



Torture and Inhumane Treatment in North Korea

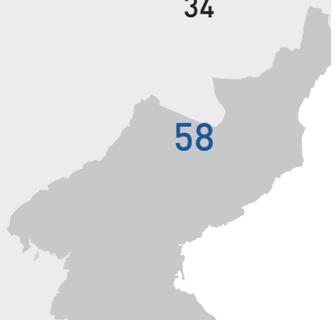
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I . Introduction

Although North Korea claims to be a socialist republic or utopia for the people, the international community's concerns regarding human rights abuses continue to increase. Among various human rights violations prevalent in North Korean society, torture, assault and acts of cruelty are not only widespread, but are also issues where fundamental solutions are difficult to derive. This is because such phenomenon not only illustrates the actual human rights violation cases apparent in the North but is also inextricably linked with a culture of surveillance, punishment, and violence, firmly imbedded in North Korean society.

Torture and inhumane treatment in North Korea can be understood as commonplace practices that occur in the process of repatriation when an individual is arrested after attempting escape, not to speak of those who have committed 'ordinary' crimes. In the case of criminals, while setting aside a sentence received through due legal process, torture, assault, and acts of cruelty are inflicted throughout the entire stages of detention and confinement, from trial and preliminary sessions, to detention and holding processes. The same applies for those who are arrested and repatriated during or after their escape to China. Deprived of freedom of movement and expression, North Korean residents experience inhumane treatment such as punishment, torture, and acts of cruelty, inflicted by the North Korean authorities as punishment for their desire to move about or speak their minds.

This report aims to shed light on the status of torture, assault, and acts of cruelty, to build upon the analysis of human rights violations occurring in North Korea. In particular, the report strives to seek ways both at home and abroad to improve the situation of torture and inhumane treatment prevalent in the North Korean society through an objective and systematic understanding of the current status.

To this end, numerous testimonies from North Korean escapees have been used to categorize forms of torture and inhumane treatment, and were analyzed by each category. Analysis by category yields clearer grasp of the status of torture and inhumane treatment in North Korea. Torture and inhumane treatment in the North can be largely grouped into physical, psychological, and a combination of the two.

Various testimonies by North Korean escapees have been used for this report. Specifically, in-depth interviews compiled from 2012 to 2015 by the Center for North Korean Human Rights Studies at the Korea Institute for National Unification (KINU) have been used as primary source material.¹ In terms of case selection, this report focuses on relatively recent cases with some exceptions of past cases when they are considered to be contextually significant. When necessary, cases from 2016 have also been included. In addition to the above-mentioned interviews, various

¹ The Center for North Korean Human Rights Studies at the Korea Institute for National Unification (KINU) has accumulated a database of in-depth interviews on North Korean human rights since 2008. Most of the content in this report is based on in-depth interviews with North Korean escapees and the database

reports and materials have been cross-referenced for more accurate analysis.

The structure of this report is as follows. Chapter II reviews international human rights conventions and torture in North Korea. Chapter III examines the categories of torture, specifically, physical, psychological, and the combination of the two. Other forms of torture that do not fit the definition of torture mentioned in Chapter II have been grouped into 'inhumane treatment.' Chapter IV concludes with a summary of findings and seeks to suggest roles for the South Korean government and the international community.

A clear understanding of torture and inhumane treatment in North Korea and the provision of objective information regarding such will be a useful, albeit small, step in improving the general situation of North Korea's human rights. It is our hope that the South Korean government and international community will realize efforts to improve human rights in North Korea through objective analysis based on accurate information.

II. International Human Rights Convention and Torture in North Korea

1. Definition of Torture

The international community's definition of torture is set forth in Article 1, paragraph 1 of the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (hereinafter Convention against Torture) adopted by the General Assembly on 10 December 1984. Article 1.1 states that 'For the purposes of this Convention, 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.'

The term torture as stipulated in the Convention against Torture refers to 'an act in which a public official intentionally inflicts severe physical or mental pain for the specific purpose of obtaining information or confession.'² Therefore, if the act inflicted by the public official lacks one or several elements out of the

essential elements of torture -‘intent,’ ‘purpose,’ or ‘severity,’ then it does not constitute an act of torture but instead is distinguished as ‘cruel, inhumane’ or ‘degrading’ treatment or punishment.³ Cruel, inhumane or degrading treatment or punishment refers to the infliction of severe pain that falls short of the definition of torture due to the absence of one or more elements.⁴ Moreover, the Convention against Torture stipulates that “Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.”

2. International Human Rights Conventions and North Korea’s Response

Torture is an international criminal act which violates human dignity and is classified as crime against humanity under international law. Through various international human rights conventions, the United Nations has established regulations prohibiting respective governments from inflicting torture and other cruel, inhumane, and degrading treatment or punishment in order to preserve human dignity. Article 55 of the Charter of the United Nations stipulates that members should have universal respect for, and have an obligation to promote the observance of,

² Lim Jin-won, “Chapter 7 Prohibition of torture, etc,” Public Interest and Human Rights Law Review, Vol.3, No.2 (2006), p.260.(in Korean)

³ M. Nowak, *U.N. Covenant on Civil and Political Rights: CCPR Commentary*, 2nd edition (N.P.Engel, 2005), p. 161, Lim Jin-won, “Chapter 7 Prohibition of torture, etc,” p.260.

⁴ *Ibid*, pp.262~263.

human rights and fundamental freedoms, thus striving to end state-inflicted torture. Article 5 of the Universal Declaration of Human Rights and Article 7 of the International Covenant on Civil and Political Rights (ICCPR) stipulate that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

The UN General Assembly adopted the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Torture Declaration) on 9 December 1975, and on 10 December 1984, adopted the Convention against Torture at the 39th session of the General Assembly. The Convention against Torture was adopted at the General Assembly on 26 June 1984, and it came into force on 26 June 1987.

Despite the United Nation’s efforts to prevent torture, it is still inflicted in many parts of the international community. Amnesty International reported that in 2015, many governments have violated international law for domestic reasons. According to *Amnesty International Annual Report 2015/2016*, people have been tortured or ill-treated in more than 122 states.

North Korea is a key example in which the regime tortures or abuses its own people in violation of international human rights conventions. The United Nations has criticized the North Korean authority for carrying out consistent and widespread torture and abuses on its people, and has demanded that it immediately

be ceased and the situation be ameliorated. However, the North Korean authority has officially denied the existence of torture and abuse. On 25 December 1999, the North Korean authority submitted its second periodic report under the ICCPR. The report documents the legal measures to abolish torture and other inhumane treatment or punishment as stated in Article 7 “Prevention of Torture and Other Inhumane Treatment”. Specifically, it states that “torture and other inhumane treatment are legally prohibited and that numerous provisions in North Korea’s Criminal Procedure Law have prohibited torture and inhumane treatment.”

North Korea’s state report submitted to the Working Group on the Universal Periodic Review (UPR) on August 27, 2009 comments on ‘the prohibition of torture and other inhumane treatment.’ According to the state report, “The Criminal Procedures Law strictly prohibits forcing a suspect to admit offence or inducing statement by coercive methods as torture or beating. Confession or admission is regarded ineffective unless it is supported by valid evidence. Conducting coercive interrogation through torture, or passing unwarranted judgment or ruling through exaggeration or fabrication of cases are defined as offences according to the Criminal Law.”

However, the United Nations has criticized that widespread and continued torture is being inflicted by the North Korean authority in the Democratic People’s Republic of Korea (DPRK). The United Nations Human Rights Committee refuted North Korea’s position presented in the second periodic report under the ICCPR,

indicating that there have been consistent allegations concerning North Korea's violation of Article 7 of the ICCPR. Specifically, it argued that inhumane treatment and torture were prevalent inside North Korea, and that cruel, inhumane, or degrading treatment and environment exist in North Korea's prison camps (*kyohwaso*) and detention centers (*guryujang*), and finally, that there have been many allegations regarding the lack of medical care.

Moreover, through UPR reports, the United Nations pointed out that torture and other inhumane treatment are occurring in North Korea. Every year, through North Korean human rights resolutions, the UN Human Rights Committee (since 2004) and the General Assembly (since 2005) have expressed concerns over the prevalence of torture, inhumane confinement, and cruel, inhumane or degrading treatment or punishment in North Korea, and have pressed for improvements in the human rights and fundamental freedoms of the North Korean people.

White Papers on Human Rights in North Korea published separately by KINU and the Korean Bar Association argue that torture and other cruel, inhumane, and degrading treatment are inflicted through the direction and aid of the North Korea authority in a widespread and consistent manner. Each White Paper points out that the North Korean authority inflicts torture and other cruel, inhumane, and degrading treatment throughout the stages of investigation, preliminaries, and prosecution, as well as in confinement facilities. Testimonies from North Korean escapees present various cases of torture and inhumane treatment.

According to *Evaluation Report of the North Korean Human Rights Situation after the 2014 UN Commission of Inquiry Report* published by the Database Center for North Korean Human Rights (NKDB), North Korea's torture and inhumane treatment occurs in a systematic and widespread manner. Torture is inflicted throughout the interrogation process for the purpose of obtaining confession from a prisoner, and to this end, torture has become established as a means of investigation. Furthermore, torturing a prisoner until he/she confesses has become a norm, with alleged cases of senior authorities teaching their subordinates effective torture techniques. In particular, in the case of the State Security Department (hereinafter SSD), many prisoners are sequestered and interrogated, and some are allegedly killed in detention centers after being tortured in the preliminary investigation process. Moreover, in the Ministry of People's Security (hereinafter MPS), when prisoners are not being tortured in the preliminary process or are not being interrogated, they are forced to spend their time in their cells kneeling with their head on the floor.

III. Forms of Torture

Torture and inhumane treatment is commonplace in various correctional facilities such as detention centers, holding centers (*jipkyulso*), and ordinary prison camps as well as facilities operated by the SSD or MPS. The assault and various forms of violence occurred on an everyday basis have been confirmed through comprehensive testimonies from North Korean escapees. It

appears that such torture and inhumane treatment is not only inflicted on North Koreans who have attempted to escape, but is indiscriminately inflicted on North Koreans who have committed general crimes. Torture and inhumane treatment are used as a means to uncover facts regarding criminal acts; however, in most cases, it is inflicted simply to maintain order within the correctional facilities. In addition, it is alleged that torture in and of itself, is used as a form of punishment.

