



**Citizens' Alliance for North Korean Human Rights (NKHR)**

**&**

**Conectas Human Rights**

Joint Stakeholder's Submission

In preparation for the

Third Cycle of the Universal Periodic Review of the

**Democratic People's Republic of Korea (DPRK)**

**33<sup>rd</sup> Session (06 May -17 May 2019)**

This submission contains:

1. Information on the situation of women's rights in the DPRK – assessment of implementation of recommendations from the first two cycles of the UPR (Sessions 6 & 19).
2. Recommendations for the third cycle of DPRK's Universal Periodic Review (Session 33)

**I. Information on the situation of women's rights in the DPRK – assessment of implementation of recommendations from the first two cycles of the UPR (Sessions 6 & 19).**

**1. Introduction**

The present submission focuses on discrimination against women and girls in the DPRK. Since the DPRK did not specify which recommendations it accepted during Session 6 of the first cycle of the Universal Periodic Review (UPR), this submission assesses the implementation of recommendations accepted by the DPRK during the second cycle of the Universal Periodic Review (Session 19) and evaluates DPRK's implementation of its domestic laws and obligations under human rights treaties. Furthermore, this evaluation is contrasted with information obtained through first-hand accounts related to the human rights situation on the ground. The situation on the ground was evaluated based on two rounds of 1:1 surveys updated in the second round, as well as in-depth interviews with key informants. The first round of information gathering focused on the period between 2010 and 2012 and was undertaken in 2013 with 80 North Koreans. The second round evaluating the period between 2013 and 2017 was conducted in 2017 and had 40 North Korean participants.

About contributing organizations:

**Citizens' Alliance for North Korean Human Rights (NKHR)** is a non-partisan, non-religious and non-profit organization founded in Seoul, ROK in 1996. NKHR's work focuses on international advocacy and research, as well as on the assistance for North Korean refugees and education programs for North Korean youth and college students resettling in South Korea.

**Conectas Human Rights** is a non-governmental and non-for-profit organization founded in São Paulo in 2001. Conectas' mission is to promote the realization of human rights and consolidation of the rule of law in the Global South – Africa, Asia and Latin America. The organization was accorded consultative status with the ECOSOC-UN in 2006, and observer status with the African Commission on Human and Peoples' Rights in 2009.

## 2. Awareness of human rights legislation

The North Korean government enacted both the Law on the Protection and Promotion of the Rights of Women (Women's Law) and the Law on the Protection and Promotion of the Rights of Children (Children's Law) in 2010. North Korea used several opportunities at the previous Universal Periodic Reviews (UPR) to portray that the Women's Law is "modern", as in meeting modern standards of human rights legislation, and that new policies followed to implement it. In its 2016 State Party's Reports to the UN CEDAW Committee, the North Korean government stated that it distributed the Women's Law to "every institution, enterprise and organization for wide dissemination and sensitization".<sup>1</sup>

During the second cycle of the UPR, DPRK accepted several of the recommendations from States related to implementation of the new laws, enhancement of rights awareness, and promotion of human rights of women and children. However, eight years on from adoption in 2010, these laws seem to lack implementation. The DPRK delegation showed a lack of understanding of certain concepts pertaining to domestic violence against women or sexual harassment in subordinate positions, crucial to implementation of the CEDAW Convention. Furthermore, the delegation was unable to present any educational materials or describe programs that are related to implementation of the Convention or Women's Law, which calls into question the level of awareness of the Convention among officials of relevant institutions, courts and law enforcement agencies responsible for policy and programming.

The DPRK government in its 2017 CEDAW State Report claimed wide dissemination and education campaigns about the Women's Law. According to these claims, a substantial number of respondents should have heard about these laws and be educated on women's and children's rights. However, there is a consistent pattern of responses since 2010 when the Law was enacted: over 95% of interviewed North Korean women have not even heard that the Law on Women and Law on Children were adopted, let alone be educated on them or know any details of what rights or benefits the Women's Law gave them.

