹¹⁷ namely, the Convention on the Elimination of All Forms of Discrimination against Women; Convention on the Rights of the Child; Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography; International Covenant on Civil and Political Rights;¹¹⁸ and the International Covenant on Economic, Social and Cultural Rights.

Convention on the Elimination of All Forms of Discrimination against Women

CEDAW came into force in 1981 and instituted the first global framework for protecting women's human rights under international law. The Government of North Korea acceded in 2001 and submitted its first report in 2002.¹¹⁹

North Korea is required to pursue policies to eliminate discrimination against women and to respect, protect, and promote human rights in relation to violence against women.¹²⁰ This includes the realisation of Article 2 that prohibits discrimination against women and requests States take “all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women”. Article 6 requests that States take appropriate measures, including legislation, to suppress all forms of trafficking of women and exploitation of sex workers. General Recommendation No. 12 recommends that states include legislation to protect women from sexual violence; offer support services for survivors of abuse; and gather statistical data on incidences of violence of all kinds against women.¹²¹

The Government of North Korea argues that the “Sexual exploitation of women is in no way a social problem in the DPRK. Some immoral persons who arranged for or forced women to commit prostitution, or committed rape were

¹¹⁷ See: OHCHR, 2018. *Ratification Status for Democratic People's Republic of Korea*. Available at: www.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=47&Lang=EN

¹¹⁸ Although North Korea withdrew in 1997, the Treaty does not include a withdrawal provision.

¹¹⁹ Upon review, the CEDAW Committee requested that North Korea undertake various policies designed to eliminate discrimination against women. The Government of North Korea failed to submit Periodic Reports to the CEDAW Committee for its second and third cycles, and finally submitted a combined report in its fourth cycle in 2016. In its response, the CEDAW Committee listed twenty-one issues and questions for the Government of North Korea, including five questions that focused on eliminating sexual violence.

¹²⁰ General Recommendation No. 19 clarifies the original CEDAW definition of discrimination to include “acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty” and states that “Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence”. The Recommendation makes clear that CEDAW applies to violence perpetrated by public authorities and that States may be responsible for private acts of sexual violence if they fail to prevent or punish such acts.

¹²¹ The Convention on the Elimination of All Forms of Discrimination against Women. Available at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

duly punished in accordance with the relevant provisions of the Criminal Law. In such cases the convicted persons were put on public trials, where, in the presence of a large number of people, they were sentenced to heavy penalties, alerting others not to commit such crimes.”¹²²

In the same report, the Government of North Korea noted that “Human trafficking is inconceivable”¹²³ and that in the case of repatriated women, “institutions concerned opted for educational measures instead of legal punishment, while people’s committees in the area concerned provided them with necessary conditions for a happy life with their families”.¹²⁴

Convention on the Rights of the Child

Adopted by the United Nations General Assembly in 1989, the Convention on the Rights of the Child clarifies two specific principles. Article 2 explicitly calls for States to take “all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians, or family members”; while Article 6 enshrines the right to life, survival, and development of the child.¹²⁵

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, & child pornography

The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography was adopted by the United Nations General Assembly in 2000.

Article 1 requests that States prohibit the sale of children, child prostitution, and child pornography domestically and across borders. Article 2 defines the sale of children as “any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration”; child prostitution as “the use of a child in sexual activities for remuneration or any other form of consideration”; and child pornography as “any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes”.

Article 3 clarifies the sale of children as offering, delivering or accepting a child for the purpose of sexual exploitation, including child prostitution and

¹²² CEDAW Submission, 2016; pp. 12-13.

¹²³ Ibid; p. 13

¹²⁴ Ibid. p. 13.

¹²⁵ Convention on the Rights of the Child. Available at: www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx

¹²⁶ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>

child pornography. Article 8 calls upon States to extend legal protections and appropriate support services to child survivors.¹²⁶

International Covenant on Civil & Political Rights

Adopted by the United Nations General Assembly in 1966, the International Covenant on Civil and Political Rights provides a legal framework to protect civil and political rights, including the rights to life and equality. Accordingly, many of the ICCPR's articles are relevant to preventing sexual violence against women and girls.