Fleeing the North Korean territory or remaining in China after escape is a serious offense. Many North Koreans stay in China for economic reasons or en route to South Korea when they are caught by Chinese border guards or North Korean police, and are repatriated. Some declare voluntary intent to return.⁵ Afterwards, they are interrogated to confirm reasons for escape, period and number of times they have escaped, whether there had been contact with South Koreans or religious persons, and whether they were en route to South Korea.⁶ Torture and inhumane treatment is frequently inflicted henceforth until the escapees are sent to a detention facility.

⁵ There have been testimonies that even those who voluntarily return or have unintentionally entered Chinese territory after for example, drifting on sea, are given the same treatment as those who are forcefully repatriated. One witness from Shinuiju testified that when residents hit trouble while fishing for shrimp, they were rescued near Chinese waters and sent to North Korea through the North Korean embassy in China. However, like those who are forcefully repatriated, they were interrogated by the SSD for two months. When one complained he was allegedly beaten and eventually ended up dying (witnessed after being imprisoned in the same facility). Imprisoned 2007, NKHR2016-051 2016-04-19

⁶ Do Kyung-ok, et al., *White Paper on human Rights in North Korea 2016* (Seoul: KINU, 2016), p.352. (in Korean)

When a North Korean resident is repatriated, he or she is sent to a holding center and a detention center before being sent to a prison camp near one's locale. They are initially confined in a detention center managed by the SSD, located in cities near the borders such as Shinuiju, Onsong, and Manpo. Then they are sent to a provincial holding center before transferred to the detention center of their locale and finally, to the ordinary prison camp or labor training camp (*danryundae*), in the vicinity. A detention center is where a prisoner is held for interrogation prior to trial and a holding center is where repatriated North Koreans or those who have deviated from the authorized travel area are gathered for investigation.⁷ A holding center is used to temporarily house repatriated North Koreans before they are sent to a labor training camp or an interrogation facility in the locale of their permanent residence. It can take around two to three months before a prisoner is notified of his transfer; in some cases notification is intentionally delayed to lengthen one's period of forced labor. If a holding center is unable to house prisoners due to lack of capacity, they are held at a labor training camp. Here, prisoners who will be transferred are kept separate from other prisoners.⁸

⁷ Han Dong-ho, et al., *North Korea's Ordinary Prison Camps* (Seoul: KINU, 2015), p.4. (in Korean)

⁸ Imprisoned August 2015, NKHR2015-156 2015-11-17

1. Physical Torture Techniques

A. Assault

The most common type of torture and inhumane treatment is assault. In addition to beating prisoners with hands and feet, there have been testimonies that clubs⁹ or whips¹⁰ have also been used.¹¹ Assault occurs in all types of confinement facilities, including detention centers, holding center, labor training camps, and ordinary prison camps.¹²

In particular, North Korean escapees who are repatriated back to North Korea are regularly assaulted by the prison guards during the process of interrogation. The guards need the North Korean escapees to confess their lives in China or their attempt to go to South Korea, and hence resort to assault intended to torture. Assault is commonplace when prisoners are interrogated on matters such as period of escape, length of time in China, intent to travel to South Korea, etc. One witness testified that when he was caught by the Chinese border guards while living in China, he was regularly assaulted during interrogation by guards of the SSD in Musan.¹³ One witness who was confined by the

⁹ Detained in 2013, NKHR2014-041 2014-04-29; Imprisoned August 2005-July 2007, NKHR2014-056 2014-05-20

¹⁰ Witnessed 2012, NKHR2015-073 2015-04-07

¹¹ Imprisoned March 2013, NKHR2015-159 2015-12-01

¹² Imprisoned May 2011, NKHR2015-036 2015-02-10

¹³ Detained July 2012, NKHR2015000-123 2015-09-08

SSD managed center in the Onsong County of North Hamgyong Province stated that when he answered 'no' to the question 'have you encountered a South Korean or watched Korean movies in China?', he was physically assaulted.¹⁴ This is because criminal sentence is usually determined by the prisoner's confession; hence physical assault is inflicted to draw out confessions.

They beat me hard to make me admit my crimes...all the documents are filled out and they said "you have committed such acts of treason against the state so you need to be sent to a prison camp." Then they push me to sign and acknowledge my crime. If I deny it then they just beat me...¹⁵

Numerous testimonies reveal that assault is inflicted during the process of interrogation to yield confessions, leaving the escapees with side-effects. One witness who was caught and repatriated by the Chinese authority in Changchun testified that he was accused of lying and was assaulted, leaving him with one ear impaired.¹⁶ Another witness testified that after being assaulted at a holding center managed by the SSD, he was unable to use his legs and arms for a month.¹⁷ One witness who was held at an SSD managed holding center in Onsong County commented that out of four interrogation sessions, he was badly kicked in the head five to six times in each of the last three sessions. He stated that his face had bloated and turned black but was unable to receive

¹⁴ Detained August 2011, NKHR2015000-031 2015-02-10

¹⁵ Detained in 2007, NKHR2016-000051 2016-04-19

¹⁶ Detained February 2012, NKHR2012000-285 2012-12-18

¹⁷ Detained April 2012, NKHR2014000-024 2014-04-01

medical care. Fearing rebuke, the guards did not transfer him to a different center but kept him intentionally for another twenty days.¹⁸

SSD and MPS officials or guards managing the ordinary prison camps and detention centers are active participants in the assault on prisoners.¹⁹ One North Korean escapee who had been detained after locating a child in North Korea at the request of a South Korean citizen testified that during the interrogation process, SSD officials and guards had ‘smacked the cheeks, kicked the thighs, and bashed the head on the wall,’ as well as committed other forms of assault.²⁰ It is commonplace for such assault to be inflicted simultaneously with other forms of cruelty or inhumane treatment. According to the same testimony, the witness was not only detained in solitary confinement but was forced to maintain the same position in a room for long periods of time. In addition, interrogation lasted until four in the morning on a daily basis, with a one-week period of no sleep. According to a different testimony, Ri XX, who was a guard at the detention center in Musan, would wake the sleeping prisoners and forced them to maintain the same position. If there was even the slightest movement, he would start beating them. The witness was one of the prisoners who were assaulted by guard Ri XX. For three days, Ri XX would repeatedly beat his head against the wall,

¹⁸ Imprisoned December 2009, 2013000-156 2013-08-20

¹⁹ Imprisoned in 2009, NKHR2015-142 2015-10-06; Imprisoned in March 2013, NKHR 2015-159 2015-12-01; Imprisoned August-October 2013, NKHR2014-121 2014-08-13

²⁰ Imprisoned in 2009, NKHR2015-142 2015-10-06

to the extent that at one point, the bones were visible.²¹

In principle, assault is prohibited in SSD facilities or detention centers. Officials or guards are liable to punishment if it is confirmed that they have assaulted prisoners. However, if one were to appeal to the police on the claim that they were assaulted, there would be severe reprisal; hence, prisoners are reluctant to file for legal action.

Cases have been reported where such assaults eventually led to death.²² Specifically, one testimony claims that an SSD officer in the Hyesancity's detention center beat a woman who was detained on a charge of human trafficking to death during preliminary investigations.²³ In addition to that, according to a different testimony, a prisoner, who was detained in a traveler's holding center located in Huchang-ri of North Hamgyong Province, was beaten as punishment for his rebellious attitude. The prisoner eventually died as a result. However, it was allegedly reported that he had died due to illness.²⁴ Moreover, in the case of a male prisoner who was repatriated from China, he was beaten near death for not giving his residential address. He was then left untreated and ended up dying due to bed sore.²⁵ There is also a testimony of a prisoner caught in China en route to South Korea,

²¹ Occurred on February 25, 2007, NKHR2014-040 2014-04-29

²² Imprisoned 2009-2012, NKHR2014-132 2014-08-26

²³ Occurred in August 2014, NKHR2015-027 2015-02-10

²⁴ Occurred in 2009, NKHR2014-102 2014-07-29

²⁵ Detained July 2012, NKHR2015000-123 2015-09-08

who died of excessive blood loss after being assaulted during interrogation.²⁶

In addition to noncompliance, prisoners are also assaulted for trivial reasons. One witness who was detained in Hyesan city's SSD detention center was accused of lying and beaten by officials after complaining about abdominal pains with symptoms of appendicitis.²⁷ Eventually, the witness was allegedly transferred to a hospital and was given appendectomy without anesthesia, while still shackled in chains. The same witness stated that after he was transferred to a labor training camp, he was beaten for speaking Chinese. Another witness was assaulted in a Jongori prison camp located in Hoeryong city, after a chick died under his care.²⁸ The guard in charge of livestock forced the prisoner to kneel and kicked his face with both legs. Similarly, in the case of labor training camps, prisoners are assaulted if they do not complete their daily quota.²⁹ According to one witness, who was charged with stealing corn kernels and sentenced to one month in a labor training camp located in Manpo city, prisoners are beaten or kicked if they get caught smoking or if they do not march properly. Moreover, the witness stated that it is common for a prisoner to be assaulted more than three times a day.³⁰ One witness was assaulted at the Manpo holding center for heaving a

²⁶ Witnessed January 2012, NKHR2013000-042 2013-03-05

²⁷ Imprisoned October 2012, NKHR2015-079 2015-04-21

²⁸ Occurred August 2009, NKHR2015-103 2015-05-19

²⁹ Witnessed in 2012, NKHR2015-073 2015-04-07

³⁰ Imprisoned September 2010, NKHR2015-094 2015-05-12

sigh due to the arduous nature of forced labor. As with such cases, physical violence is systematically prevalent in the North Korean society.³¹

It is also common to force prisoners to assault other fellow prisoners. One North Korean escapee who was detained in a holding center located in the Joonghwa district of North Hwanghae Province testified that when one prisoner failed an attempted escape, all the other fellow prisoners were forced to assault the escapee.³²

One witness, who was forced to assault her former fellow prisoner, states the following. There was a woman prisoner in the Jongori prison camp, who passed on a letter of appeal to a secretary, regarding the illegal acts taking place within the camp. The guard in charge eventually found out about the contents of the letter and the woman was beaten. Fellow prisoners were forced to assault the woman and if they refused, they were also beaten.³³

