



Open North Korea



Forced Labor in the DPRK

**Submission to the United Nations Universal Periodic Review of
the Democratic People's Republic of Korea**

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Open North Korea is a Seoul-based NGO working for DPRK human rights. Its main role is to investigate human rights issues in the DPRK in order to write reports and inform the public through advocacy and global public awareness campaigns .

Unification Strategy Institution is a Seoul-based nonprofit institution which studies strategies for Korean reunification and publishes related reports and books.

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Executive Summary

1. In this submission, ONK and USI provide information on the current situation of systematic forced labor in the DPRK, also known as North Korea, in accordance with the technical guidelines for the preparation of information under the third cycle of the Universal Periodic Review. In addition, we describe concerns about human rights violations concomitant with forced labor such as discrimination and violation of freedom of expression and thoughts. Recommendations to the DPRK come at the end of each section.

2. During the second cycle of the review, the government of the DPRK agreed to accept recommendations to “take practical measures to provide safer working conditions, suitable for its citizens¹,” and to “observe the principle of non-discrimination and the international human rights agreements to which the Democratic People’s Republic of Korea is a party in its law and practice²,” and also to consider joining the International Labour Organization.³

3. However, since the previous review in 2014, there have been no changes to the working conditions and the situation of forced labour in the DPRK. Despite then increasing rate of construction across the country since Chairman Kim Jong Un took office in 2012, the government seems to have lost interest in the idea of joining the ILO to protect the rights of its workers. Meanwhile, violations of Articles 6, 7, and 8 of the International Covenant on Economic, Social and Cultural Rights and of Articles 17, 23 and 24 of the Universal Declaration of Human Rights are commonplace occurrences in the daily lives of ordinary citizens in the DPRK.

4. Forced labor is institutionalized in the DPRK through the Workers’ Party’s supervision and control over the enterprises in the country. In the DPRK system, enterprises function as a control mechanism over employees. Therefore, enterprises under the control of the Workers’ Party or the provincial People’s Committee, operate regardless of their economic profits, in order to fulfill their political and ideological missions as well as to extort money, materials, and labor from their employees.

5. Pursuant to domestic laws, every adult must be employed in and belong to a company. However, this results in the deprivation of job opportunities and the freedom of a choice of occupation. In addition, employees cannot earn a proper living by solely working in their companies as salaries are designated by authorities at a level much lower than what is required to afford goods at market prices. Therefore, most enterprises function only to satisfy the requirements of the government: supervision and control over the employees’ political and ideological conditions and provision of labor and materials for construction through the extortion of employees.

6. In the DPRK system, there are several violations of the ICESCR and the ICCPR, which the DPRK ratified in 1981, and The Universal Declaration of Human Rights including the right to work, non-discrimination principles and the freedom of expression and thought.

Forced Labour

- Unfair working conditions

7. The system of forced labor in the DPRK is largely upheld through two mechanisms: the punishment of unemployment and the supervision and controlling roles of enterprises operating under the Workers’ Party.

¹ Report of the Working Group on the 2nd cycle UPR of the DPRK (A/HRC/27/10) No. 124.138

² The report (A/HRC/27/10) No. 124.68

³ The report (A/HRC/27/10) No. 124.54

8. Article 90 of the Administrative Punishment Law states that “those who do not take a job at a company where they were dispatched to, without a fair reason and for over six months, or those who do not go to work for the company for over a month, will be sentenced to up to three months of a forced labor training camps (*rodong dallyeondae*). In serious cases, sentences longer than three months are also possible.” In accordance with this law, all adults in the country must belong to a company. In the case of married women, they are allowed to become a full-time homemaker but, upon doing so, they must join a people’s unit, a neighborhood political unit composed of housewives of around 30 households.

9. The DPRK government uses companies to supervise and politically control employees. In any workplace, there are members of the Workers’ Party committee and agents of the State Security Department dispatched by the Party who organize weekly criticism meetings and irregular political lectures, under instructions of the Workers’ Party. It is a significant role for companies, so even if enterprises or factories do not make profits, they need to exist for political purposes.