Article 2 enshrines the right to non-discrimination and the right to remedy. Article 3 provides equal civil and political rights for men and women. Article 6 protects the right to life and Article 7 states that no one should be subjected to inhuman or degrading treatment. Article 8 provides for the right to be free of slavery and forced labour. Article 9 notes that everyone must have the right to liberty and security, and should not be subjected to arbitrary arrest or detention. And Article 24 establishes the right of children to special measures of protection.¹²⁷

International Covenant on Economic, Social & Cultural Rights

Adopted by the United Nations General Assembly in 1966, the International Covenant on Economic, Social and Cultural Rights commits States Parties to the fulfilment of full economic, social, and cultural rights of men and women. Article 2 calls for the right to non-discrimination and effective remedy. Article 3 establishes the primacy of equal rights for men and women. Articles 6 and 7 call for an equal right to work and for women to enjoy protection in the workplace. Article 10 relates to the protection of mothers and young persons, while Article 12 calls for the right to health.¹²⁸

Customary international law

Customary international law consists of rules stemming from general opinion and practice that have come to be widely accepted as binding. All States are broadly understood to be bound by the tenets of customary international law.

The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly in 1948 and is understood as having a status of customary international law.¹²⁹ While the UDHR does not specifically reference sexual violence perpetrated against women and girls, Article 2 states that

¹²⁷ International Covenant on Civil and Political Rights. Available at: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

¹²⁸ International Covenant on Economic, Social and Cultural Rights. Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

¹²⁹ United Nations, 2018. The Foundation of International Human Rights Law. Available at: <http://www.un.org/en/sections/universal-declaration/foundation-international-human-rights-law/index.html>

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as...sex”, while Article 3 states, “Everyone has the right to life, liberty and security of person”.

In the seven decades since the UDHR was proclaimed by the United Nations General Assembly, sexual violence committed against women and girls has come to be understood and treated as a distinct violation of fundamental human rights. States seek to prevent sexual violence, punish perpetrators of sexual violence, and protect survivors of sexual violence through various funds and initiatives — both domestically and internationally.

It is clear that domestic, customary, and international human rights laws and various treaties compel the Government of North Korea to protect women and girls from sexual violence. But read alongside the testimonies of survivors and exiles, these laws have evidently exerted little effect on the perpetration of sexual violence in the country. This does not diminish the effectiveness of laws and treaties. They provide important normative and legal frameworks by which States can be scrutinised and, where appropriate, held to account by the wider international community.

However, in the case of North Korea, the government has continually failed to comply with laws they have ratified and existing tools to hold the State to account have proved insufficient. It is now the duty of the international community to formulate an effective response that goes beyond recommendations, reports, open-ended engagement, or verbal condemnations. Lives and the dignity of North Korean women and girls remain at stake.



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¹³¹ "R0140964" by "Ken Shin". Licensed under CC BY-NC 2.0. Available at: https://www.flickr.com/photos/the_lolrus/3169763562/

¹³² "North Korea - Border guards." by "Roman Harak". Licensed under CC BY-SA 2.0. Available at: <https://www.flickr.com/photos/roman-harak/6146834085/>

¹³³ Courtesy of Agnese Morganti, www.aggemorganti.com

What you can do

- 1 Support organisations that rescue vulnerable North Koreans. Escaping North Koreans are unable to reach safety without these organisations. Contact the Korea Future Initiative to learn more and help.



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- 2 Reach out to the North Korean diaspora and ask how you can help. North Korean exiles live in South Korea, Europe, and North America. Many are marginalised from their host communities and suffer from unemployment, discrimination, and a lack of opportunities. Ask how can you help them.



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- 3 Take action if your Government is not combatting sexual violence against North Korean women and girls. Advocate, protest, and lobby your elected officials. Actions, not words, count.



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