

Documenting Sexual and Gender-based Violence in the Democratic People's Republic of Korea:

Reflections on Survivor-centred
Documentation Best Practices

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CONTENTS

Introduction	5
Purpose	6
Chapter I. Research and Consultation Findings	8
Chapter II. Observations and Recommendations	16
Annex I: Methodology	34
Annex II: Preliminary Attitudinal Survey Results	35
Annex III: Demographics	44
Annex IV: Pilot Interview Findings	45
Annex V: Potential Costs Incurred by Interviewees	47
Annex VI: Overview of Psychosocial Support	49
Annex VII: Available Psychosocial Service Providers	51
Annex VIII: Resources	53
Endnotes	56

Introduction

It is a decade since a United Nations Commission of Inquiry (COI) on the situation of human rights in the Democratic People's Republic of Korea investigated systematic, widespread, and grave violations of human rights in the Democratic People's Republic of Korea (DPRK). In its report, the COI acknowledged that "violence against women, in particular sexual violence, proved to be difficult to document owing to the stigma and shame that still attaches to the victims" and further stated that "its inquiry may have only partially captured the extent of relevant violations."¹

Many global best practice guidance materials for human rights documentation have been developed in the intervening decade, including The Hague Principles, the Murad Code, and Eurojust's guidelines for civil society. Yet none have been able to fully address the challenges related to documenting² sexual and gender-based violence (SGBV) in the unique context of the DPRK.

This guideline document has been developed by Korea Future based on collaboration and dialogue with organisations led by exiled North Korean women and activists, organisations led by exiled North Korean men and activists, psychosocial service providers, South Korean civil society organisations, and the Center for Justice and Accountability. The report addresses priorities for civil society organisations in support of their own efforts to document and preserve information on the commission of SGBV using gender-sensitive, trauma-informed, and survivor-centred documentation practices.

Purpose

This report is intended to serve as a starting point for continued reflections on gender-sensitive, trauma-informed, and survivor-centred documentation practices for individuals and organisations investigating SGBV in the DPRK. It seeks to support investigators in navigating global best practices and in considering contextually specific challenges that should be considered when engaging survivors.

Korea Future defined the purpose of this report with the following questions in mind:

1

What does it mean to centre survivors in investigations in our context?

2

How can our engagement with the affected community improve our understanding of the potential risks, harms, and impact of our investigations as well as mitigation strategies?

3

What are the current practices for the documentation of SGBV, including psychosocial support in the Republic of Korea (ROK)?

4

How can global best practices on documentation and investigation of SGBV be applied in our context?

5

What are the barriers to applying global best practices on documentation and investigation of SGBV in our context?

Chapter I outlines the findings from research and consultations with North Korean exiles, civil society organisations (CSOs), and psychosocial service providers. Chapter II contains recommendations identified in our research and consultations concerning best practices. The report is reflective of dialogue with stakeholders in the ROK, namely Seoul, Incheon, and Gyeonggi provinces. In this iteration of the guideline, we chose not to address specialised areas including investigations involving child survivors, survivors with disabilities, and survivors with diverse sexual orientation, gender identity, expression, and sex characteristics (SOGIESC) due to time and funding constraints.³ We intend to consider the needs of these specific survivors in future work.

CHAPTER I

RESEARCH AND CONSULTATION FINDINGS

The following section provides: **a)** contextual information on gender norms and roles in the DPRK, **b)** a general overview of SGBV in the DPRK context, **c)** the North Korean diaspora's perceptions of SGBV, and **d)** the North Korean diaspora's level of understanding on accountability and justice pathways. This information can help human rights investigators identify and assess the potential barriers to investigating SGBV in the DPRK context and recognise the community sensitisation work required prior to investigations that can ensure support structures for survivors of SGBV are in place before documentation activities occur.

Gender Norms and Roles in the DPRK

Gender refers to a socially constructed identity based on behaviours, activities, attributes, and roles socially and culturally assigned to individuals.⁴ Gender is not determined by a person's biological characteristics, reproductive functions, and/or sex. Gender norms, not only how a society understands the concept of gender itself but also the roles attached to gender identities, can impact the experiences of individuals differently.⁵

In the DPRK, the term and concept of gender is nonexistent. A person's gender is understood to be equivalent to the individual's biological sex, and gender is binary. Terms that describe people with diverse SOGIESC such as 'transsexual', 'transgender', 'lesbian', and 'intersex' are nonexistent, and 'homosexuality' is publicly denounced as a byproduct of capitalist culture.⁶

As such, gender roles and expectations reflect the entrenched patriarchal norms. Masculinity is attached to strength and competence. Femininity is associated with being family-oriented, calm, chaste, and docile. Men are socialised to be masculine and women to be feminine. Describing a woman as masculine, however, is not necessarily derogatory. It can be a form of praise for a woman who is deemed to be 'business savvy.' Many exiles speculated that this shift may be due to women's new role as breadwinners. Nevertheless, consulted exiles shared that, in general, femininity is considered the most desirable trait for a woman. All consulted exiles stated that calling a man feminine is derogatory. Men are called feminine if their performance in the workplace is poor⁷ or they are deemed by peers to be "behaving like an idiot."⁸ Reserved, quiet men are mocked for "acting shy and submissive, like a woman."⁹

We found that these norms limit the role of women in the DPRK. Despite the emergence of women as breadwinners since the Arduous March, women are still expected to perform household chores and care for their family in addition to earning money in the informal black market. Even if women earn more money than men, men are still perceived to be the heads of the household and to have more decision-making powers.