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<sup>1</sup> "Consideration of reports submitted by States parties under article 18 of the Convention; Second, third and fourth periodic reports of States parties due in 2014; Democratic People's Republic of Korea," June 1, 2016, <http://undocs.org/CEDAW/C/PRK/2-4> (Search date: September 2017), p.3, §12. (Further quoted as: CEDAW/C/PRK/2-4, 2016)

## RECOMMENDATIONS ACCEPTED BY THE DPRK (SESSION 19)

Make further efforts to enhance awareness of rights of women and children as contained in the newly adopted laws (Timor-Leste)

Intensify its efforts to promote and protect the human rights of specific groups within society, such as women, children, disabled persons and the elderly, with a view to empowering them and alleviating their vulnerability (Thailand)

Continue taking concrete measures to further promote and protect human rights, particularly for women and children (Iran)

Take more practical measures for the protection of children, women and other vulnerable groups and full enjoyment of their rights (Cuba)

Step up its efforts in human rights awareness programmes, including releasing publications related to human rights with a view to familiarising the general public with those international human rights standards and instruments to which the Democratic People's Republic of Korea is a party (Malaysia)

Make efforts to explore options and introduce new methodologies with a view to raise awareness of human rights in the country (Ethiopia)

### 3. Discrimination against women, women's organizations, and participation in public life

DRPK accepted recommendations related to better conditions for women's rights organizations and increasing participation of women in public life, including in influential posts. However, without addressing the underlying discrimination against women, stemming from patriarchal culture and history, these recommendations cannot be meaningfully implemented.

Since the famine which hit the country in the 1990s, North Korean women have been directed to provide for the family and have been disproportionately active in most of the private market economy, which - given the collapse of the state public distribution system and dysfunctional industries - is de facto sustaining country's economy on both micro and macro levels. This results in secondary discrimination against women as they are expected to quit their state jobs at a certain age or after marriage, to turn to private trade and financially support their families. Similarly, a growing number of interviewees confirm that families do not invest in their daughters' education, as it is considered that private market operations do not require skills or education.

Such situation naturally limits the number of women continuing to work at state enterprises, in government or at Korea Worker's Party posts. Even in workplaces where women constitute the majority, such as primary and secondary schools or some medical specializations such as nursing, gynecology and pediatrics, interviewees continue to report that women are mostly subordinate to men and that women cannot expect to climb the employment ladder. In an interview with a male former high-ranking official, he reported that women in the Party are usually delegated to secretary and note-taking positions. He also claimed that while women are successful in private trade, they lack the skills and ability to be able to succeed in the Party, revealing deeply ingrained patriarchal attitudes toward women in North Korea.

Furthermore, there is no voluntary independent organization in the DPRK to which women could turn to address women's problems. This further limits the participation of women in decision-making and policy-making processes in the country, as women cannot advocate as a group to resolve their problems, nor do they expect to be able to do so.

Membership in all sorts of organizations is compulsory because they are state-run organizations designed to control citizens' behavior. The state-operated Korea Democratic Women's Union (KDWU, or Women's Union) mentioned by DPRK in their official reports to the UN, is the

#### RECOMMENDATIONS ACCEPTED BY THE DPRK (SESSION 19)

Take more active steps to eradicate all forms of discrimination against women (Angola)

Further develop measures to generate better conditions for the activities of organizations on the rights of women (Venezuela)

Encourage the participation of social organizations in the dissemination of international human rights instruments, with a view to increasing public awareness of human rights (Bolivia)

Consider further legislative and administrative measures to encourage the increase of women's participation in public life (Belarus)

Strengthen efforts to ensure women's representation in influential posts in national and regional government (Norway)

Empower women's participation in decision-making institutions (South Sudan)

Ensure women an equal treatment with respect to men, especially with regard to the rights to food, education and work (Italy)

largest women's association, but by no means does it improve women's lives, advocate for their rights, or address complaints. Nor is the Women's Union a labor union, commonly understood as a collective, conducting bargaining activities to negotiate favorable working conditions. During the CEDAW Review, the DPRK delegation was unable to provide a response to repeated questions from experts about the activities of independent women's organizations, only about the KDWU. This indicates that women's autonomous special interest groups do not exist, and this fact has also been confirmed by North Korean interviewees.