Although in some cases, officials who operate these facilities directly assault the prisoners, many testimonies claim that a unit leader is chosen among the prisoners and is tasked with assaulting fellow prisoners in the official's stead.³⁴ Assault in

³¹ Imprisoned in 2010, NKHR2014-031 2014-04-15

³² Imprisoned December 2005, NKHR2015-021 2015-01-2

³³ Imprisoned 2009-2012, NKHR2014-132 2014-08-26

³⁴ North Korea's prison camps, etc select one prisoner to act as the unit leader to

confinement facilities is prohibited by law³⁵ and as such, officials delegate the task to the prisoners, thereby evading responsibility. Assault then becomes an issue of in-house violence among prisoners.³⁶ According to one witness who was a representative prisoner at a holding center, when there is a fugitive among the prisoners, it is the unit leader of that particular cell who is severely assaulted.³⁷ In addition to that, it has become a norm for older prisoners to assault the newcomer as a way of keeping him on his toes. Assault by a unit leader or assault among prisoners is tactfully overlooked or even instigated.³⁸

B. Forced to Maintain the Same Position and 'Pumping' (*Pompu*)

Being forced to maintain the same position is a form of torture inflicted in the process of investigation and confinement, and is most commonplace in detention centers³⁹. According to a witness who has experienced all three confinement facilities (detention center, holding center, and labor training camp), acts of cruelty were most severe in detention centers.⁴⁰ The same witness

maintain order and control. Although the unit leader is still a prisoner, he is tasked with monitoring and punishing others. It is allegedly a coveted position as it allows an easier time in the prison. Imprisoned December 2001, NKHR2014-000020 2014-03-18

³⁵ Imprisoned 1999-2000, NKHR2014-071 2014-06-17; Imprisoned January 2002, NKHR2014-072 2014-06-17

³⁶ Imprisoned May-June 2012, NKHR2015-085 2015-04-21

³⁷ Imprisoned July 2002, NKHR2014-135 2014-09-02

³⁸ Imprisoned December 2001, NKHR2014-020 2014-03-18; Occurred October 2003. NKHR2014-021 2014-04-01; Detained November-December 2007, NKHR2014-051 2014-05-13

³⁹ Imprisoned September 2008, NKHR2015-005 2015-01-13; Imprisoned October 2012, NKHR2015-079 2015-04-21

⁴⁰ Imprisoned March 2013, NKHR2015-159 2015-12-01; Heard in 2014, NKHR2014-120

commented that whereas acts of cruelty are relatively less frequent in holding centers, the severity of forced labor was the greatest.

According to various testimonies, the North Korean government has explicitly prohibited assault in its ordinary prison camps and other facilities. Furthermore, guards in confinement facilities have expressed reluctance to directly assault prisoners.⁴¹ However, it appears that acts of cruelty such as forcing prisoners to maintain the same position for extensive periods of time forms of indirect assault are commonly imposed on prisoners in all confinement facilities in a widespread manner.

During interrogation, prisoners must kneel on the floor and not move. Apart from meal, sleep, and break times, prisoners are forced to maintain the same position. Even the slightest movement is not tolerated. Officials or prison guards are placed in each room. They rotate shifts and ensure that the prisoners remain still in their positions. At times, cameras are used. If one prison guard watches the prisoners from inside the room, the other guard monitors from the outside using the camera.⁴² If an official cannot monitor everyone, he will delegate the task to a representative prisoner to monitor his fellow prisoners for a temporary period.

2014-08-12

⁴¹ Imprisoned March 2013, NKHR2015-159 2015-12-01

⁴² Imprisoned in 2009, NHKR2015-142 2015-10-06

In this way, prisoners are forced to maintain the same position in a tight space for the entire day.⁴³ One witness commented that it is easier to do forced labor than to maintain the same position.⁴⁴ According to a different North Korean escapee who was detained in a detention center, prisoners were required to wake up at 6 a.m. and sleep at 10 p.m. Prisoners are forced to maintain the same position all day without any movement.⁴⁵ If they are caught moving, they are beaten with a leather belt or firewood, or at times denied food or sleep

There have been multiple testimonies that even harsher punishment is inflicted on the prisoner if one is unable to maintain the same position and alters positions. Punishment is said to include leapfrogging, 95 degrees, and ‘pompu.’ As prisoners suffer from malnutrition and a generally weak state of health, it is alleged that such punishment exerts much physical pressure, leading some prisoners to faint or lose consciousness. One witness testified that while under interrogation by the SSD in Musan, he was forced to look down all day. The slightest movement or dozing off was punished by being forced to do more than 100 leapfrogs, even if he had passed out in the process.⁴⁶ Another witness testified that when she was forced to face a wall and maintain the same position, the stench from the wall eventually made her change positions. Her punishment was

⁴³ Imprisoned February 2010, NHKR2012000-154 2012-07-31

⁴⁴ Imprisoned June 2009, 2013000098 2013-05-14

⁴⁵ Imprisoned in 2010, NKHR2014-065 2014-06-03

⁴⁶ Imprisoned July 2012, NKHR2015000-123 2015-09-08

to do ‘pompu,’ which caused her to faint.

When one waked up at 5 a.m., he or she needed to sit facing the wall. The detainee was not allowed to move at all. Even the slightest movement will bring the punishment. They madethe prisoner to do 2,000 to 5,000 squats...when one was facing the wall, the smell of the lime powder madethem nauseous. But if a person moved away from the wall, they forcedthe prisoner to do 5,000 pompu...when onetriedto do pompuin the state of poor health, most people ended up fainting.⁴⁷

One victim, who was detained in a SSD managed facility in Musan in June 2000, testified that he was forced to do 500 ‘pompu’with a blanket over his head in anextreme heat. He stated that his already lice-infested clothing and dirty blanket were soaked with sweat.⁴⁸

When North Korean women are caught while attempting escape, they are repatriated and brought to a facility run by the SSD where they are stripped naked and forced to do ‘pompu.’ This is done by repeatedly squatting with both hands over their heads or behind their backs. Such motion pushes any money hidden in a woman’s vagina or anus.⁴⁹ ‘Pompu’ is used as a typical method of investigation and frequently inflicted as one form of punishment during one’s confinement. Along with being

⁴⁷ Imprisoned in 2007, NKHR2016-051 2016-04-19

⁴⁸ Kim XX (M) Imprisoned January 2000 – June 2000, Date of report: 2012-2-20, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea2012*, p.08 (Seoul: National Human Rights Commission of Korea, 2012), p.20

⁴⁹ NK Database, *Status of North Korea’s Detention Facilities and Ways for Improvement: Focus on Kyohwas*(Seoul: NKDB, 2016), p.100. (in Korean)

forced to maintain positions, it is the most common type of cruelty which occurs on an everyday basis in a detention center. According to one witness who was imprisoned at a SSD detention center in Samjiyon County in 2010, if a prisoner snores during the night or rolls over in a direction that is not in the guard's scope of vision, all the prisoners in the room are woken and forced to do 300 to 500 'pompu.' On other occasions, prisoners were forced to hang from steel-barred windows or maintain a squat position for long periods of time.⁵⁰

When one is forced to maintain the same position, it usually refers to a sitting-down position. However, prisoners are occasionally forced to maintain the same position standing up throughout the night. Such torture serves a dual purpose of sleep deprivation. One testimony claims that after such torture, he was unable to use his legs for several days.⁵¹

C. 95 Degrees

One witness testified his experience of being forced to maintain the same position at a SSD managed detention center in Hyesan city, Yanggang Province.⁵² The witness was arrested for smuggling, but escaped while being transferred to the SSD. However, the witness claims that he was eventually captured and detained

⁵⁰ Imprisoned February-June 2010, NKHR2014-085 2014-07-01

⁵¹ Detained in 2007, NKHR2016-051 2016-04-19

⁵² Imprisoned July 2-15, 2013, NKHR2015-136 2015-09-22; Imprisoned June-August 2013, NKHR2015-153 2015-11-17; Imprisoned March 2013, NKHR2015-159 2015-12-01

for 12 days before he bribed officials with eight tons of cement. Prisoners in the detention center were forced to maintain the same position for lengthy periods of time. If they failed to do so, they were punished with the so called '95 degrees' position.⁵³ This position is similar to the 'horseback riding' position in taekwondo or the squat position. The prisoner is required to bend his/her knees 90 degrees as if sitting on a chair. It can lead to severe pain and damage the joints and muscles. According to the witness, prisoners who were forced to maintain this position had to "fully bend over, and then bend over some more." It is a very painful posture, and it is alleged that "10 minutes in that position can make one sweat and cry...but one is forced to do it for 30 to 40 minutes." According to one witness,⁵⁴ a 65 year old man was forced to maintain the same position at a waiting room in Orang County police station for no apparent reason. It was alleged that the man's knees were fixed on steel bars and his head was to be held at 45 degrees. The witness also claimed to have previously received the same punishment, and commented that such punishment is a common occurrence.