Women are expected to leave the state-assigned workplace after marriage unless they are widowed. In response to the question of whether men and women are equal in the workplace, 58 out of 150 answered 'never equal (1)'; 40 answered 'rarely equal (2)'; 35 answered 'sometimes equal (3)'; 15 answered 'often equal (4)'; and 2 answered 'always equal (5).' According to one North Korean exile, 80 percent of leadership positions in the DPRK are occupied by men and only industries or occupations related to women employ cadres that are women.¹⁰

There is a notable imbalance in gender representation, in favour of men, within the Workers' Party of Korea.¹¹ North Korean exiles who were consulted mentioned that under Kim Jong Un women are given more opportunities to be involved in politics than before, but we perceive the shift to be marginal.

General Overview of SGBV in the DPRK Context

Existing resources¹² on SGBV in the DPRK context address broadly the SGBV that North Korean women experience within the DPRK, as well as outside of the DPRK in transit and in China. At present, the commission of SGBV against men and people with diverse SOGIESC is either not documented or is under documented.

SGBV WITHIN THE DPRK

In the DPRK, SGBV is widespread and normalised. Within the home, many women are victims of domestic violence even against the backdrop of their emergence as breadwinners through their involvement in the *jangmadang* (informal black market) since the Arduous March¹³ in the 1990s. While many younger North Koreans view domestic violence as a grave issue, it remains prevalent, and remedies for victims and penalties for perpetrators are absent.

In public spaces, women are equally unprotected. Ceding to unwanted sexual demands or advances by male public officials is perceived to be a survival mechanism. Women employed in state-assigned jobs are vulnerable to sexual assault by cadres who have little fear of facing scrutiny for their actions due to a lack of reporting mechanisms for victims in the workplace. As most women leave the state-assigned workforce after marriage, many work in the informal black-market economy to earn money. In this environment, women are vulnerable to sexual assault, verbal sexual harassment, and unwanted physical touching by public officials and border security guards whom they must bribe in order to trade or transport goods.

Settings where cohabitation of men and

women are required, like the military and military-style construction youth brigades (*dolgyeokdae*), are commonly perceived by North Korean women as contexts where sexual violence is inevitable. Women in the military face not only the risk of rape but also the pressure to engage in sexual activities with higher-ranking officials to advance in rank and establish a more secure standing within the military hierarchy.¹⁴ Furthermore, military personnel were frequently identified as among the main perpetrators of sexual violence, not only within the military but also in society in general.¹⁵

Detention facilities are also cited as an environment where SGBV is rampant. Women refoiled from China are routinely subjected to strip searches, body cavity searches which in some circumstances amount to rape, and the sexually violent practice of “pumping” in which victims are forced to repeatedly squat in order to dislodge concealed items like cash in vaginal and anal cavities. Women detainees are subject to sexual assault from correctional officers and other public officials. SGBV that amounts to torture, such as forced abortion, has also been documented. Refoiled pregnant women are subjected to forced abortions for punitive and discriminatory purposes allegedly to prevent the birth of interracial children.

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SGBV BEYOND THE DPRK, IN TRANSIT, AND IN CHINA

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Many North Korean women are trafficked into and within China. In this context, they are subjected to forced marriage and forced prostitution. The exact number of North Koreans who have experienced and continue to experience trafficking is unlikely to ever be known. However, documented testimonies have established that it remains a large-scale and ongoing human rights violation. The unwillingness of the People's Republic of China (PRC) to adhere to the 1951 Refugee Convention¹⁶ keeps North Koreans residing in the PRC under the threat of refoulement, which makes them vulnerable to human rights violations such as SGBV, with no recourse for justice.

North Koreans who voluntarily escape from the DPRK often enter an underground broker network that operates in the DPRK, ROK, PRC, and Southeast Asian countries including Laos, Vietnam, and Thailand. Many North Korean women are targeted for rape, unwanted physical touch, forced nudity, and under the threat of being coerced into performing or accepting unwanted sexual acts for brokers or public officials.

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NORTH KOREAN DIASPORA'S PERCEPTIONS OF SGBV

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When North Korean exiles arrive in the ROK, they receive a brief education on sexual violence at the Settlement Support Center for North Korean Refugees, commonly known as Hanawon. However, most North Korean exiles do not receive further formal sexual education unless they are enrolled in an educational institution. Among the North Korean exiles consulted,¹⁷ women appeared to be more accepting of the new understandings of SGBV in the ROK than men. In particular, women who were in their 20s and 30s were most familiar with new SGBV-related terms within the ROK. While not representative of every North Korean exile, the more common perceptions surrounding SGBV are introduced in the following paragraphs.



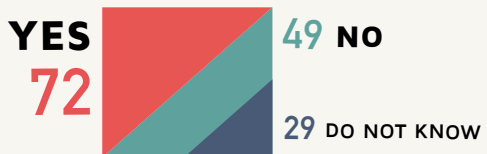
1

Sexual violence is primarily understood to be acts that involve physical contact.

Our attitudinal survey findings indicate that understanding of SGBV largely centres on acts that involve physical contact. 72 of 150 respondents perceived that SGBV must include physical contact. Acts with clear physical contact, such as sexual penetration, rape, forced prostitution, forced pregnancy, groping, forced abortion, and even physical violence, were strongly perceived to constitute SGBV. Of the 150 respondents, 129 identified rape as a form of sexual violence while other forms of sexual violence were selected by 76 or fewer respondents. Some North Korean exiles who were consulted held the belief that sexual violence goes beyond physical contact; it must encompass a type of physical altercation or aggression.¹⁸

North Korean women who were consulted perceived that SGBV is not restricted to rape. They perceived unwanted sexualised physical contact and sexual remarks, including comments concerning physical appearance, to be further acts of SGBV. To a large extent, men who had recently arrived in the ROK expressed a more confined understanding of what constitutes SGBV. While a significant number recognised that unwanted sexual remarks, stares, and touches could constitute SGBV, those who had arrived most recently felt the ROK's standards on what constitutes SGBV were "too extreme", "strict", or "disadvantageous to men."¹⁹

IS PHYSICAL TOUCH NECESSARY FOR AN ACT TO BE 'SEXUAL'?