As a government-run organization, the Women's Union serves as a platform to enforce central policies which require women to provide quotas of raw materials and money. The KDWU's membership in majority constitutes housewives who are by default engaged in private economic activities. The Union exploits its members so that women's earning power is used to provide necessary resources to the government. Through the Union, women are also organized to provide unpaid labor on construction sites, railroads, making bricks, etc. Women are also conscripted to such labor if they are unable to pay their individual financial or material quotas.

Since there are no autonomous organizations with voluntary membership which would advocate for women's causes, it is difficult to envision how the North Korean government is gathering feedback on policies and issues women are facing, and gathering independent data for the official reports it claims to receive and incorporate into its planning on women's policy.

According to DPRK official reports, the Women's Union was given responsibility for gathering feedback, education on domestic laws and human rights treaties, monitoring of women's rights and administering a complaint mechanism. However, the reports of women who used to participate in Women's Union activities directly contradict the North Korean government's claims about the human rights monitoring role the Women's Union performs, including the complaint mechanism. Interviewed women in fact did not understand the term "complaint" as possibility of raising or resolving pressing issues that women face in their social and economic lives. Women understood complaints as criticism routinely performed during Life Review Sessions of KDWU when women were singled out and harshly criticized for underperforming in assigned quotas. Women also reported that they could not raise such issues as improvement of health services, school infrastructure or child-care services, as such statements would be viewed as political criticism against the government and result in reprisals. All interviewees consistently report since 2010 that Women's Union has never educated them on their rights, or on the Women's Law or Child's Law adopted by DPRK, as the government is claiming.

#### 4. Health

During the second cycle of UPR, several states recommended directing resources to strengthen health services and training of doctors. In fact, the limited access to health services in the DPRK is a result of decades of government policies of uneven distribution and investment of resources in Pyongyang to the detriment of other regions, especially the economically active northern border regions, which subsidize investments in the capital. In fact, some hospitals in Pyongyang are reported to have state-of-the-art equipment and health services. Official North Korean reports to the UN claimed that several new medical facilities had been recently built,<sup>2</sup> but the majority is in Pyongyang, which is a restricted area inaccessible for most North Koreans. The continuous neglect of other Provinces caused medical service provision there to deteriorate to the point that a doctor from Pyongyang compared hospitals in other Provinces to being “50 years behind the hospitals in Pyongyang”<sup>3</sup>.

Due to lack of investment in health services in Provinces outside Pyongyang, limited access to the medical system beyond household doctors is also in many ways a result of the fact that patients shoulder the burden of bringing their own food, wood for heating and other provisions for doctors in the case of inpatient procedures. As a result, average North Koreans report to resort to medical care only in very serious instances, relying instead on herbal medicines, opiates and painkillers. Over 90% of women continue to report that one had to pay bribes to receive better medical services. The government claims that North Koreans have free access to medical services, but in reality only access to primary contact medical personnel is free of charge while individuals and families bear the costs of medical procedures, medicines and hospital expenses.

The North Korean economy is largely supported with women’s private market activities, especially through economic zones near the border with China. Women continue to report that the government levies taxes from their private economic activities on the markets and that they are imposed quotas in materials and money through the Women’s Union, or through their children at schools. Despite the generation of that revenue for the government, all of the interviewed women claimed that this money was not reinvested in the very old health and school infrastructure in their Provinces but were gathered for other purposes, such as building Pyongyang infrastructure or for the military.