10. In this system of labor, there are four kinds of human rights violations. 1) Enterprises do not provide employees with fair wages for their decent living, a violation of Articles 6 and 7 of the ICESCR. This is the case because the system for remuneration does not take into account the failure of the food and daily supply distribution system, which imploded in the late 1990s. Since the failure of the distribution system, people have had to provide for themselves by relying on their own market activities. The state-designated monthly wage for most laborers is around 2,000 - 3,000 North Korean won, which is only enough to purchase about 500 grams of rice in a market. North Korean people go to their workplaces not to earn a living but to avoid punishment for the crime of unemployment.

11. 2) Due to the DPRK’s law on unemployment, the government denies the people the right to the opportunity to gain a living through work that is freely chosen and accepted under Article 6 of the ICESCR and Article 23 of the UDHR. Although employees cannot possibly support their household with only 500 grams of rice per month, they are not allowed to quit their companies to earn money elsewhere. Therefore, employees must offer bribes to supervisors within the company in order to earn the time to attend to private business - these bribes are often worth over ten times a worker’s monthly wages. Around 30 percent of employees use bribes to leave their workplaces in order to conduct private business. Perversely, bribes from workers help maintain profitless enterprises and validate their existence.

12. 3) The DPRK labor system violates the freedom of expression and thought. While most enterprises and factories don’t operate effectively enough to make a profit, their most significant role is to supervise and control employees’ political lives. Supervision is conducted through weekly criticism meetings and political lectures organized by the Workers Party committee. Political lectures take place over four times a month in accordance with the instructions of the Workers’ Party. If an employee wants to skip political activities, they must offer over 100,000 won per month in bribes to the company. Of course, the right to form trade unions or join a trade union is denied.

13. 4) Regardless of the type of enterprise, each workplace must have a part in providing labor and resources for national construction projects. This practice clearly violates the right of individuals to own property. When a state-planned construction project is undertaken in their province, certain employees of local factories and enterprises will be mobilized to provide labor for the project. These mobilized workers are taken from several workplaces to form a temporary working group, called a *dolgyeokdae*. Laborers are mobilized for local constructions through systemized rotation but those who earn enough through private businesses can avoid mobilization through hefty bribes. Since the Workers’ Party designates the number of workers to be mobilized for construction projects, enterprises have no choice but to meet the quota. Therefore, it is the poorer employees who are most likely to be mobilized for work of the *dolgyeokdae*. For the duration of the project, they will continue to receive insignificant remuneration from their companies, but more damagingly, they will be deprived the opportunity to earn money through market activities while they are engaged in construction. In terms of resources for the construction, enterprises have to provide most of the construction materials, while the authorities only supplying cement, sand, and gasoline. The remaining necessary materials are the responsibility of the local employees to provide. Submission of such materials is forced by the state through what is called an “economic assignment.”

* Recommendations to the DPRK

- Abolish the article relating to the punishment of unemployment in the Administrative Punishment Law.
- Guarantee the right to work, especially the freedom of choice of employment.
- Accept private business as a legally valid profession and allow citizens to earn a living privately.
- Raise the level of remuneration up to the level of market prices.
- Discontinue the use of temporary *dolgyeokdae* as construction crews.
- Discontinue the extortion of construction supplies from enterprises and individual citizens.

- Enslavement: The military-style construction brigade, *dolgyeokdae*

14. *Dolgyeokdae*, a military-style construction brigade, is similar to a supplementary military service, set up to meet the labor needs of national construction projects. *Dolgyeokdae* are assigned to state-planned construction projects both at the national and provincial levels. There are two kinds of *dolgyeokdae* brigades: temporary local *dolgyeokdae* and regular, permanent *dolgyeokdae*. The former is contracted by the provincial people's committee of the Workers' Party and consists of ordinary employees from local enterprises and factories in accordance with instructions from the Central Committee of the Workers' Party. The latter is permanently set up and managed by the Kim Il Sung Socialist League - the biggest extra-governmental political organization affiliated with the Workers' Party. The structure and management method of both *dolgyeokdae* are almost the same as that of the People's Army, however, the regular *dolgyeokdae* is a formal, supplementary state service to the military, with a service period of longer than seven years, while the length of service in the People's Army is 10 years.