2

Intimate partners cannot commit sexual violence.

The conflation of intimacy with consent is a persisting myth. North Korean exiles who were consulted either conflated rape perpetrated by an acquaintance, a friend, or anyone associated with a victim with consensual sex²⁰ or explained that the victim must have been partly responsible for the SGBV by sending misleading signals²¹ or being careless.²² Two North Korean exiles defined rape as an incident where a complete stranger assaults and takes advantage of a helpless victim.²³ Only 48 out of 150 survey respondents perceived intimate partner rape to be an act of sexual violence, and during in-person consultations, less than half of interviewees (four men and four women)²⁴ were familiar with the term 'intimate partner rape.' North Korean exiles who were unfamiliar with the term also stated that intimate partners, such as spouses, could not rape one another even though they recognised that domestic violence was a widespread issue in the DPRK.

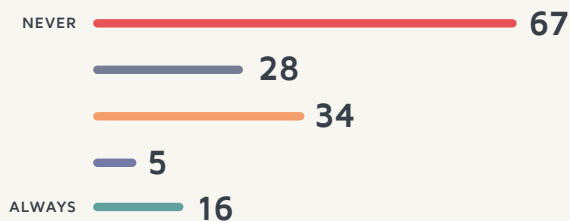
3

Male victims of SGBV are nonexistent in the DPRK.

Every North Korean exile consulted and the vast majority of survey respondents (139 out of 150) perceived that men cannot be victims of SGBV. Most North Korean exiles consulted understood sexual acts to be predominantly heterosexual violence committed by men against women and perceived that SGBV could only occur when a man physically overpowered a woman. This appeared to shape a dominant belief among the interviewees that men are not and cannot be victims of SGBV in the DPRK.

Prevalent homophobia, the conflation of homosexuality and sexual violence perpetrated by men against men, and the associated discrimination will continue to prevent and discourage men who are victims of sexual violence from reporting their experiences to human rights documenters. 63 percent (95 out of 150) of survey respondents shared that men would not speak about sexual violence they experienced. More broadly, this environment may also discredit men who are victims and lead to stigmatisation within the exile community and a view within human rights documentation that sexual violence targeting men does not occur in the DPRK.

MEN WHO EXPERIENCE SEXUAL VIOLENCE IN NORTH KOREA WILL COME FORWARD WITH THEIR EXPERIENCES.



North Korean Diaspora's Understanding of Justice and Accountability

The North Korean diaspora's understanding of available justice and accountability pathways has implications not only on informed consent but also on our understanding of what justice or accountability mechanisms survivors prefer.

JUSTICE AND ACCOUNTABILITY IN THE DPRK

Within the DPRK, justice for victims and accountability for perpetrators of SGBV is absent. DPRK domestic legislation is superseded by the Ten Principles for the Establishment of a Monolithic Leadership System (Ten Principles). The Ten Principles, first released in 1974, serve as the de facto constitution of the DPRK. Regarded as the country's most powerful document, it consists of ten principal clauses that establish the specific attitudes and behaviours required of all citizens. Given the Ten Principles take precedence over other laws and are used to justify punishment for any act allegedly committed in contravention of the guidance of the Supreme Leader, any provisions and guarantees of protection and remedies against SGBV included in domestic laws would be nullified in practice.

The majority of the survey respondents (126 out of 150), and all North Korean exiles consulted, perceived that the revision of the DPRK criminal law, heavier sentencing of perpetrators, and more effective prosecutorial efforts to hold perpetrators to account should, in theory, be prioritised to provide redress for victims. Nevertheless, many respondents also expressed that legal reform and effective prosecution in the DPRK were unrealistic under the Kim leadership, given there is no incentive for the ruling Workers' Party of Korea (WPK) to enforce laws relating to such crimes that are devoid of any political implications that could pose a threat to the regime. As such, rape, which is the sole act of sexual violence stipulated in the DPRK Criminal Code, is not considered a serious crime relative to so-called anti-socialist and anti-Party crimes.

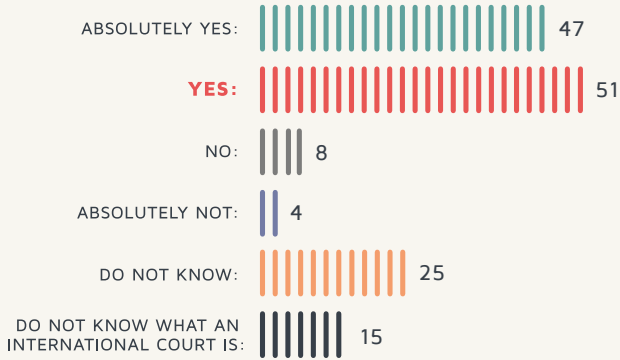
Many consulted exiles²⁵ shared that an individual's financial and social status would have a greater influence on whether a prosecution for SGBV is pursued. Only those victims who held political influence or wealth could bribe public officials to investigate a perpetrator of SGBV. The outcome of a trial would be dependent on whether the defendant or victim offered a larger bribe to public officials.²⁶ The inefficacy of DPRK law is such that, one exile explained, "people would prefer to take justice into their own hands and physically assault the perpetrator, rather than report the case. The law is useless in the DPRK."²⁷

Among consulted exiles, a few expressed the viewpoint that additional factors must contribute to driving change in North Korea. One individual²⁸ stressed that shifts in cultural norms and attitudes should accompany legal changes, and three others suggested that a lack of sex education contributes in part to the prevalence of sexual violence in the DPRK.²⁹

WHAT FORMS OF JUSTICE ARE AVAILABLE IN THE DPRK?