During the second cycle of UPR, North Korea supported several

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<sup>2</sup> CEDAW/C/PRK/2-4, 2016, p. 24, §150

<sup>3</sup> “They only claim that things have changed...Discrimination against Women in the Democratic People’s Republic of Korea”, Citizens’ Alliance for North Korean Human Rights, 2018, p. 28

#### RECOMMENDATIONS ACCEPTED BY THE DPRK (SESSION 19)

Provide the necessary resources to the health system, in order to strengthen it, and especially in order to lower child and maternal mortality rates (Uruguay)

Carry out a reproductive health strategy and other programmes for women’s health with a view to reducing the maternal mortality rate as set out in the MDG (Turkmenistan)

Take concrete measures to improve health care for women to further decrease maternal mortality (Bangladesh)

Ensure that the rights of women, children and persons with disabilities are more effectively realized through the implementation of the strategy for the promotion of reproductive health, 2006-2010, the national strategy for the prevention of AIDS, 2008-2012, the primary health care strategy, 2008-2012, the national action plan for the well-being for children, 2001-2010 and the comprehensive action plan for persons with disabilities, 2008-2012 (Syria)

Take appropriate measures to effectively implement the Strategy for Health (2011-2015) and some other programmes on health (Iran)

Strengthen health-care services for its citizens through better training of the medical personnel, particularly in remote rural areas (Sudan)

Increase access to food, healthcare, education, and adequate housing, throughout the country (Namibia)

recommendations related to its Health Strategy (2012-2015). The interviewed North Korean women in both 2013 and 2017 reported that they received little institutional support from the state on all health issues from breast cancer to contraception or childbirth. Even if North Korea has developed "Guidelines on Early Detection and Management of Cervical Cancer and Breast Cancer 2009"<sup>4</sup>, women are not experiencing the benefit of these guidelines in practice. 95% of interviewed women did not receive preventive screening for gynecological issues; the only two cases known to us who reported receiving them were both medical personnel in Pyongyang hospitals. No interviewee had received screening for breast cancer. This is despite the fact that over 90% of interviewees reported having a medical facility nearby. Similarly, no interviewee reported even observing that there were special programs for preventive screenings for gynecological issues and breast cancer. Over 80% of women reported receiving no counselling on birth control methods and sexually transmitted diseases from medical personnel and over 70% did not receive any education on HIV-AIDS in recent years. In fact, North Korea reported no cases of HIV-AIDS in 2017 during CEDAW Review, but this was contradicted by the doctor from Pyongyang who reported that incidents of HIV-AIDS are on the rise, but they are reported as other diseases because of the fear of reprisals.

Lack of access to modern contraception and poor reproductive health education creates a situation where women undergo repeated abortions to prevent births. Abortion is used as a method of birth control in North Korea: 78% of women surveyed in 2017 considered abortion to be a normal form of contraception, similarly to the findings of our 2013 report. For the question: "Which methods of birth control have you used in North Korea?" 40% replied "abortion" and half of these women reported to have had an abortion more than once. Over 70% of women surveyed in 2017 considered contraception to be a duty of a woman only, as admitted by North Korean government in 2005.<sup>5</sup> Our 2013 research also recorded similarly high responses, indicating unchanging perceptions around reproductive health.<sup>6</sup>

Despite the recommendations accepted by the government on maternal health, many women continue to report to only visit a doctor if the pregnancy causes health issues, as they otherwise do not see the need to make the trip to the hospital. Only a third of all interviewees who gave birth in North Korea reported that they went regularly to the hospital during the pregnancy. While DPRK government claimed that delivery at home and "other places" comprised only 12.1% of births,<sup>7</sup> women continued to report that the trip to hospital in winter requires bringing wood for heating the hospital and boiling water for delivery, so women tend to deliver at home in the winter months. While the reported number of births in hospitals has risen in comparison to our previous research covering years 2010-2012, the trend is rather related to the fact that more women can afford the expenses related to giving birth in hospital due to women's increased earning power from private market activities and not because of government policies.

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<sup>4</sup> CEDAW/C/PRK/2-4, p. 30, §205

<sup>5</sup> "Committee on the Elimination of Discrimination against Women; Thirty-third session: Summary record of the 699<sup>th</sup> meeting." CEDAW/C/SR.699, September 8, 2005, <http://undocs.org/CEDAW/C/SR.699>, p. 8, §50. (Search date: September 2017).

