



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by Jubilee Campaign, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2021]

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\* Issued as received, in the language(s) of submission only.



## **Interactive Dialogue with the Special Rapporteur on Trafficking in Persons, Especially Women and Children – The Trafficking and Sexual Exploitation of the Democratic People’s Republic of Korea Women and Girls**

Jubilee Campaign would like to raise the Council’s and the Special Rapporteur’s attention the concerning trend in which the Democratic People’s Republic of Korea women and girls are trafficked to and face sexual violence in neighboring countries and on the internet.

The United Nations’ definition of ‘trafficking in persons’, pursuant to its Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, is “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”<sup>1</sup>

### **The Trafficking of North Korean Women to China**

Human Rights Watch in a 2018 report revealed that within the past twenty years, numerous illegal networks have been developed to traffic North Korean women and girls into China under the deception that they would be provided with jobs; contrary to these promises, the victims are often sold into marriages and forced to work in brothels or other prostitution services.<sup>2</sup>

Despite that prostitution is criminalized according to domestic law, as of 2019, 60% of female North Korean defectors in China have been trafficked into the sex industry, 50% of which were sold into prostitution. North Korean women and girls, primarily between the ages of 15 and 25, are often forced to work in brothels that operate under the façade of being karaoke bars, restaurants, and hotels. These victims are often subjected to rape and other forms of sexual violence, such as forced masturbation and groping, as well as more generalized physical abuse.<sup>3</sup>

The second most common form of trafficking to China of North Korean women and girls is that of being sold into forced marriages. Brokers will often gain the trust of North Korean defector women, help them escape to China, and then sell them into marriage with Chinese men. NGOs estimate that up to 80% of North Korean women who end up in China have been trafficked or sold at least once.<sup>4</sup> Korea Future Initiative reports that of all North Korean women trafficked into China, 7% reported being sold three times, 45% twice, and 41% once.<sup>5</sup> These victims that are sold into marriages often face similar abuses as those sold into prostitution – notably sexual violence – with the addition of forced domestic, agricultural, and manual labor, as well as physical and emotional abuse.<sup>6</sup>

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<sup>1</sup> UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

<sup>2</sup> United Nations Office of the High Commissioner for Human Rights, “I still feel the pain”: Human rights violations against women detained in the Democratic People’s Republic of Korea, July 2020.

<sup>3</sup> Yoon Hee-soon, *Sex Slaves: The Prostitution, Cybersex & Forced Marriage of North Korean & Women & Girls in China*, London: Korea Future Initiative, 2019. ; Dr. Ewelina U. Ochab, “Trafficking Of North Korean Women In China”, *Forbes*, 1 July 2019.

<sup>4</sup> Julie Zaugg, “These North Korean defectors were sold into China as cybersex slaves. Then they escaped”, *CNN World*, 10 June 2019.

<sup>5</sup> *Supra* note 3.

<sup>6</sup> *Ibid.*

## **The Trafficking of North Korean Women to the Republic of Korea**

The Republic of Korea has signed and ratified the Trafficking in Persons Protocol which is an important step in addressing the sexual exploitation of women, especially vulnerable populations such as defector women. However, due to defector women's vulnerability and the stigma against them in society, they remain susceptible to exploitation through trafficking within and outside of the Republic of Korea.

North Korean women that had been forcibly prostituted in third countries report that South Korean businessmen are common 'customers'; one woman explained that her first instance meeting a South Korean individual was through prostitution.<sup>7</sup> Although this exploitation is occurring in a third country, when it occurs at the behest of South Korean citizens and businesses, it is the responsibility of the Republic of Korea government and society to commit to anti-trafficking measures.