DO SURVIVORS WISH TO PURSUE LEGAL ACTION IN INTERNATIONAL COURTS?



INTERNATIONAL ACCOUNTABILITY MECHANISMS

Most consulted exiles had an acutely limited understanding or were entirely unfamiliar with available national and international accountability mechanisms. The majority of those consulted were generally unaware of the International Criminal Court and the International Court of Justice, and while the United Nations was the most recognised entity, all were unfamiliar with its functions and the mechanisms through which it seeks to monitor states and seek redress for egregious human rights violations.

Irrespective of the varying levels of understanding each respondent held concerning accountability mechanisms, most believed that the international community should play a central role in challenging SGBV in the DPRK. Over 70 percent of the survey respondents believed it was 'very important' (56 out of 150) or 'important' (51 out of 150) for survivors of SGBV to share their testimonies with human rights organisations (99 out of 150) and the United Nations (78 out of 150), which were identified as the most pivotal actors in the pursuit of accountability.

Our findings indicate that further education of and engagement with the North Korean exile community concerning available accountability processes will be necessary to better establish survivor and community preferences.



CHAPTER II

OBSERVATIONS AND RECOMMENDATIONS TO INTERPRET BEST PRACTICES FOR SGBV INVESTIGATION TO THE DPRK CONTEXT

This section provides key contextual information relevant to the investigation of SGBV in the DPRK context, with a focus on investigations conducted in the ROK. It is informed by consultations held by Korea Future with civil society organisations based in the ROK, including North Korean exiled organisations; psychosocial service providers and counsellors who assist North Korean exiles and other survivors of sexual and gender-based violence; and individuals from the North Korean diaspora. It is intended to complement and interpret existing global best practices^{30 31 32 33 34} for gender-sensitive, trauma-informed, and survivor-centred approaches to the investigation of SGBV for the DPRK context.

WHO THIS IS FOR

The recommendations in this chapter are for trained human rights investigators and related professionals involved in the documentation and preservation of survivors' recounted experiences of SGBV in the DPRK.

Acknowledging that the resources, expertise, and existing knowledge of organisations documenting violations in the DPRK varies, some sections may be more relevant than others to the reader. We have written this chapter for investigators working in the ROK. While some of the recommendations may be relevant to investigators who engage North Korean exiles outside of the ROK, understanding approaches specific to other locations may require a separate inquiry.

This chapter may be instructive for grant-making actors and civil society organisations that support documentation work in the DPRK context through partnerships, funding, and sharing of expertise. These actors may use the recommendations as reference to understand how best practices and the attendant challenges of documenting to a standard that respects and supports survivors' rights are being considered in the DPRK context.

Researchers and journalists who engage with North Korean survivors of SGBV may also find the guideline helpful, particularly observations and recommendations related to the impact of external actors on the health of survivors.

RECOMMENDATION

Continue training, dialogue, reflections, and information sharing among human rights organisations about gender-sensitive, trauma-informed, and survivor-centred approaches to engagement and investigation, to foster a culture among investigators that prioritises survivors' diverse needs during documentation activities.

1. Gender competent and sensitive approach

Being gender competent and sensitive means that the impact of gender on the experiences of individuals as well as their needs are recognised, considered, and then informs actions and policies.³⁵ Investigators, particularly those in ROK-based CSOs, must recognise that while SGBV in the DPRK context is largely a gendered issue as it disproportionately impacts women and girls, it is not limited to women and girls. During the stakeholder consultations, only one participant from a ROK-based CSO acknowledged that the commission of SGBV against men is overlooked presently in our context. The conversation surrounding SOGIESC survivors of SGBV equally needs greater attention. Limited awareness and dialogue on these issues is partly reflective of the challenge of identifying male and SOGIESC survivors of SGBV within the North Korean diaspora and partly indicative of the need for investigators to receive more specialised support in their engagement of survivors.



2. Trauma-informed approach

At a minimum, this approach involves recognising the impact that trauma has on physical, emotional, and mental health; overall well-being; and behaviours. Beyond this recognition, it entails minimising harms and promoting safety, ongoing care, and recovery from traumatic experiences.³⁶

ROK-based CSOs and psychosocial service providers broadly recognised that engaging vulnerable people, including survivors of SGBV, required specialised knowledge and preparation regarding care for survivors following interview. One participant shared that capacity building and greater resources will be necessary to ensure that human rights organisations have a more robust “aftercare”³⁷ system for interviewees. Some participants suggested that while investigators are not psychosocial support providers nor are they required to possess expertise in trauma or mental health, they could benefit from further training on the impact of trauma and from tools enabling them to respond in supportive ways to the interviewees.³⁸ Participants also raised the need for more dialogue and support from funders to address the impact that trauma has on investigators.

3. Survivor-centred approach

In this approach, the survivor’s safety, individual needs based on intersecting identities, vulnerabilities and risks, autonomy and control over their information and narratives, their well-being, and access to justice and care are prioritised and inform each stage of the investigation.³⁹ In the context of documentation, this also means that “documenting activities should only take place when it is in the survivor’s best interest and when they are capable of fully understanding the implications of and consenting to their engagement.”⁴⁰

ROK-based CSOs and psychosocial service providers considered a prioritisation of the psychological safety of survivors to be ‘survivor-centred.’ Some ROK-based CSOs suggested that creating a safe environment through a careful consideration of staff conducting an interview and being able to provide survivors with access to psychosocial services was important.⁴¹ One psychosocial service provider stressed that investigations should only be conducted by an organisation if it has a capacity to provide care and support to survivors following the investigation.⁴² Survivors’ control over their experiences was considered an important factor in a survivor-centred approach to investigations. Certain participating CSOs interpreted this approach as being conscious of leading questions⁴³ and broader factors including multiple interviewing practices.⁴⁴ One psychosocial service provider reflected that empathy was a critical factor,⁴⁵ and that technically- or politically-incorrect terminologies used by survivors to describe their own experiences was an important aspect of control and expression.⁴⁶ One exiled North Korean woman leader of a CSO emphasised that, as a survivor, she felt it is vital that survivors’ voices emerge in human rights activism.⁴⁷



RECOMMENDATION

Conduct research and engage in dialogue to identify existing support structures and mitigate potential risks and harms for interviewees and engage in dialogue with grant-making organisations to support the well-being and safety of human rights investigators.