<sup>6</sup> See: "They only claim that things have changed...Discrimination against Women in the Democratic People's Republic of Korea", Citizens' Alliance for North Korean Human Rights, 2018, pp. 29-31 and "Status of Women's Rights in the Context of Socio-Economic Changes in the DPRK", Citizens' Alliance for North Korean Human Rights, 2013, pp. 38-39

<sup>7</sup> CEDAW/C/PRK/2-4, 2016, p. 28, §186.

## 5. Access to justice and violence against women in MSS/secret police pre-trial detentions<sup>8</sup>

North Korea operates various interrogation and detention facilities run by the Ministry of Public Safety (MPS, or police) or the Ministry of State Security (MSS, or secret police). The Ministry of State Security has de facto authority to arbitrarily decide punishment, its type and its length without due process of law. Since its interrogation-detention facilities (*kuryujang*) are secret, MSS power is unmonitored and unchecked.

In addition, the steps North Korea claims to have been taking to increase the independence of the judiciary are only theoretical.<sup>9</sup> The MSS continue to have overwhelming power and prerogatives to administer arbitrary detention, and determine guilt and type of sentence in pre-trial detentions. The exercise of the basic human rights is considered threatening to the very foundations of the state, and the real judiciary power is vested in secret police, which protects the state while violating all basic human rights standards. Under these conditions, any reforms North Korea undertakes in the judiciary, and not in the prerogatives vested in secret police, are in fact meaningless.

If the person's crime was primarily investigated by the secret police, once the interrogation is finished and the type of the crime established, the gravity of it decides whether the person will remain under authority of the secret police (MSS) without a trial, or whether the detainee will be transferred to one of the police holding centers (*jipkyulso*) where a person will await for an MPS police officer from the station in the person's town of origin to escort the accused to the pre-trial detention operated by police, to face a trial held in their town of origin. Only at this stage the person's relatives will for the first time be notified of the person's detention, simply because the family is often required to pay for transport fees of the policeman to escort the inmate to the area of residence. If the detainee's usual residence is far from the holding center and/or the family has little funds, the inmate may spend weeks in *jipkyulso*.

Once in police detention, a person will be investigated again, and a trial will confirm the type of crime that the secret police charged the person with during the initial interrogation. After the trial, prisoners are sent to one of the forced labor detention facilities operated by the

## RECOMMENDATIONS ACCEPTED BY THE DPRK (SESSION19)

Punish under law violence against women, establishing adequate measures to protect victims (Chile)

Establish measures to combat discrimination and violence against women (France)

Make efforts to achieve respect for all fundamental rights and freedoms of the entire population, especially women and children, and take all necessary measures to ensure the fight against impunity for the perpetrators of crimes, acts of violence and all human rights violations (Argentina)

Take all necessary measures to prevent or punish violations of human rights (Burundi)

Make greater efforts to foster the law-abiding culture throughout the country (Vietnam)

Further strengthen the independence of the judiciary (Namibia)

Enshrine fully the right to fair trial and due process guarantees (Israel)

Provide law enforcement officials more information on international human rights instruments (Pakistan)

Create a national mechanism for the review of complaints of the populations concerning human rights violations (Russia)

Strengthen its national efforts in the area of combating trafficking in persons, especially women and children, including through human rights education and training for law enforcement officials (Egypt)

<sup>8</sup> "They only claim that things have changed...Discrimination against Women in the Democratic People's Republic of Korea", Citizens' Alliance for North Korean Human Rights, 2018, pp. 38~43

<sup>9</sup> "National Report submitted in accordance with paragraph 5 of the annex to the human rights council resolution 16/21," A/HRC/WG.6/19/PRK/1, Human Rights Council, Working Group on the Universal Periodic Review, 30 January 2014, pp.6~7, § 35~40.



police: short-term forced labor detention - *rodongdallyeondae*, or reform prison - *kyohwaso*. The choice of facility and length of sentence depends on the gravity of the crime. The fact that a person is detained in a facility near their usual residence means that the family (often by bribing police officers) may afford to bring additional food, hygienic products, or medicines to the inmate, which may increase the likelihood of survival. Prisoners without close family to ease their detention have to rely on the little food they receive.