D. Kneeling Torture

The kneeling torture requires a prisoner to kneel with a wooden stick pushed behind the knees. The pain is intensified with extreme pressure placed on the legs. A student testified that

⁵³ Imprisoned July 2-15, 2013, NKHR2015-136 2015-09-22; Imprisoned December 2005, NKHR2014-082 2014-07-01

⁵⁴ Imprisoned September 2012, NKHR2014-095 2014-07-15

in February 2006 (at the time 6th year of senior middle school), he was detained in a waiting room at the local police substation in Musan, North Hamgyong Province, for having watched a Hong Kong CD-R. He was assaulted while being questioned whether he watched other movies or had taken bingdu(drugs). He testified that he was beaten with his hands and feet in chains. A wooden stick was also pressed behind his knees and he was forced to kneel on the ground. The torture allegedly led the victim to suffer from a limp.⁵⁵

Another victim, who was detained in a SSD in Musan in 2000, testified that he was constantly beaten for six months while he was “forced to kneel with a thick wooden stick pressed against the back of his knees.”⁵⁶ Another North Korean escapee testified that in a detention center located in the Chongsong political prison camp in theDongpo area, he was forced to kneel for 24 hours with a 4-sided wooden stick behind his knees.⁵⁷

E. Electric Shock Torture

Electric shock torture is still used in North Korea. One witness testified that in 2000, he heard that Park XX, a former

⁵⁵ Occurred February 2006, NKHR2012-030 2012-02-21

⁵⁶ Kim XX (M) Imprisoned January 2000 – June 2000, Date of report: 2012-2-20, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea2012*, p.20

⁵⁷ AhnMyongChul (M) Worked May 1987 – September 1994, Date of report: 2012-02-04, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea2012*, p.63

neighbor in Hamhung, South Hamgyong Province, had died of torture by electricity when he was detained after being charged with murder.⁵⁸ Another North Korean escapee, who was repatriated from China in November 2003, testified that he lost consciousness after being tortured by electricity at a SSD managed detention center in Shinuiju. Afterwards, he was allegedly confined in a psych ward for two months.⁵⁹ In a different case, although electrical torture was not directly committed, a female prisoner was sexually assaulted in Hyesan city of Yanggang Province after being threatened with a taser.⁶⁰

F. Torture by Water Pouring and Clubbing

Prisoners suffer from 'cold water being poured on their bodies,' and other physical torture, such as clubbing prisoners in mid-winter. These forms of torture are used as a means of interrogation to obtain confession or information. In April 2011, witnesses were interrogated in the SSD in Musan, North Hamgyong Province after their neighbors disappeared. Testimonies claim that Kim XX, the guard at the time, not only beat witnesses with his feet and fist, and clubs, but also tortured them by pouring cold water on their bodies.⁶¹ Moreover, there have also been testimonies where prisoners in Hyesan city were beaten with clubs in winter 2012.⁶²

⁵⁸ Occurred 2000, NKHR2013-039 2013-03-05

⁵⁹ Interview with North Korean escapee, February 2009

⁶⁰ Occurred January 2010, NKHR2012-105 2012-06-05

⁶¹ Occurred May 2011, NKHR2012-011 2012-01-31

G. Fire Torture

One victim, who was imprisoned in Gaechon prison camp in 1996, testified that he was tortured by fire after his mother and older brother were caught trying to escape. He testified the brutality inflicted where he was stripped naked and hung to the ceiling in chains, while charcoal fire was used to burn his back and waist.⁶³

H. Putting in a Box

According to one testimony given by a North Korean escapee who was interrogated by the SSD in North Pyongan Province in July 2009, he was put in a 60cm by 60cm box during his interrogation. The lid was covered and a 200 watt bulb was lighted above his head throughout the day. The surface temperature exceeded 100 degrees, severely burning his hair and skin. The guard at the time who inflicted such cruelty allegedly commented that no one had been able to endure this particular torture for more than four hours.⁶⁴

According to a different victim, who had been charged of being a spy at a SSD headquarter hideout in 2000, he had been locked up inside a cast iron stove only in his underwear. The

⁶² Imprisoned in 2012, NKHR2012-252 2012-11-20

⁶³ Shin Dong-hyuk (M) Imprisoned November 19, 1982 – January 12, 2005, Date of report: 2011-03-15, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p.37

⁶⁴ Interview with North Korean escapee, July 4, 2011.

temperature was below 30 degrees and he felt his body freeze up, keeping him awake in the night.⁶⁵

I. Pigeon Position

This particular physical torture is often used to derive confession. Prisoners are left hanging in midair for extensive periods of time. The pain was described as though “the ribcages are pushed out through the skin and the entire body feels paralyzed.” It was named so because after being bound for long periods of time, one’s chest is pushed outwards like that of a bird.⁶⁶

According to one victim who was interrogated at a detention center in a Hoeryong police station in July 2004, both his arms were raised above his shoulders and tied to the radiator, forcing him in the pigeon torture position.⁶⁷

J. Light Torture

Kim XX, detained in Bukchang political prison camp number 18, endured various forms of torture in the lower basement of a

⁶⁵ Anonymous (M), Imprisoned December 1999 – February 2000, Date of report: 2011-05-24, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea2012*, p.79

⁶⁶ Alliance for Human Rights in North Korea, *North Korea: Republic of Torture*, pp.44, 46

⁶⁷ Kim XX (M), Imprisoned July 8, 2004 – September 21, 2004, Date of report: 2011-05-27, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea2012*, p.94

two story building. According to his testimony, he was inflicted with solitary confinement, water torture, and particularly suffered from torture by light. For six days, the victim was strung upside down from the ceiling above a heater. For two days, he was exposed to ultraviolet rays. After two days, he lost his senses and was not even able to feel pain, at times falling asleep upside down. Afterwards, he was confined in a 45cm by 45cm solitary cell, where his wound blistered and eventually his skin had rotted.⁶⁸

K. Water Torture

Water torture is inflicted by dunking a prisoner's head underwater or pouring water down the nose. This is a dangerous method which can lead to death in a short period of time. There have been a number of testimonies which attest to prisoners' death by asphyxia.

Kim XX, a North Korean escapee originally from Sakju, North Pyongan Province, testified that he witnessed the Ryu family, caught in August 2008 en route to South Korea, being tortured with water by SSD guards in Shinuiju. When they died of suffocation, the three bodies were tossed in the Yalu River.⁶⁹ Moreover, when Lee XX, originally a guard in the protection squadron, was imprisoned in the Yoduk political prison camp in April 1995, water was poured through his nose until he had lost consciousness. He testified that in the process, he had lost his

⁶⁸ Interview with North Korean escapee, September 11, 2010.

⁶⁹ Interview with North Korean escapee, October 20, 2009.

teeth and damaged his sight and hearing.⁷⁰

According to one victim, who was repatriated from China in 2000, and taken to a confinement facility blindfolded, not only was he subject to physical assault during the interrogation process, but he was also inflicted with water torture, with his head pushed into a water tank.⁷¹

L. Hanging

The hanging, where one is forced to hang upside down, is a physical torture bringing intense physical pain. One victim, who was imprisoned in Gilju, North Hamgyong Province in 2009, testified that he was inflicted with this torture two to three times a month, and suffers from spinal injury as a result.⁷²

A different victim, who was imprisoned in a SSD detention center in 2004, witnessed a male prisoner being hung upside down. This method of torture is also referred to as the 'dog gymnastics' because it resembles the appearance of a hanging dog upon capture. It has been alleged that fifteen minutes into the torture, all the blood rushes to the head bringing pain, and bruises in the white of the eyes.⁷³

⁷⁰ Belgian newspaper La libre Belgique, March 12, 2016.

⁷¹ Anonymous (M), Occurred 2000, Date of report: 2011-03-15, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p.245

⁷² Korean Bar Association, *Study on the Status of North Korean Human Rights*, 2011 North Korean escapee (M) [ID 029(2012)], p.173.

⁷³ Anonymous (F), Occurred 2004, Date of report: 2011-08-23, National Human Rights

M. Needles Inserted Underneath Nails

Chung XX, a Christian missionary who had visited North Korea in 1998 on business affairs, was captured by the SSD and charged with espionage. He testified that he was interrogated until he would give the answers the guards wanted regarding his charge. When he declined to comment or made wrong comments, he was beaten and inflicted with water torture, sleep deprivation, choked, and forced to hear sounds of screaming, among other various and cruel forms of torture. In particular, when being interrogated on purpose of entry and nationality, needles were inserted underneath his nails when he refused to answer.⁷⁴

2. Psychological Torture Techniques

A. Forced Watching of Execution

Prisoners who cause trouble in detention centers or prison camps are often executed in public to set an example. One witness, who was imprisoned in the Jongori prison camp, saw two male prisoners sentenced and shot to death for stealing 30kg of powder from the food storage. They were shot near a mill in the camp where workers remove unwanted pieces of ore so prisoners were forced to line up and pass the bodies after their work was finished.⁷⁵

Commission of Korea, *Cases of Human Rights Violation in North Korea* 2012, p.189

⁷⁴ Interview with North Korean escapee, May 2, 2015

Moreover, in order to demonstrate what happens if one attemptsto escape, prisoners are forced to look at the execution sites.

“Everyone in the prison camp saw the body. They did it in Unit 1. The man was on the verge of dying even before the execution took place, and then he was shot to death. Each prisoner had to go up and see the dead body. In that way, everyone in the camp does a big circle. Then the guards make everyone write a self reflection essay which includes the execution. We have to write our feelings about the dead person. You just have to write what you feel.”⁷⁶

“They shoot those who try to escape with a gun. Then they bring the body to where we are so that we can see. As we look at the body bloodied with gun shots, they tell us “This is what will happen if you try to escape” so we get scared and we don’t try to escape.”⁷⁷

There was also a case where a prisoner was gang-beaten before she was shot. A woman who was charged with human trafficking in a SSD detention center in Onsong County was publically executed. Those North Korean escapees who were imprisoned in 2006 testified that drunken guards collectively beat her half to death before she was sent to be executed.⁷⁸

When a prisoner was caught trying to escape from Jongori prison camp in 2000, a special people’s court was held to

⁷⁵ Imprisoned 2000, NHKR2013-204 2013-11-12

⁷⁶ Imprisoned April 2010- January 2013, NKHR2014-090 2014-07-15

⁷⁷ Imprisoned January 2010- February 2012, NKHR2013-019 2013-02-05

⁷⁸ Imprisoned March 2006, NHKR2014-070 2014-06-17

sentence him to death in front of more than 500 prisoners. The body was hung at a stake frequented by many prisoners with the signpost 'to flee is to self-destruct.' The body was allegedly left there for a week for prisoners to see.⁷⁹

B. Verbal Assault and Defamation

There have been many testimonies concerning verbal assault and defamation by guards in confinement facilities. Most are inflicted during forced labor and towards women who have been repatriated from China.

One witness, who was imprisoned from April 2004 to September 2007 after attempting escape due to economic reasons, was put to work in Bongchang mine in South Pyongan Province. Guards slandered "this is what you inherited from your parents. Offspring of miners will end up miners." "Death would be too good for you," "A log is more valuable than your life. Make sure you earn one log's worth of value before you die."⁸⁰

Moreover, various testimonies attest to the defamation towards women repatriated from China. One North Korean escapee who was repatriated upon escape testified that it is considered natural to receive inhumane treatment.