International organisations such as Eurojust,⁴⁸ the Institute for International Criminal Investigations (IICI),⁴⁹ and the United Nations (UN),⁵⁰ along with the Murad Code,⁵¹ recommend civil society organisations to undertake preliminary research prior to an investigation to understand the cultural, political, and social environment in which investigations take place. While having informed investigators serves the purpose of making the investigation more targeted and accurate, it is recommended to ensure that the investigators understand the risks and harms in order to implement the “Do no harm” principle⁵² at every stage of the investigation. During stakeholder consultations, participants were asked to share what risks and harms they considered to be present during investigations of SGBV in the DPRK context. Below are the non-exhaustive list of risks that correlate to interviewees and investigators, in no particular order of importance.



- Risks for the interviewee -

RE-TRAUMATISATION

During the consultations with ROK-based CSOs, re-traumatisation — the exacerbation of trauma symptoms⁵³ from reliving a moment of trauma — was cited as one of the main risks for North Korean exile survivors of SGBV. Inappropriate responses that discredit, belittle, and question the survivor's account can trigger re-traumatisation, which underscores the importance of sensitivity when addressing survivors' experiences.⁵⁴

During consultations with psychosocial service providers, participants stressed that investigations that focus on information gathering without considering the support required by interviewees during and after interviews can place interviewees in a psychologically vulnerable state.⁵⁵

One ROK-led CSO emphasised that even survivors who have more experience at disclosing traumatic memories through public advocacy may suffer from re-traumatisation. They noted that a survivor who spoke at a recent closed-door conference and had been active in human rights advocacy for close to 20 years, disclosed her experience of SGBV for the first time at the event and later required assistance and follow-up care.

Several consultation participants noted that repeated interviews by multiple actors could contribute to re-traumatisation. On arrival in

the ROK, North Koreans are screened by the ROK's National Intelligence Agency. During their 3-month mandatory residence in Hanawon, they are successively interviewed by government organisations, multilateral actors, and a civil society organisation that is granted access by the Ministry of Unification. The relatively small size of the North Korean community also increases the likelihood that the same individuals are approached by multiple organisations for subsequent interviews. Due to the limited information available on the DPRK, many North Korean exiles receive interview requests from journalists, researchers, state agencies, and human rights organisations.

There are prevailing views that documenting survivors' experiences is urgent due to survivors' memory loss and the impact of conflated memories and other narratives upon a North Korean's arrival in the ROK. These are legitimate concerns. As investigators, we face balancing the need for documentation and the minimisation of the potential for causing harm. In this challenge, we must consider the value added.⁵⁶ Further conversations on the psychological impact of repeated interviewing and the feasibility of monitoring such practices may benefit the collective understanding of potential risks and harms on a broader, structural level. ►

STIGMATISATION AND OSTRACISATION WITHIN THE COMMUNITY

Stigmatisation and victim blaming were cited as serious concerns that deter survivors from disclosing their experiences. This can lead to cultures of inaction and prevent survivors accessing the support they may need.

North Korean exile-led organisations participating in our stakeholder consultations shared that stigmatisation is still an issue within the North Korean exile community. One participant said the norms and perceptions formed in the DPRK still impact many North Korean exiles. Lack of understanding of the coercive dynamics related to SGBV leads North Korean exiles to mistakenly view SGBV as something that only happens to “careless idiots.” One participant acknowledged that while recognising that the negative perception of victims had to change within the diaspora, this would be challenging for people who have held this belief for most of their lives in the DPRK.⁵⁷ Another participant shared her view that most survivors remain silent because women who speak up are criticised for “making a scene” and “having no shame, drawing attention to embarrassing, personal matters” by other exiles. She said that women who speak up are ostracised due to the North Korean exile community’s limited gender sensitivity and internalised patriarchal norms.⁵⁸ Another participant added that the prevalence of this perspective among exiles makes finding survivors who are willing to disclose their experiences challenging.⁵⁹ Other exile participants agreed that as resilient as the community is, persisting patriarchal norms pose challenges to the health of the overall community.⁶⁰

When asked what contributes to this persisting stigma, one participant noted,

“this is an issue in the broader ROK society as well. Because the North Korean exile community has not received any education on sexual ethics [beyond the brief introduction during the 3 months in Hanawon], the situation may be more severe [within the community].”⁶¹

Another participant from the stakeholder consultation with organisations led by exiled North Korean men observed that due to the way information was disseminated primarily through word of mouth back in the DPRK, an unverified opinion or rumour can still carry weight as credible information or fact and exacerbate the impact of social stigma.⁶²

RISK TO PERSONAL INFORMATION SECURITY

As many participants from the South Korean-led CSOs and North Korean exile-led organisations emphasised, many North Korean exiles are sensitive about protecting their identity due to the possible reprisals against their family members remaining in the DPRK. With defection considered as a “treason against the fatherland,” remaining family members may face imprisonment and become targets of surveillance by the government. The possibility of re-traumatisation due to persisting stigmatisation is an additional factor that makes confidentiality a prerequisite for sharing information about SGBV for interviewees.