If the person however, is considered to have committed a “grave crime”, or “treason against the state”, they suffer long interrogation, torture and sub-existential conditions of food and hygiene in secret police detention. Even if they survive, no trial will occur, and they face arbitrary detention in political prison camps (*kwalliso*) operated by the secret police.

While all decisions about incarceration are arbitrary because they are not decided in open court according to precedential guidelines and are not appealable, the decisions of secret police are fully confidential and exempted from all court proceedings or outside monitoring.

But even if there is a trial, such as in police detention, all our interviewees who faced trial before detention reported having a trial in a kangaroo court. There was a judge and a prosecutor, but instead of a defense lawyer they reported being assigned an advocate who educated them of their wrongdoing, instead of arguing their case in defense. The trial is not a hearing to establish guilt to high standard of proof, but merely confirmation of the crime established by secret police/police investigations.

In short, North Korea has a criminal justice system which keeps up only an appearance of the due process of law. In fact, both guilt and sentence are often pre-determined by arbitrary decision of the secret police, and the conditions under which inmates are kept in secret detention facilities (*kuryujang*) operated by the secret police should be exposed for further international scrutiny, as this is an area where grave crimes continue.

Not all cases are dealt with by the secret police. Ordinary social crimes are under jurisdiction of police or MPS. However, the secret police, MSS, has a primary investigative authority over so-called crimes against the national interest. These “crimes” usually amount to the exercise of basic human rights and freedoms, many of which are also guaranteed by the DPRK Constitution<sup>10</sup>. They include contacts with religion or access to independent sources of information, including through external radio broadcasts, foreign movies and music.

MSS is also a primary investigative body dealing with persons deported from China, the majority of them women, who have illegally crossed the border with the aim to find work or seek asylum in other countries, or as victims of trafficking. The majority of testimonies related to experiences in various detention facilities in North Korea have come from women who have been deported from China after crossing the border, which is illegal under North Korean domestic law. In areas near the border with China, it is reported that the vast majority of prisoners in secret police detentions are women.

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<sup>10</sup> The DPRK’s Constitution guarantees freedom of speech, press, assembly and association, freedom of religion, and freedom of residence and travel. (Articles 67, 68, 75 respectively of the 2016 Constitution of the Democratic People’s Republic of Korea).

Women reported that normally, a person detained by secret police for interrogation is kept incommunicado. The family will be unaware that a person has been arrested and is being held by the MSS. This situation amounts to disappearance and since outside monitoring is prevented, it must result in many abuses, including arbitrary deprivation of life, torture, malnutrition, diseases or suicide. Unless informed by a witness who knows of an arrest and interrogation, the family will neither be aware of the fact of the arrest, nor the person's whereabouts, nor whether a person is dead or alive. In rare circumstances, this rule seems to be bent for the lucky ones who have powerful family connections.

In fact, the longer the person is detained in the secret police, the lower the likelihood of survival according to witnesses. Lack of contact with the outside world means that no food, medicine or clothing can be delivered, while the living conditions inside these detentions are below any minimum standards.

Interviewees reported that in secret police detention there is no access to a lawyer, and nobody is informed of their rights. Instead, secret police interrogation serves for an admission of guilt and it is reported that the more credible the testimony, the less likelihood of beatings.

The secret police use various methods of intimidation to coerce women to write admissions of guilt. Some women were threatened with beatings, and some reported beatings to the point of losing consciousness. Victims explained that the treatment depends on whether the secret police believes the account they provide.

In addition, secret police use other methods to inflict physical pain on the detained. Except for a recess for sleep, meals and toilet, all detainees are required to sit the whole day for about 17 hours (from 5 am to 10 pm) without moving their bodies, while waiting for their next call for interrogation. They reported that if they attempted to even slightly change their position, they were beaten by guards as a punishment. A break for lunch was reported to have been only 15 minutes, but the amount of food given was of a sub-existential amount and bad quality.