⁷⁹ Anonymous (M), Imprisoned June 2000 – January 2001, Date of report: 2011-05-14, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p.82

⁸⁰ Imprisoned April 200 – September 2007, NHKR2013-126 2013-07-09

Once you are a prisoner in a SSD holding center, you are no longer a person. You are traitors of the motherland and thus are not even treated as human...⁸¹

One witness, who was imprisoned in a labor training camp holding center in Hyesan city in February 2008, stated that women repatriated from China are punished with severe labor and heard them being referred to as having “sold their bodies in China.”⁸² A different witness heard that when a fellow prisoner who was ten months pregnant gave birth at a Chongjin holding center in 2004, the guard slandered “she loved Chinese bastards so much she had a baby with one.”⁸³ A similar case took place in a SSD holding center in Shinuiju. Prisoners who had previously given birth in China were slandered with comments such as “young girls who fooled around in China selling their bodies,” and “they are human scum.”⁸⁴

C. Other Humiliating Treatment

In addition to the cases mentioned above, prisoners are inflicted with other inhumane treatment and psychological pain. One victim, who was imprisoned from 1991 to 2002 in Bukchang political prison camp number 18 in South Pyongan Province, stated that the guard would pull her head back, order her to

⁸¹ Imprisoned 2007, NKHR2016-051 2016-04-19

⁸² Imprisoned February 2008, NHKR2013-141 2013-07-23

⁸³ Imprisoned April 2004, NHKR2013-227 2013-12-24

⁸⁴ Imprisoned August 2009 – September 2009, NHKR2014-090 2014-07-15

open her mouth and spit his phlegm and order her to swallow. She testified that if she grimaced or gagged, she would be beaten.⁸⁵

3. Combination of Physical and Psychological Torture

A combination of physical and psychological torture is referred to as a complex method of torture. This method deprives or disrupts basic human needs, indirectly and directly threatening the survival of prisoners in North Korea's confinement facilities. Prisoners inflicted with this method of torture not only suffer from physical pain but also mental pressure and anxiety.

A. Solitary Confinement

Solitary confinement is a common form of torture. As the subject is not inflicted with direct physical pain or danger, it is used as a legitimate form of punishment in many states' correctional facilities, including South Korea. However, blocked off from the outside world, prisoners feel anxiety and psychological pressure, at times leading to depression and suicidal impulses.

North Korea's solitary confinement is not simply used to impose psychological pressure. The environment in solitary confinement is much worse than general confinement facilities and

⁸⁵ Kim Haesook (F), Imprisoned 1975 – 2001, Date of report: 2011-04-19, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p.51

treatment towards prisoners are equally worse off. According to a testimony given by a North Korean escapee with experience in solitary confinement in the Jongori prison camp, rooms are “so small that you cannot even stand straight up,” and “prisoners in solitary confinement receive only half the food portions compared to other prisoners.”⁸⁶

In some cases, solitary confinement is categorized into the general and criminal punishment. One victim, who was imprisoned in 1990 in Yoduk political prison camp, was sent to solitary confinement for one month after his girlfriend, who was also a prisoner, became pregnant. When it was discovered that he sat in the solitary confinement room with his legs raised, he was sent to a different, flea-infested solitary confinement. The conditions in the second room were unbearable; allegedly, one of the more severe cases of solitary confinement.⁸⁷ A different witness with experience in solitary confinement in February 2011 testified that he was imprisoned in a solitary confinement which was 45cm in width and 1m in height. He stated that he ended up with blisters and skin necrosis.⁸⁸

Testimonies attest that solitary confinement not only occurs in political prison camps but also in detention centers.

⁸⁶ Imprisoned July 2008, NKHR2015-103 2015-05-10

⁸⁷ Kim XX (M), Imprisoned March 1988 – 1992, Date of report: 2011-3-15, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p. 16

⁸⁸ Date of interview: September 11, 2010.

One North Korean escapee, who had been detained in a SSD detention center for 20 days after locating a child in North Korea at the request of a South Korean citizen, testified that he was interrogated throughout the day.⁸⁹ During the interrogation process, he was “smacked the cheeks, kicked the thighs, and bashed the head on the wall,” and had to “write 50 pages of self-reflection essays,” and was deprived of sleep for one week. Moreover, the punishment for making contact with South Korea was a solitary confinement.

Solitary confinement is not only a place for isolation and pressure, but is also where prisoners are inflicted with more assault and cruel treatment. Testimonies attest that prisoners have been put in solitary confinement in SSD detention centers, and assaulted. This witness was detained and interrogated for a fortnight in a SSD detention center located in Tapsan-dong, Hyesan city after being charged with human trafficking.⁹⁰

I was kicked and hit with firewood. When I arrived at the holding center in Hyesan, my blood had rotten black because I had been beaten so much. I kneeled and was put in shackles. I was treated as a criminal and initially my body was beaten with firewood. I was not hit on the head. If something goes wrong, then they need to take responsibility... I was beaten rotten.

Even after inflicted with such brutality, this witness was imprisoned in solitary confinement, and there, was allegedly beaten

⁸⁹ Imprisoned January 2009, NKHR2015-103 2015-05-19

⁹⁰ Imprisoned March 2013, NKHR2015-159 2015-12-01

for an hour every day.

You endure the pain. You are asked to confess but if you do, everyone will die. I only confessed what I was caught doing at the spot, only to the extent that I know, for the sake of them, and also because if I confessed everything, my crime would be bigger. They keep beating me because I wouldn't confess everything. They wanted me to tell them what happened after, but then my crime would be bigger and the case could become bigger as well. Then, instead of going to a labor training camp, I'd be sent to get reeducated. So I don't say. But they need confessions to get promoted so they keep beating. If you want to stay alive, you need to endure the beating.

Other testimonies attest to the fact that solitary confinement was used as a place for torture. According to one witness, who spent one week in solitary confinement prior to his preliminary trial, he was forced to "kneel with a wooden stick pressed behind his knees and head down," during his solitary confinement. When the witness refused to confess, the SSD vice-chief allegedly grabbed his head and bashed it against the wall.⁹¹

Solitary confinement was also sentenced as a means of punishment. According to one prisoner, who was put in the knitting unit at an ordinary prison camp, a contract system required a severe workload, and if a prisoner was unable to meet the quota three times, he would be punished with solitary confinement.⁹² Solitary confinement was also sentenced to prisoners

⁹¹ Imprisoned March 2013, NKHR2015-159 2015-12-01

⁹² July 2004 – February 2007, NHKR2014-111 2014-08-12

who raised the issue of prisoner assault. According to one witness, complaints of prisoner assault resulted in one week of solitary confinement, and were branded as 'lagers.'⁹³

B. Exposure to Unsanitary Environment

Confinement facilities in North Korea generally lack hygiene. Rooms were so densely packed that not all of them are able to sit on the floor.⁹⁴ Lack of anti-epidemic measures means that all prisoners are at the risk of contracting contagious disease. In general, toilet facilities are not in a separate space, resulting in a foul stench. A lack of water means prisoners are unable to shower,⁹⁵ let alone wash their clothes. Women are unable to attend to feminine needs and thus cannot help but have menstrual blood on their clothes.⁹⁶

In general, the water tank is placed next to the toilet. There have been cases where one prisoner was chosen to guard water usage due to the lack of water.⁹⁷ In order to wash one's face,

⁹³ Imprisoned in 2010, NKHR2014-031 2014-04-15

⁹⁴ It is alleged that one unit in Jeungsan political prison camp houses 50 prisoners. Imprisoned 2006, NKHR2014-070 2014-06-17; In the case of the detention center in Onsong County, it has been alleged that a 9 pyong (roughly 30 square meters) room houses 20 prisoners. Imprisoned April 2005, NKHR2014-072 2014-06-17; One witness claimed that in 2007, one room in the Jongori prison camp housed 200 prisoners. Prisoners slept in the corridor, washing room, toilet, and due to a lack of space, people had to sleep with their bodies overlapping. Imprisoned December 2007, NKHR2012-015 2012-02-07

⁹⁵ One witness who was imprisoned in the Jeungsan labor training camp in South Pyongan Province, the only shower time was when the prisoner had to work outdoors near the creek. Imprisoned August 2005 – March 2007, NKHR2013-000129 2013-07-09

⁹⁶ Imprisoned December 2001, NKHR2014-020 2014-03-18

prisoners would have to gain favor from the prisoner monitoring water usage or the prison guard. Soap was only obtained through family visitors.⁹⁸ Lice, fleas and bedbugs infested the area, to the extent that it would be hard to fall asleep at night.⁹⁹

Anti-epidemic measures were rarely taken.¹⁰⁰ One prisoner, who experienced the labor training camp in Onsong County, commented that agricultural pesticide was used to kill insects and prevent disease. Pesticides made in China, weaker in effectiveness, were used. Despite bug infestation, insecticides were not supplied, as to prevent prisoners from using them to commit suicide.¹⁰¹

The large number of people confined in a small space raises the risk of epidemics.¹⁰² There have been many testimonies attesting that people have died in confinement facilities due to epidemics. When a prisoner died of typhoid in Jongori prison camp in November 2010, it was alleged that five fellow prisoners also passed away.¹⁰³ Some cases suggest that when an epidemic breaks out, the number of prisoners in a confinement facility drastically decreases. When numerous prisoners died after an epidemic in Jeungsan political prison camp in 2005, it was alleged that prisoners from a different camp were transferred

⁹⁷ Imprisoned 2010, NKHR2013-121 2013-06-25

⁹⁸ Imprisoned 2006 - 2009, NKHR2015-035 2015-02-10

⁹⁹ Imprisoned September 2003, NKHR2012-136 2012-07-10

¹⁰⁰ Imprisoned 2005, NKHR2013-110 2013-06-11

¹⁰¹ Imprisoned September 2008, NKHR2013-123 2013-06-25

¹⁰² Imprisoned December 2012 - February 2013, NKHR2013-122 2013-6-25

¹⁰³ Imprisoned 2009 - 2011, NKHR2013-040 2013-03-05

over.¹⁰⁴

According to a witness, who had been imprisoned in the Jongori prison camp from 2003 to 2012, diseases were rampant for two to three months every year, due to a poor state of hygiene. When an epidemic broke out, thirty to fifty prisoners would end up dead.¹⁰⁵ According to a witness, who was imprisoned in a SSD labor training camp in Hamhung city, each person had more than 300 lice, so much so that counting them would become exhausting, and that people would be constantly dying of disease.¹⁰⁶ Moreover, paratyphoid had struck Gaecheon prison camp in June 2011 to March 2014, allegedly leading to the death of ten people a day.¹⁰⁷