- Risks for the investigator -

• POLITICISATION

Both the DPRK and SGBV exist as separate issues within the ROK's political agenda. During the stakeholder consultation for psychosocial service providers, an organisation that supports survivors of SGBV noted their experiences of anti-feminist sentiment within ROK society that had politicised their work and led to negative consequences. Two organisations led by exiled North Korean women speculated that the politicisation of SGBV may attract more scepticism than support, meaning they were hesitant to pursue investigations focusing on SGBV.

identified as a topic that requires more serious consideration. Three participants emphasised that there is a lack of sufficient infrastructure or policies to support the mental health of investigators and practitioners. While most organisations have internal support structures like paid leave after interviews or mental wellbeing holidays, the number of organisations that also ensure more professional support such as counselling are rare. While the participants recognised the importance of instituting psychosocial support for investigators, they cited a lack of resources as a major barrier to providing this support.

• VICARIOUS TRAUMA, STRESS, AND FATIGUE

Vicarious trauma, or secondary trauma, refers to a condition in which individuals experience trauma symptoms after exposure to another person's traumatic experiences through first-hand accounts and second-hand narratives.⁶³ If left untreated, vicarious trauma can result in symptoms such as social withdrawal, erratic sleep schedules, stress, fatigue, loss of productivity, and even physical aches.⁶⁴

While the ROK is not considered to be a conflict setting, investigators are repeatedly exposed to accounts of human rights violations, and the lack of available and effective accountability pathways can be frustrating for investigators. The mental well-being of human rights investigators is a necessary precondition for safe, ethical, and effective investigations as well as for the sustainability of human rights work. Policies that monitor mental well-being by fostering a culture of collective and self-care strategies and that support investigators when professional assistance is needed, can prevent and mitigate vicarious trauma.⁶⁵

During the stakeholder consultation with ROK-based CSOs, vicarious trauma was



Informed Consent

RECOMMENDATION

Support interviewees to fully comprehend their informed consent and the potential consequences for their involvement through community sensitisation.

Obtaining informed consent is the practice of providing agency to an interviewee concerning the collection and use of the information they share during an interview.⁶⁶ The following list details ethical elements present in informed consent:⁶⁷

INFORMED

The interviewee understands the investigator's explanation of the purpose of the investigation, the interview procedure, how information will be used and stored, the retention period of the information, who will have access to the information, the terms of confidentiality, potential risks and harms including risks of re-interviewing, and the expected outcomes.

ONGOING

Interviewees have the right to decide the extent of their involvement and withdraw consent at any point during the investigation. If the interviewees consent, investigators can also inform interviewees of further developments of the investigation. Any changes in the use of information and access requires additional consent to be obtained.

VOLUNTARY

Interviewees understand that involvement is voluntary based on the investigator's explanation of their rights to take breaks during the interview and revoke participation or information shared at any stage of the investigation.

EXPLICIT

The interviewee gives consent unambiguously either through written or audio records. These records should demonstrate that interviewees comprehended the nature of their involvement and explicitly agreed to the specific details of the investigation.





During our stakeholder consultations with ROK-based CSOs, participants were asked to consider 1) strategies they employ to practise these ethical elements and 2) the challenges of practising informed consent. According to the participants' responses,⁶⁸ investigators working in the DPRK context are proficient at delivering what international guidelines outline as necessary information to inform the giving of consent. The most common approach involved providing the information over the phone during recruitment and explaining the information with a consent form in person immediately before the interview.

One participant shared that explaining informed consent in non-technical language to interviewees could prove challenging. Another participant stated that, while they welcomed questions from interviewees and they provided sufficient time for interviewees to consider their organisation's consent form, they felt that the time spent explaining informed consent would contribute to interviewee fatigue. Nevertheless, all participants recognised that further community sensitisation could deepen future interviewees' consideration of informed consent.



Preparing a Safe Space for SGBV Disclosure

RECOMMENDATION

Consider an interviewee's preferences regarding the composition of investigators in an interview and a location that will help survivors feel safe during SGBV disclosure.

UNITAD's *Trauma-informed Investigations Field Guide* recommends organisations take time to conduct a 'screening' as a part of their initial contact stage with a potential interviewee. A screening is a preliminary discussion between the investigator and a potential interviewee that will help the investigator assess the interviewee's level of vulnerability and identify any additional necessary preparations and/or precautions prior to the interview.⁶⁹

In most cases, the ROK-based CSOs we consulted followed a similar protocol of factoring in an interviewee's preferences regarding the following information prior to an interview:

- (1) The preferred gender of the investigator
- (2) Specific physical needs or challenges regarding transport and location of interview
- (3) Whether they need a counsellor present for support or other types of emotional support
- (4) Preference regarding communication with a psychosocial service provider after the interview



- Selecting investigators -

NUMBER OF INVESTIGATORS

North Korean exiles we consulted expressed discomfort at having just one investigator in the same room, given this reminded them of their interrogation in the DPRK. On the other hand, some exiles shared that the presence of multiple people made the interview less comfortable due to the increased number of observers. Ultimately, the number of investigators present during an interview will depend on the individual preferences of the interviewees and the protocol of the organisation. For this reason, adjustments to the interview dynamic should be made on a case-by-case basis. In addition to the interviewee's preference, it is important to adjust the number of investigators participating in an interview based on the location of the interview, security of the interviewee and investigator, and availability of investigators.

GENDER IDENTITY OF INVESTIGATORS

Investigators' gender identities can impact an interviewee's level of comfort and willingness to disclose sensitive information and personal experiences, especially on the topic of SGBV. This was confirmed during in-person consultations, particularly with exiled women who preferred female interviewees (12 out of 15) and expressed that they would be uncomfortable with male investigators in the room when talking about SGBV. Meanwhile, most male interviewees expressed that they had no preferences (9 out of 15).