Interviewed women understood torture only as beatings, or other form of physical abuses. However, the interviews revealed secret police pursuance of other forms of degrading and humiliating practices that inflict mental and physical suffering. Food and hygiene conditions were reported to be substandard. The cells are overcrowded with no beds and prisoners required to sleep on the cold floor. There is only one open toilet (in reality, a hole) in the room's floor shared on average by 10 to 20 women. The toilet is visible to other inmates and often to the guards. There is usually a bucket of water near, but no soap or towels. All women reported these are no facilities to properly wash themselves or their clothes. Women also reported ripping parts of their own clothes into long pieces of material to use as washable hygienic pads during menstruation.

Women deported from China continued to report the same pattern of abuses as in the 1990s and 2000s. Upon repatriation, women were ordered to strip naked in front of other detainees and secret police officials who would forcibly search their genital cavities for hidden valuables, sometimes using gloves and sometimes without. In addition, women reported that they were checked for visible pregnancy and such women were also asked questions whether the father was a Chinese national. In addition, women reported to have been taken for blood tests; they

understood that the tests were for HIV/AIDS and other diseases as well as for pregnancy. In the interviewed group, women continued to report that pregnancies were forcibly aborted.

In over 20 years of history and having interviewed hundreds of victims, Citizens' Alliance for North Korean Human Rights has never met a single case in which being the victim of trafficking would be considered a mitigating circumstance either during interrogation in detention, or at a trial. Women who had experienced trafficking to China and detention upon deportation reported that their experience increases the amount of insults and physical abuse from law enforcement officials while in detention, especially if a woman is deported pregnant and the father is reported or presumed to be a Chinese national.

The international community should be careful about reports that indicate improving conditions in detention and in particular of better treatment of deported women. There is not enough evidence to support such claims; on the contrary, the procedures and conditions in detention seem to be identical to testimonies our organization received in 1990s and early and mid-2000s at the peak of the wave of escapes from North Korea.

## **II. Recommendations for the third cycle of UPR (Session 33)**

### **A. Activities of the Ministry of State Security (MSS/secret police/bowibu) and MSS-operated pre-trial detention:**

1. Establish independent monitoring of the actions of the local chapters of the Ministry of State Security (MSS/secret police/*bowibu*), and conditions in their pre-trial detention centers (*bowibu kuryujang*).
2. Introduce clear orders prohibiting MSS officers to perform enforced and humiliating genital searches on North Korean women deported from PR China, which constitute elements of the crimes against humanity of sexual assault or rape under the Rome Statute of the International Criminal Court.
3. Provide details of behavior reviews and criminal charges raised against MSS officials who routinely performed investigations amounting to torture, sexual violence, or inhumane conditions in MSS detention between 2010 and 2018.
4. Abolish incommunicado system in MSS pre-trial detention, allow contacts with a lawyer and family. Take financial responsibility for transporting prisoners from *kuryujang* to other detention facilities in accordance with the principle of swift justice.
5. Incorporate the principle of presumption of innocence in its laws and in practice.
6. Abolish the system of double investigations of the same person; once by MSS in pre-trial detention and upon release by MPS/police in police pre-trial detention.
7. Engage with specialized UN agencies and international organizations to train local law enforcement officers (MSS/secret police and MPS/police) on preventing violence against women and minimum standards of treatment of prisoners.

### **B. Civil society organizations:**

8. Provide public list of autonomous organizations (not KDWU) working on women's issues.
9. Facilitate conditions to allow members of North Korean autonomous NGOs on women's issues to appear and contribute information to the DPRK's Periodic Reviews before the UN Committee on Discrimination Against Women, the UN Committee on the Rights of the Child and the Universal Periodic Reviews.

### **C. Socio-economic issues:**

10. Establish policies to eliminate secondary discrimination toward women who are disproportionately involved in private economic activity and underrepresented in state enterprises, government and party institutions or tertiary education.
11. Establish policies to invest monetary contributions and goods collected all across the country, in proportionate geographic distribution of medical and school investments, such that women in areas outside Pyongyang also benefit.