The squat toilets located inside the prison cells also contributed to the poor state of hygiene. According to a witness, who experienced the Jongori prison camp in 2009, 35 to 40 people used the same toilet.¹⁰⁸ The excrement meant that the cell had a foul smell and mice could be seen running around.¹⁰⁹ The SSD detention center in Hoeryong city had a toilet that would freeze up in the winter time, and so prisoners had to break the ice apart before they could use it. Testimonies attest that prisoners were “tormented with the virulence in the excrement.”¹¹⁰

¹⁰⁴ Occurred 2005, NKHR2014-070 2014-06-17

¹⁰⁵ Imprisoned 2003 – 2012, NKHR2014-081 2014-07-01

¹⁰⁶ Imprisoned 2004, NKHR2014-163 2014-10-07

¹⁰⁷ Imprisoned June 2011 – March 2014, NKHR2014-175 2014-10-21

¹⁰⁸ Imprisoned 2009 - 2011, NKHR2013-040 2013-03-05

¹⁰⁹ Imprisoned May 2009 – January 2012, NKHR2013-124 2013-06-25

C. Restrictions in Toilet Usage

Toilets in confinement facilities are usually located in the prison cell, or at times in a separate location. It has been alleged that prisoners cannot use the toilets at will, but must obtain permission from the guards. There have been even testimonies that prisoners are only permitted to use the toilet at a specific time during the day. According to a witness who was imprisoned in a waiting room at a labor training camp in Onsong County, North Hamgyong Province, prisoners were allowed to use the toilet three times a day. However, the guards would only allow twice a day.¹¹¹ A different witness imprisoned in the SSD detention center in Sanjiyon County, Yanggang Province in 2005, stated that prisoners could use the toilet once from 7 a.m. to 8 a.m., and if a prisoner asked to use the toilet any time after, he would be beaten by the guards before being allowed to go.¹¹² One witness with experience in a SSD detention center in Onsong County, North Hamgyong Province in September 2008 stated that prisoners were given a time limit to defecate; thirty minutes were allegedly given to 7 or 8 people.¹¹³

There was a case in March 2008, when a SSD guard did not allow prisoners to use the toilet in a detention center in Onsong County, North Hamgyong Province; all the prisoners allegedly had

¹¹⁰ Imprisoned 2010 - 2011, NKHR2014-193 2014-11-18

¹¹¹ Imprisoned September 2008, NKHR2013-123 2013-06-25

¹¹² Imprisoned December 2005, NKHR2014-082 2014-07-01

¹¹³ Imprisoned September 2008, NKHR2013-000181 2013-10-01

to relieve themselves in their pants.¹¹⁴ According to a witness who experienced a SSD detention center in Saebyul in May 2010, prisoners were not allowed to use the toilet when it was not a break time; leading many to suffer from bladder infection.¹¹⁵

D. Sleep Deprivation

Sleep deprivation is a well known form of torture used by many, such as U.S. intelligence agencies to interrogate terror suspects. Compared to physical assault, the risk of permanent physical harm or death is low. However, the pain is just as severe. This method of torture is widely used in North Korea in the process of interrogation and examination in order to induce confession.

According to a witness, who experienced labor training camp in Daehongdan, Yanggang Province, prisoners were forced to “stay awake and run all night.” Fellow prisoners had to bribe guards to not receive such treatment, something that this witness only learned about later on. Eventually, the witness bribed the guard with “25kg of beans and 100 thousand won (in Chinese currency of 80-90 yuan)” and was able to work in the kitchen where the workload was less severe.¹¹⁶

According to one witness who was imprisoned in a SSD

¹¹⁴ Interview with North Korean escapee, March 12, 2009

¹¹⁵ Imprisoned May 2010, NKHR2013-000132 2013-07-09

¹¹⁶ Imprisoned October 2013, NKHR2014-141 2014-09-02

detention center in Musan in 2007, the guard, Lee XX would wake all the prisoners who were asleep and forced them to stay fixed in one position. Even the slightest movement would allegedly earn a beating.¹¹⁷

E. Nutritional Deprivation

1) Small Rations

Rations in confinement facilities lack both quality and quantity, barely allowing prisoners to subsist. A witness who was detained in a SSD detention center in Hyesancity after being arrested for smuggling charges stated the following about the general state of rations in North Korea's confinement facilities.¹¹⁸

It was about 108 kernels of corn put on a dish which used to belong to the North Korean army some time ago. I was told to count it. I was sick for about a week so I could not eat a single bite. After a week I thought I would die so I got up and ate. If you die in a SSD, your children will bear the punishment so you cannot die here. If you want to die, you have to die elsewhere. So when I turned around to eat, I was told to count the kernels.

In principle, one person is allowed 450 grams of food in a political prison camp. However, it has been alleged that guards would siphon the rations, and then soak it in water to make it heavy.¹¹⁹

¹¹⁷ Imprisoned February 2007, NKHR2014-040 2014-04-29

¹¹⁸ Imprisoned July 2, 2013 – July 15, NKHR2015-136 2015-09-22

The little food that was provided would even be confiscated when prisoners commit a fault. According to a North Korean escapee who experienced forced labor in Gaechon city, prisoners were forced to commit to 16 hours of hard labor a day. Prisoners were to produce 3 to 4 baby hats a day, and when the quota was unmet, they were denied food as punishment.¹²⁰

Given the dire food situation in political prison camps, it was common for prisoners to die of malnutrition (poor health). According to a female witness who was imprisoned in the Gaechon prison camp, out of 43 prisoners who were assigned to the agriculture unit number 2, 37 had died of malnutrition and fever, and only 6 survived. Crop failure devastated the fields in 2011 so prisoners did not even find any cabbage roots to dig up for consumption, leading to the high number of deaths. The said witness suffered from neurological sickness and edema, and was transferred to a 'weak unit' after one and a half years of imprisonment.¹²¹

The lack of quality meant that prisoners were allowed to bring in food from the outside. In order to survive, it was necessary to receive food from family members during visitation. In principle, visitations were allowed once every three months, so this was not an easy feat.¹²² However, if guards were bribed, it

¹¹⁹ Imprisoned 2009 - 2012, NKHR2014-132 2014-08-26

¹²⁰ Imprisoned August 2010, NKHR2015-012 2014-03-04

¹²¹ Imprisoned 2009, NKHR2015-186 2015-12-15

¹²² It has been confirmed that many prisoners had no family members who could come for visitation. One reason is that many prisoners end up getting divorced. When one is sent to a political prison camp, the partner is asked whether he/she will file a divorce.

was possible to have a visitation once a month¹²³, and family members would give 'corn powder'¹²⁴ to make up for the lack of food.

Even with the help of family members, the food would be exploited by the guards and the amount that the prisoner receives would be significantly less. Those prisoners who commit a fault would be categorized in the 'lagger' unit and would be tasked with harsh labor, such as taking care of excrement. Their rations would also be lessened, to the extent that they would eat only a third of what other prisoners were given.

Those imprisoned in the Jongori prison camp in North Hamgyong Province would allegedly resort to eating grass, and if caught, would be severely punished.¹²⁵ This witness testified that he saw a starving woman in her 60s pick up a morsel of food from the fields,¹²⁶ and was beaten so severely that she was unable to use her back. In these ways, prisoners would subsist on grass, picked when they are working in the fields, with testimonies that prisoners would even eat mice.¹²⁷ Testimonies attest that in

Testimonies claim that when divorce is filed, only the person charged is imprisoned and otherwise, both the person charged and his/her partner are both imprisoned. NKHR2013-000154 2013-08-20

¹²³ In the case of the Jongori prison camp in 2009, bribery for one visitation every three months is one pack of cigarette. However, it has been claimed that 3 to 5 packs of cigarette can grant one visitation every two months. Imprisoned 2009, NKHR2013-037 2013-02-19

¹²⁴ Refers to a kind of frying power made of corn. Rice cake made of this ingredient is referred to as "pongpongidduk" or 'sokdojundduk.'

¹²⁵ Imprisoned 2012, NKHR2015-123 2015-09-22

¹²⁶ Imprisoned May 2005, NKHR2014-072 2013-06-17

the Jongori prison camp, prisoners would resort to eating mice, snakes, and frogs.¹²⁸ Among those who had been imprisoned in a political prison camp for a long period, there were allegedly those who would eat the seeds that came out of cow excrement after washing them.¹²⁹

According to a victim who was imprisoned in the Yoduk political prison camp in 2000, guards would prevent prisoners from picking and eating seeds during corn harvest by sowing them mixed with human excrement. There have been accounts that prisoners had died of colitis after consuming such seeds.¹³⁰

2) Contaminated Food

In addition to the absolute lack of food, the quality of the food provided was even worse. According to one witness who was imprisoned in a SSD detention center in Shinuiju, the food consisted of “a powdery mix of whole kernels and mice excrement.” Along with it, they were given “salt soup.”¹³¹

There have been testimonies that prisoners died after consuming contaminated food. One witness, who was imprisoned in a political

¹²⁷ Imprisoned July 2008 – August 2009, NKHR2015-103 2015-05-19

¹²⁸ Imprisoned 2009 - 2011, NKHR2013-019 2013-02-04

¹²⁹ Imprisoned 2011, NKHR2012-099 2012-05-29

¹³⁰ Jung XX (M), Imprisoned April 6, 2000 – April 12, 2003, Date of report: 2011-3-15, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p.28

¹³¹ Imprisoned 1999 – 2001, NKHR2010-039 2010-11-16

prison camp from 2008 to 2011, commented that after being imprisoned in Shinuiju's Donglim political prison camp in 2008, she and 150 other fellow prisoners were transferred in 2010 to Chunnae political prison camp in Gangwon Province. Unlike Donglim political prison camp, prisoners in Chunnae had been given rotten corn with rice mixed with stones. Out of 150 women who were transferred, about half had died as a result.¹³²