- Location -

A private, quiet, accessible, comfortable, and psychologically safe environment without disturbances is necessary for any interview, especially SGBV interviews. North Korean exile interviewees may prefer to be interviewed at their residence due to factors such as their busy and irregular work schedules, distance of the interview location from their homes, lack of familiarity with the public transport system, and childcare responsibilities. Investigators may need to resort to conducting interviews at the interviewee's residence if there are no quiet, private, and safe alternatives the interviewee is comfortable with or if the interviewee is unable to travel to the interview location due to extenuating circumstances.



Understanding the Costs Incurred by Interviewees Participating in Documentation Activities

RECOMMENDATION

The costs incurred by interviewees should be considered prior to the investigation in order to ensure their participation does not compromise their economic situation. In addition to the financial costs incurred by interviewees, the potential socioeconomic costs beyond the interview itself should be considered. Investigators should be transparent about how interviewees' costs are reimbursed given that any payment for information may affect the evidentiary value of documented information.

Reimbursement is not the same as compensation, payment, or financial reward. Investigators should not remunerate interviewees for information⁷⁰ as it can unduly influence an interviewee's decision to participate in the interview as well as the credibility of the information shared. Eurojust recommends that CSOs define the type of financial support each interviewee requires including transport fee, food during meetings, and/or expenses related to security and protection. A non-exhaustive and non-conclusive list of costs that may be incurred by interviewees is included in appendix 6.

Socioeconomic and psychological costs incurred by interviewees who are survivors of SGBV may include time taken away from work following an interview for psychological recovery. Further research and information must be gathered to understand these often-hidden costs and how stakeholders involved in human rights documentation and advocacy can address this issue.



RECOMMENDATION

Continue engagement with the North Korean diaspora to broaden knowledge about the constantly changing and varied North Korean vernaculars, helping investigators tailor their communication and enabling safer spaces for survivors

Guidelines drafted by international actors⁷¹ recommend that investigators build rapport, practise empathetic verbal and non-verbal communication, avoid leading questions, and familiarise themselves with culturally specific meanings, including coded language and innuendos.

The diversity of North Korean vernaculars by region, level of education, and class makes understanding “culturally-specific” language challenging.⁷² In addition, access to education in the ROK, the date of escape, the period of residence in third countries, and age impact what language and vernacular an interviewee may be most comfortable with. Understanding how interviewees define SGBV, for example, can make clarification questions necessary for investigators, while being mindful of avoiding leading questions.⁷³

One exiled woman stated that shared cultural understandings may be necessary for survivors to be fully open with their experiences of SGBV. She proposed that exiled survivors of SGBV may be more willing to disclose their experiences to other exiles from a similar cultural background. While this was a common response, there were many exile participants who found disclosing their experiences of human rights violations to non-exiles was preferable.⁷⁴

One participant from a psychosocial social service provider emphasised that survivors should be encouraged to use their own language to describe the forms of SGBV they experienced.⁷⁵ This participant had supported a survivor who lacked the vocabulary to describe their own experiences and suggested that supporting survivors who lack this contextual vocabulary would be an important task.⁷⁶



Referral to Psychosocial Support Services

RECOMMENDATION

Engage psychosocial service providers to both identify and scrutinise services that can offer individual support to interviewees and to inform interviewees about available psychosocial service services.

Existing guidelines by entities such as Eurojust⁷⁷ and IICI⁷⁸ recommend that civil society organisations map and vet individuals, organisations, and authorities to help interviewees access customised support services. Public International Law & Policy Group's (PILPG) handbook for civil society organisations documenting serious human rights violations⁷⁹ also provides step-by-step guidance for developing a robust referral protocol.

MENTAL HEALTH AND PSYCHOSOCIAL SUPPORT

The World Health Organisation defines psychosocial support as a range of individual and community-focused interventions that are intended to support the victim/survivor's social integration and recovery from harm.

Each human rights organisation has the responsibility to recognise the importance of referral to services. However, given that psychosocial support can be a specialised field in particular for traumatised individuals, identifying appropriate services and ensuring that survivors can access these services necessitates coordinated effort. Mapping the landscape of psychosocial support for North Korean exiles through cooperation with psychosocial support providers and other relevant actors who impact this system is the first step that human rights organisations can undertake. As contact points with potential survivors, investigators can play an important role in de-stigmatizing mental health care and encouraging survivors to access services.

In March 2023, Korea Future held a consultation with psychosocial service providers to understand the services available to North Korean exiles in the ROK and the barriers exiles face in accessing appropriate support. Participants included: **1)** ROK-based organisations that provide psychosocial support to survivors; **2)** Psychosocial service providers who primarily or exclusively support North Korean exiles; **3)** An ROK organisation that supports women's rights, including the rights of North Korean women and girls; and **4)** a North Korean human rights organisation with in-house psychosocial support.

Our findings demonstrate that certain psychosocial services currently exist. These are summarised in appendix 7.

These services can be divided largely into:

- 1) Services for survivors of SGBV in the ROK, regardless of their backgrounds or identities, and;
- 2) Services tailored to North Korean exiles.

The second category can be further divided into:

- 1) Organisations dedicated to offering both professional and community support;
- 2) Organisations that provide various forms of support to the exiled community, and;
- 3) Human rights organisations with in-house certified counsellors.

Participants acknowledged that while some support services exist, they are rarely tailored to the specific needs of North Korean exiles, in particular those who have experienced SGBV. Some of the barriers to a more inclusive field included:

Unfamiliarity and lack of information regarding existing services

Psychosocial service providers who worked closely with North Korean exiles confirmed that many North Korean exiles are unfamiliar with the benefits of psychosocial treatment, in particular, counselling and therapy and as a result are unwilling to actively seek and receive necessary treatment.⁸⁰ These psychosocial service providers also cited the lack of information, education, and publicity about such services as factors that may deter the North Korean exile community's consideration of psychosocial support.