15. The workers for both types of *dolgyeokdae* rarely receive wages. Moreover, the salary of the regular *dolgyeokdae* is around one third of the average salary for regular workers. North Korean people consider forced heavy labor and the lack of salary as the expected reality for *dolgyeokdae* workers. Despite this, graduates from secondary-school who have not been assigned jobs due to their low social class and disreputable family background, consider volunteering for the *dolgyeokdae* in order to avoid the punishment for unemployment. After graduating from secondary school, 17 or 18-years-old North Koreans must either attend college, join the military, enter the workforce or volunteer for the regular *dolgyeokdae*. In general, graduates who are in the most vulnerable positions will be assigned to the *dolgyeokdae*.

16. A national planning committee decides how many students can receive admission to college. Similar quotas are made for new recruits to the military, workforce and *dolgyeokdae* as well. To determine assignments, students are graded according to their *songbun* (family background), social class, physical abilities and academic grades. Only students with a powerful *songbun*, well-off parents, and a good physique can attend college. Good students that fail to meet those non-academic prerequisites are most often deployed to the military. Graduates with a poor family background or without parents, however, usually find themselves enlisted in the *dolgyeokdae*. Military and *dolgyeokdae* enlistment is meant to be a voluntary process, but in reality, is a form of compulsory conscription as secondary-school graduates cannot refuse their assignment by the authorities.

17. Graduates from junior high boarding schools make up the bulk of new recruits for the *dolgyeokdae*. Boarding schools in the DPRK are set up as care and education facilities for orphans. For every graduate from a normal school that is assigned to the *dolgyeokdae*, there are ten graduates from boarding schools that will be assigned to it. In late November 2015, there was a landslide at a railroad construction site between Samjiyeon and Hyesan in Yangkang Province that killed 13 teenagers. The 13 victims were all workers attached to the Northern Provincial Railroad *Dolgyeokdae* and graduates of the Hyesan Boarding School for orphans.

18. Although regulations state that working hours should be restricted to eight hours a day, *dolgyeokdae* members are forced to work throughout the day and long into the night in order to meet construction targets set by the authorities. During an intensive national mobilization campaign, known as the "200 day-battle", the *dolgyeokdae* worked from the start of a day at 7 a.m until past midnight in order to meet construction goals. Former workers of *dolgyeokdae* testify that they were continuously hungry as each meal consisted of only 150-200 grams of steamed corn kernels with a small vegetable soup. There is no weekend for them, and so *dolgyeokdae* workers have to work for seven days a week.

19. Accidents happen frequently on construction sites where *dolgyeokdae* work because safety equipment is not sufficiently provided. While working on power plants, railroads, apartment complexes, and other large-scale national projects, former *dolgyeokdae* members and escapees living in South Korea witnessed terrible accidents such as workers falling from high floors or being electrocuted. These accidents would be easily preventable with proper equipment and safety precautions. Additionally, when accidents occur, there is no compensation for the victims or their families and, instead, the family is issued with an award certificate. If injured in an accident, the worker is responsible for providing their own treatment as well. Rather than being properly addressed as problems, the hardships of the *dolgyeokdae* are glorified by the state-run Chosun Central TV, which proudly hails the sacrifices of the *dolgyeokdae* as a show of great loyalty to the “Supreme Leader.”

*** Recommendations to the DPRK**

- Provide workers of the *dolgyeokdae* with proper safety equipments including safety boots, helmets, uniforms, flashlights, safety ropes, etc.
- Provide the *dolgyeokdae* workers with adequate rations of nutritious food.
- Upgrade safety regulations to meet international norms by heeding the advice of UN mechanisms.
- Expand the admissions quota to allow boarding school students to attend university.
- Abolish the social caste system (*songbun*) and exclude social class and family background as qualifications for admission to universities.
- Dismantle the regular *dolgyeokdae*.