There is currently one well-known case being investigated in which a Republic of Korea police officer, despite being tasked with protecting and rehabilitating North Korean defectors, raped a defector woman at least a dozen times over a two-year period. Though it is a step in the right direction that this offender is currently being investigated by the Republic of Korea government, it is reprehensible that this horrendous abuse occurred for such a lengthy time without any intervention despite the victim repeatedly requesting help from the district police.<sup>8</sup> Additionally, in September 2020, it was revealed that two Republic of Korea intelligence officers – a colonel and master sergeant – had been indicted on charges of repeatedly raping a North Korean defector woman, impregnating her, and then attempting to coerce her to have abortions.<sup>9</sup> Many North Korean defector women, upon defecting to the Republic of Korea, are provided a 'personal protection officer' assigned with assisting them; however, "unequal power dynamics" could facilitate abuse.<sup>10</sup> Such a crime may constitute trafficking in that it includes receipt of an individual – for the purpose of protecting them – and then use of power imbalance to harbor and repeatedly sexually exploit the victim.

## **The Sexual Exploitation of North Korean Women through the Cybersex Industry**

Another arena in which North Korean women and girls face trafficking is in the cybersex industry, which has grown significantly in recent years. Distinct from other forms of trafficking, but just as horrendous, cyber-trafficking is the "recruitment and transportation of victims and their live-streamed rape, sexual abuse, and sexual exploitation by traffickers, some of whom operate under the instructions of a paying online audience."<sup>11</sup> In many cases, North Korean defectors trafficked into the cybersex industry are being exploited while they are physically in China, though a large portion of the audience consists of viewers from other countries.<sup>12</sup> Some of the victims that have since spoken up about their experienced being trafficked into the cybersex industry revealed that they knew that their customers were South Korean because of their accents.

To paint a picture of the lifestyle that cybersex trafficking victims have to endure, 20-year-old Lee Jin-hui shared her own personal story; she lived for two years confined to a three-bedroom apartment in China where she and multiple other North Korean defectors – some as young as 9 years old – were forced to work up to 15 hours performing dehumanizing sex acts on camera to a paying virtual audience. If they were unable to make the amount of

<sup>7</sup> Ibid.

<sup>8</sup> Elizabeth Shin, South Korea to investigate case of defector raped by police, UPI, 29 July 2020.

<sup>9</sup> Jeongmin Kim, "The violence won't stop: North Korean women relive sexual assault in South Korea", NK News, 9 September 2020.

<sup>10</sup> Jeongmin Kim, "The violence won't stop: North Korean women relive sexual assault in South Korea", NK News, 9 September 2020.

<sup>11</sup> Supra note 5.

<sup>12</sup> Su-Min Hwang, "The North Korean women who had to escape twice", BBC News, 18 January 2019.

money requested by their pimp, they would be subjected to physical punishment and even withholding of food. Lee revealed that the repeated abuse led her to plan an escape alongside another trafficked defector, Ms. Kim, with the help of a generous Christian missionary, Mr. Chun.<sup>13</sup>

## **Conclusion and Recommendations**

Jubilee Campaign urges members and observer states of the Human Rights Council to call upon the People's Republic of China to:

1. Recognize North Korean defectors as refugees rather than economic migrants and thereby provide them with resources for medical care, therapy and trauma counseling, and rehabilitation into society.
2. In that same vein, cease the practice of repatriating North Korean defectors to the Democratic People's Republic of Korea, which amounts to refoulement.
3. Pursuant to China's obligations as signatories to the CEDAW and Trafficking Protocol, take decisive action to eradicate the trafficking of North Korean defector women into prostitution and forced marriage in China, and prosecute perpetrators.

Jubilee Campaign urges members and observer states of the Human Rights Council to call upon the Republic of Korea to:

1. Cease the practice of repatriating North Korean defectors to the Democratic People's Republic of Korea, which amounts to refoulement.
2. Take action to prosecute the Republic of Korea civilians that are indirectly fueling the forced prostitution of North Korean defector women and girls by requesting their services and engaging with virtual cybersex trafficking content.

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<sup>13</sup> Choe Sang-Hun, "After Fleeing North Korea, Women Get Trapped as Cybersex Slaves in China", The New York Times, 13 September 2019.