It has been alleged that in March 2010, Gaechon prison camp experienced a severe food shortage crisis. Ten corn kernels were given for one meal and when food was brought in from a different location, it allegedly smelled like gasoline. The food crisis continued till August, and the period saw an increase in the number of deaths.¹³³

The water situation is equally dire with testimonies attesting that prisoners had to consume little and contaminated water.¹³⁴ According to a witness, who was detained in a SSD detention center in Shinuiju,¹³⁵ water was not sufficiently provided. The little water that was, had bits of rust in it, and many prisoners became sick after drinking it. A different witness said that drinking water was provided in a bucket. However, it was so dirty that prisoners did not think to drink it. Instead, liquid was

¹³² Imprisoned 2008 - 2011, NKHR2014-129 2014-08-26

¹³³ Imprisoned 2010, NKHR2015-005 2015-01-13

¹³⁴ Imprisoned 1998, NKHR2011-008 2010-08-10; Imprisoned November 2004, NKHR2012-044 2012-03-19

¹³⁵ Imprisoned May 2002, NKHR2011-064 2011-03-08

supplemented through the salted soup that came with the meal s.¹³⁶ There have also been accounts that in 2001, a high number of prisoners died of water poisoning in Jeungsan political prison camp.¹³⁷

F. Poor Medical Treatment

Contrary to socialist ideals of universal healthcare and education, healthcare in North Korea is extremely poor. Chronic lack of medical supplies and human resources mean that patients are unable to receive adequate medical care. A common statement among North Korean escapees was that no one had expectations for medical service from hospitals, and when falling ill, they had depended on medicine obtained through the black markets (jangmadang). Therefore, treatment for illness and injury in confinement facilities was even more difficult, with cases where prisoners ended up dying due to lack of treatment. In particular, prisoners in labor training camps and political prison camps experience extreme labor, assault, and other cruel treatment, increasing the risk of accidents and injury. Adding to this is the lack of food, contributing to a poor nutritional status, exposing prisoners to various illnesses.

According to a witness who was imprisoned in the Jongori prison camp in Hoeryong city of North Hamgyong Province, treatment or medical prescription in political prison camps are rare

¹³⁶ Imprisoned September 2008, NKHR2013-123 2013-06-25

¹³⁷ Imprisoned 2001, NKHR2012-068 2012-04-24

occurrences.¹³⁸ When a prisoner needs drugs, they must be supplied by family members during visitation. In addition to drugs, nearly all supplies must be provided for by family members through visitation, with political prison camps providing only the minimal amount of rations

In addition to the lack of medical drugs, there have been specific testimonies where a patient in a critical condition ended up dying after he was unable to receive medical treatment. According to one witness whose husband was imprisoned in Gaechon prison camp after being arrested on charges of smuggling, her husband was critically injured in the camp. However, he was unable to receive medical treatment and died.¹³⁹

I said he should go to the medical ward one day after the accident. Apparently, even though his head was cut wide open, the wound was not covered with bandages. Instead, it was left to bleed. He was told that bleeding is good, and that the more blood, the better. He was even conscious. When I asked why they didn't perform operation, I was told that there were no doctors. When I asked when the doctors will arrive, I was told that the doctors were being held up from Pyongyang. And then he passed away in the evening of the 8th. His blood pressure was going up and I was told that if he held on for three more days, he would live. I went to the military hospital and asked. If his blood pressure increased and heart was beating, I was told it would be fine. He held on for three days. I think this is what killed him...even though a dying person is a criminal, if he is still alive and breathing, then shouldn't even criminals deserve to be helped?

¹³⁸ Imprisoned 2009, NKHR2015-122 2015-09-08

¹³⁹ Occurred 2012, NKHR2015-151 2015-11-17

The situation is similar in holding centers. According to a witness who was imprisoned for five months in a SSD holding center in Hyesancity, there was no resident doctor at a holding center at the city level, but there were doctors at the provincial level.¹⁴⁰ However, patients still could not receive adequate treatment, and when ill, a doctor from the outside would have to be brought in for treatment.

G. Sexual Humiliation

More often than men, women are subject to sexual humiliation. After being arrested in China, women are forced to strip naked for a body search. Their vagina and anus are searched and they are exposed to sexual harassment and assault during their period of detention. Moreover, pregnant women repatriated from China are forced to undergo abortion. Their babies are referred to as “Chinese seeds.”

1) Vaginal Inspection

Women who are repatriated must endure numerous body searches upon their arrest in China including vagina and anus. Body searches are conducted naked and take place every time women move from one facility to another.¹⁴¹ The purpose is to retrieve any money hidden in the body. The women are forced to do *‘pompu’* movements so that any items naturally fall out. At

¹⁴⁰ Imprisoned 2014, NKHR2015-170 2015-12-01

¹⁴¹ Imprisoned 2006, NHKR2014-070 2014-06-17

times, hands are inserted in vagina and anus for inspection.

A witness who was arrested in China in 2006 describes her experience in detail. Up to 10 repatriated women are stripped naked in one session and forced to stand in a line. When it is their turn, they must bend forward and allow the guard to visibly and physically inspect their bodies, by inserting their finger in the women's vagina. Women are then forced to do '*pompu*' naked numerous times. The women waiting in line must watch what happens in front of them.¹⁴² Male guards force the women to take off their clothes and if the women refuse, they are bullied and forcefully stripped naked.¹⁴³

There have been numerous testimonies that vaginal inspection are done by women. However, one inspector inspects many women in one session with no regard to hygiene.¹⁴⁴ In a SSD detention center in Shinuiju, around May 2008, there was a female guard who used a plastic glove to inspect women's vaginas. She allegedly washed the plastic glove in a bucket of water for each inspection.¹⁴⁵ Another testimony claims that vaginal inspections were conducted with bare hands.¹⁴⁶ And there was another case where vaginal and anal inspections were carried out with rubber gloves.¹⁴⁷ In a more extreme case, women were forced to lie on

¹⁴² Imprisoned 2006, NHR2014-070 2014-06-17

¹⁴³ Imprisoned May 2004, NHR2013-192 2013-10-17

¹⁴⁴ Imprisoned May 2004, NHR2013-192 2013-10-17

¹⁴⁵ Imprisoned May 2008 – June 2008, 2014-03-18, NHR2014-015

¹⁴⁶ Imprisoned March 2011, NHR2013-038 2013-02-19

¹⁴⁷ Imprisoned September 2003 – August 2004, NHR2013-227 2013-12-24

a cement floor with a metal rod used to pry women's vaginas for inspection.¹⁴⁸

There have also been cases where a male guard would perform vaginal inspection. When a woman was interrogated in a SSD in Onsong County, North Hamgyong Province on March 15, 2013, she was inspected by a female guard. However, when she was sent to a SSD detention center in Gilju in April of the same year, a male guard conducted a vaginal inspection.¹⁴⁹

2) Sexual Assault

It appears that sexual assault by guards is a frequent occurrence in confinement facilities. One witness who was imprisoned in a holding center in Shinuiju in March 2011 stated that some female prisoners were summoned every night by the guards.¹⁵⁰ There are testimonies that in 2009, guards in the Jongori prison camp would choose their favored female prisoners and tell them to “show me how they fooled around in China” before sexually assaulting them on a routine basis.¹⁵¹

If a prisoner was to reject sexual advances, they would receive unfavorable treatment. At times, female prisoners conditionally accept sexual intercourse in exchange to be transferred to an easier

¹⁴⁸ Kim XX (F), Imprisoned 1975 - 2001, Date of report: 2011-04-19, National Human Rights Commission of Korea, *Cases of Human Rights Violation in North Korea 2012*, p.53

¹⁴⁹ Imprisoned March 2013 - April 2013, NHKR2013-218 2013-11-26

¹⁵⁰ Imprisoned May 2004, NHKR2013-192 2013-10-17

¹⁵¹ Detained 2009, NHKR2012-010 2012-01-31

working environment with lesser labor loads.¹⁵² This has been referred to as sexual favors.¹⁵³ These prisoners are usually assigned to working in the canteen, or a unit leader whose task is to manage fellow prisoners.¹⁵⁴ One witness spoke of an acquaintance who was caught whilst smuggling and was sent to a holding center in Hyesan city. During the two month imprisonment, she was allegedly unable to reject sexual advances. This was because if she complied, she would be assigned to work as a cook and excluded from arduous labor.¹⁵⁵ A different witness stated that when she was imprisoned in the Gaecheon prison camp in South Pyongan Province in September 2010, she heard that the unit leaders of knitting units 2 and 3 were routinely raped by prison guards in charge, in exchange for staying in their position.¹⁵⁶ Conversely, if one were to reject sexual advances, they would be assigned to harsher labor or bullied by the unit leaders, under the instructions of the guard. One witness stated that when she was imprisoned in the labor training camp, such coercive environment was so extreme that there were rumors that all female prisoners were sexually assaulted.¹⁵⁷

When a prisoner is sexually assaulted, there were fears that the news would spread. Even if it is reported, the perpetrator is not punished as he is often an officer or the son of an officer.¹⁵⁸

¹⁵² Imprisoned May 2008, NHKR2013-097 2013-05-14

¹⁵³ Imprisoned November 1999 – 2001, NHKR2013-221 2013-12-10

¹⁵⁴ Imprisoned April 2013, NHKR2013-218 2013-11-26

¹⁵⁵ Imprisoned 2011, NHKR2015-024 2015-01-27

¹⁵⁶ Imprisoned September 2010, NHKR2013-191 2013-10-17

¹⁵⁷ Imprisoned September 2007 – 2013, NHKR2015-059 2015-03-24

In order to cover up cases of guards sexually assaulting prisoners, there have also been instances where a female who was impregnated by a guard was forced to undergo abortion.¹⁵⁹ One woman, who was imprisoned in the Manpo holding center in 2010, testified that she was summoned by a guard to a different room where she was sexually assaulted. She stated that she feared that her daughter, who was also imprisoned at the same place, would find out.¹⁶⁰

Underage children are also exposed to sexual assault. One witness who used to roam the streets as a kotjebi – an orphan wandering around without a roof over their head – was sexually assaulted by a senior guard when she was detained for a month in Pyongsong city. At the time, the witness was a minor, 16-years-old who had never had sexual relations. However, the guard said that she must be tested for sexually transmitted diseases and told her to take off her clothes. When the victim refused, she was sexually assaulted. The witness commented that she was ashamed of her first intercourse and suffered from anxiety due to fears of getting pregnant, and subsequently, was unable to confide in anybody.¹⁶¹

¹⁵⁸ Imprisoned 2004 –2007, NHKR2013-126 2013-07-09

¹⁵⁹ Imprisoned February 2007 – April 2007, NHKR2015-032 2015-02-10

¹⁶⁰ Imprisoned 2010, NHKR2014-031 2014-04-15

¹⁶¹ Imprisoned 2007, NHKR2014-186 2014-11-04

3) Forced Abortion

Many women repatriated from China are pregnant with Chinese husbands. There are many cases where women are tricked into human trafficking while on the run, or married into Chinese men for sustenance.

Upon repatriation, the interrogation process includes a urine test to check if a woman is pregnant.¹⁶² It has been found that forced abortions usually take place at the detention center or holding center. These women are slandered as having “Chinese seeds” and forced to abort their pregnancy.¹⁶³ During the arduous march, there had been a high number of pregnant women who were repatriated from China due to the soaring number of North Korean escapees. A witness testified that at the time, there were more than 40 women who had been forced to terminate their pregnancy.¹⁶⁴ Methods of abortion are diverse. Women are forcefully lead to the hospital where they receive an injection.¹⁶⁵ There is a case where three women who were pregnant with Chinese fathers had been detained in a holding center in Yanggang Province in 2011, and were taken to the provincial maternity hospital to abort their pregnancy. It has been alleged that the third floor of the maternity hospital is equipped with the

¹⁶² Imprisoned November 2007, NHKR2014-086 2014-07-01

¹⁶³ Imprisoned June 2009 – April 2010, NHKR2013-098 2013-05-14; Witnessed during imprisonment 2004, NHKR2014-135 2014-09-02

¹⁶⁴ Heard during imprisonment 2000, NHKR2013-139 2013-07-23

¹⁶⁵ Experienced during imprisonment May 1995, NHKR2013-128 2013-07-09; Witnessed during imprisonment April 2007, NHKR2012-008 2012-01-10

necessary facilities for this purpose.¹⁶⁶ A witness, who was imprisoned in a SSD detention center in Shinuiju, testified that Kim XX, a fellow prisoner who was two months pregnant, received an injection by a female doctor to induce abortion at the guard's orders.¹⁶⁷ There has also been a case where a metal rod was used for abortion at the holding center in Shinuiju.¹⁶⁸

However, there are also accounts of abortions being induced artificially, without medical attention, through cruel treatment, such as assault or *'pompu.'* One witness commented that when she was imprisoned in a detention center in Gowon, South Hamgyong Province on December 1999, she saw guards beat a fellow prisoner. This was to terminate her pregnancy, a punishment for getting impregnated by a Chinese man.¹⁶⁹

There are many testimonies by people who have witnessed or heard of women who have died as a result of forced abortion. Specific testimonies include a woman who died within a week of abortion by assault,¹⁷⁰ and a woman who died of excessive blood loss after receiving an abortion by a fellow prisoner who was also a doctor.¹⁷¹

Women who are nearing childbirth are no exception. One

¹⁶⁶ Witnessed during imprisonment 2011, NHKR2012-275 2012-12-11

¹⁶⁷ Imprisoned January 2009 – September 2009, NHKR2013-022 2013-02-05

¹⁶⁸ Heard during imprisonment 2009, NKHR2012-077 2012-05-08

¹⁶⁹ Imprisoned December 1999, NHKR2013-221 2013-12-10

¹⁷⁰ Witnessed during imprisonment 2011, NHKR2012-067 2012-04-24

¹⁷¹ Witnessed during imprisonment March 2008, NHKR2012-079 2012-05-08

woman who was eight months pregnant was forced to undergo abortion at a holding center in Shinuiju.¹⁷²

There are cases where forced abortion is performed on prisoners who have committed ordinary crimes, not relating to escape. Generally, pregnant women whose husbands are North Korean are released before childbirth. However, depending on the gravity of the crime, some women are forced to undergo abortion.¹⁷³ According to Jang XX, a 33-year-old woman who was arrested for smuggling and imprisoned in a SSD detention center in Samjiyon County in 2005, she was forced to terminate her pregnancy at a hospital.¹⁷⁴ Moreover, a nine-month pregnant woman imprisoned in a detention center in Onsong County was forced to undergo abortion for having stolen a cow, a grave crime in North Korea. She was given a pill but ended up dying as a result.¹⁷⁵

4) Open Toilets

In confinement facilities, toilets are set in an open space to allow guards to keep an eye on the prisoners. Prisoners must obtain permission every time they use the toilet and if they are seen to engage in suspicious behavior (such as retrieving hidden money), they are assaulted for investigation.¹⁷⁶ One witness

¹⁷² Heard during imprisonment 2003, NHKR2015-035 2015-02-10

¹⁷³ Heard during imprisonment September 2010, NHKR2013-191 2013-10-17

¹⁷⁴ Heard during imprisonment May 2012, NHKR2013-191 2013-10-17

¹⁷⁵ Witnessed during imprisonment 2006, NHKR2012-009 2012-01-31

testified that at a SSD detention center in Samjiyon County, Yanggang Province, one cell, holding eight people had a toilet which was covered by a 20cm partition, in effect, prohibiting any kind of privacy.¹⁷⁷ A different witness who was imprisoned at a SSD detention center in Onsong County, North Hamgyong Province stated that there were no proper bathrooms. Instead, there were toilet seats with no walls or partition. This woman testified that due to a lack of water in the toilet, water had to be separately put on the side and used to clean after herself. She commented that with people watching her, the shame made her feel less than human.¹⁷⁸

IV. Conclusion

This report has presented findings on the status of torture and inhumane treatment in North Korea. The report has found that the extent of such torture and inhumane treatment is not limited to a specific period or place, but instead prevails in many parts of the North Korean society.

Torture and inhumane treatment are inflicted on those who have committed crimes as defined by the North Korean authority. These 'crimes' range from illegal bordercrossing to ordinary crimes.

¹⁷⁶ Citizens' Alliance for Human Rights in North Korea, *North Korea: Republic of Torture*, (Seoul: Citizens' Alliance for Human Rights in North Korea, 2007), pp.70, 79.

¹⁷⁷ Imprisoned December 2000, NHKR2014-082 2014-07-01

¹⁷⁸ Imprisoned April 2005, 2014-072 2014-06-17

The prevalence of torture and inhumane treatment can be explained by the intent to uncover the facts during the process of investigation and interrogation. However, more often than not, it occurs as a means to establish order in detention centers. Torture and inhumane treatment themselves are regarded as a form of punishment for prisoners.

Many North Korean escapees have given detailed testimonies on the situation of torture and inhumane treatment to the Center for North Korean Human Rights Studies at the Korea Institute for National Unification (KINU). Analysis of findings concludes that the extent of damage is not limited to a segment of victims but is in fact a general phenomenon that ordinary North Korean residents also experience.

What measures can be taken to change North Korea's common practice of torture and inhumane treatment? The international community, particularly since the 1990s, has expressed the considerable amount of concerns on North Korea's human rights abuses, and has specifically articulated those concerns in a report published in February 2014 by the United Nations Commission of Inquiry (COI) on human rights in the Democratic People's Republic of Korea (DPRK). The report states that, North Korea should:

Enforce existing provisions in the Criminal Code and the Code of Criminal Procedure that prohibit and criminalize the use of torture and other inhuman means of interrogation that are illegal under international law; reform the ordinary prison system so as to ensure humane conditions

of detention for all inmates deprived of liberty.¹⁷⁹

To date, although North Korea has firmly countered and resisted international pressure on human rights issues, it has also shown that it cannot indefinitely oppose the international community's efforts to improve human rights in North Korea. Therefore, the South Korean government, along with the international community, needs to carry out objective studies on North Korea's human rights situation while simultaneously putting pressure on the North Korean regime.

In particular, the aforementioned UN COI recommendations concerning torture and inhumane treatment in North Korea emphasize the following. First, measures to improve the situation of North Korea's torture and inhumane treatment must be preferentially carried out in connection with North Korea's domestic system. Despite the existence of North Korea's Criminal Code and Code of Criminal Procedure, torture, assault, and acts of cruelty routinely take place in the process of investigation, and inhumane treatment and conditions are commonplace.¹⁸⁰ The South Korean government and the international community should first and foremost accurately take issue on the reality of the North Korean society where its own domestic laws are not respected and should further press for rectification. In addition, with respect to existing legal and

¹⁷⁹ KINU's information booklet on human rights in North Korea, *Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea* (Seoul: KINU, 2014), p.25. (in Korean)

¹⁸⁰ Do Kyung-ok, et al., *White Paper on human Rights in North Korea 2016* (Seoul: KINU, 2016), pp.58-65. (in Korean)

systematic mechanism in North Korea, South Korea and the international community should promote dialogue and technical cooperation to improve the situation.

Second, steps to improve the situations regarding torture and inhumane treatment are not only linked to North Korea's legal and systemic mechanisms but also with the creation of humane conditions and environment regardless of whether the subjects are prisoners or ordinary residents. The COI report uses the expression, "*ensure humane conditions of detention for all inmates deprived of liberty.*" This reflects the international community's perception that the situation can be improved by actively promoting humane conditions and environment with the view to correcting a culture of inhumanity prevalent in North Korea, while simultaneously calling for the immediate cease of torture, assault, and acts of cruelty.

Building upon the international community's approach and recommendations, the South Korean government should increase opportunities to cooperate with the international community on North Korea's human rights situation, with particular attention to the severity of torture and inhumane treatment. In particular, by expanding contact with the UN human rights field office established in June 2015, expectations are high for substantive discussion and cooperation on matters not only concerning torture and inhumane treatment, but also encompassing all aspects of North Korea's human rights improvement. Such exchange and cooperation between the South Korean government and the

international community will lead to a clearer understanding of the overall situation of North Korean human rights, and yield specific directions to bring about change in the North Korean regime.