Stigmatisation of mental health

Psychosocial support providers emphasised that mental health services still carry significant stigma within the diaspora community. One psychosocial service provider who works with North Korean youth revealed that they avoid using pathologising language to explain the concept of counselling due to the association of mental disorders or health issues with weakness and shame.⁸¹

Limited cultural understanding by psychosocial service providers

The number of certified mental health experts and medical professionals who are familiar with North Korean exiles' experiences and can engage exiles in a culturally sensitive manner in the ROK are limited. For example, one participant noted that cultural differences and communication styles have created misunderstandings and conflict between exiles and psychosocial support service providers.⁸² Another psychosocial service provider



working with North Korean exiles stated that discrimination against exiles within the ROK may deter some survivors from seeking support. In response, other psychosocial service providers acknowledged that the psychosocial service provider community needs to make a greater effort toward cultural sensitisation for the DPRK context.

Distrust of strangers in the North Korean diaspora

One North Korean exile psychosocial service provider shared that North Korean exiles may be uncomfortable divulging their personal experiences and traumas with non-North Koreans. They stated that this may be due to an assumed sense of connection stemming from a common background and similar experiences.⁸³ Another participant highlighted that many North Korean exiles are wary of forming new relationships,⁸⁴ including counsellor-patient relationships. Dialogue between mainstream psychosocial service providers in the ROK and North Korean exile psychosocial service providers and ROK psychosocial service providers who support North Korean exiles was found to be rare.



Annex I.

Methodology

This report was informed by the following activities.

Gender Review of existing documentation

(October 2022 – March 2023)

We reviewed 250 testimonies by survivors of human rights violations in the North Korean penal system that had been preserved in Korea Future's North Korean Prison Database. Investigators evaluated: 1) questions posed to the interviewees; 2) interviewees' responses to these questions; 3) the constituting acts of SGBV experienced and witnessed by interviewees; 4) understanding of SGBV among interviewees, and; 5) areas for improvement regarding post-interview practices, such as referral to psychosocial support.

Attitudinal survey and consultations with North Korean exiles

(November 2022 – January 2023)

To identify potential stigma that survivors may face, we conducted an online attitudinal survey of 75 North Korean women and 75 North Korean men in order to understand the broader North Korean exile community's attitudes towards and understandings of SGBV. For an in-depth analysis of the survey findings, we consulted 15 North Korean women and 15 North Korean men. Survey and consultation questions addressed: 1) gender roles and gender-based discrimination in the DPRK; 2) understanding of what constitutes SGBV in the DPRK and how this changed upon arrival in the ROK; 3) attitudes towards SGBV, the perpetrators, and the victims, and; 4) support structures and redress available to survivors in the DPRK.

Community consultations

(February – March 2023)

We led four consultations with: 1) organisations led by North Korean women and female activists; 2) organisations led by North Korean men and male activists; 3) psychosocial service providers, and; 4) ROK-based civil society organisations focused on accountability and justice in the DPRK. During the consultations, we discussed: 1) challenges of engaging with survivors of SGBV; 2) gaps in the existing support structures, and; 3) next steps to cultivate a survivor-centred culture among investigators.

Stakeholder feedback

(June – July 2023)

We received in-person feedback on the guideline from six stakeholders who had joined our stakeholder consultations.

Pilot interviews with exiled North Korean survivors of SGBV

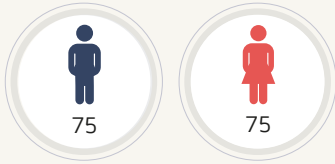
(June – July 2023)

We conducted four pilot interviews with exiled North Korean survivors of SGBV to observe how changed practices might affect data collection and to receive feedback from interviewees about best practices that we had integrated or planned to implement.

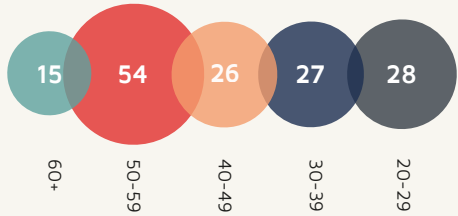
Annex II.

Preliminary Attitudinal Survey results

GENDER



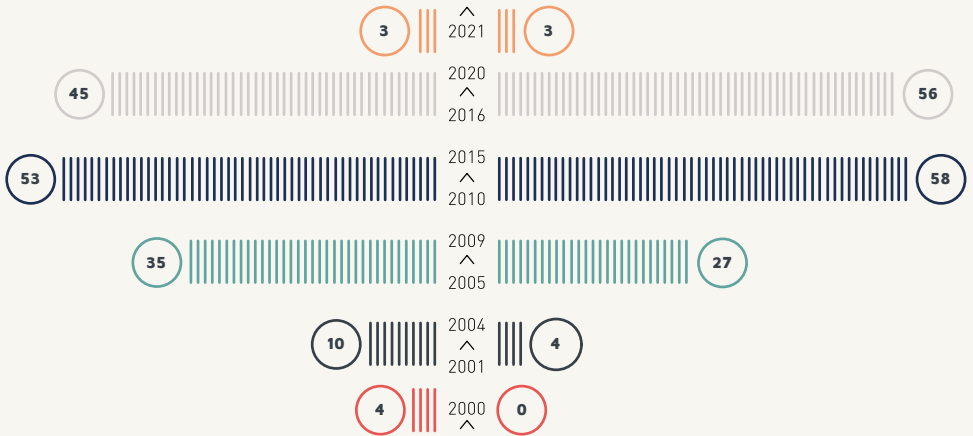
AGE



YEAR OF FINAL ESCAPE FROM THE DPRK

YEAR OF ARRIVAL IN ROK

N/A: 2



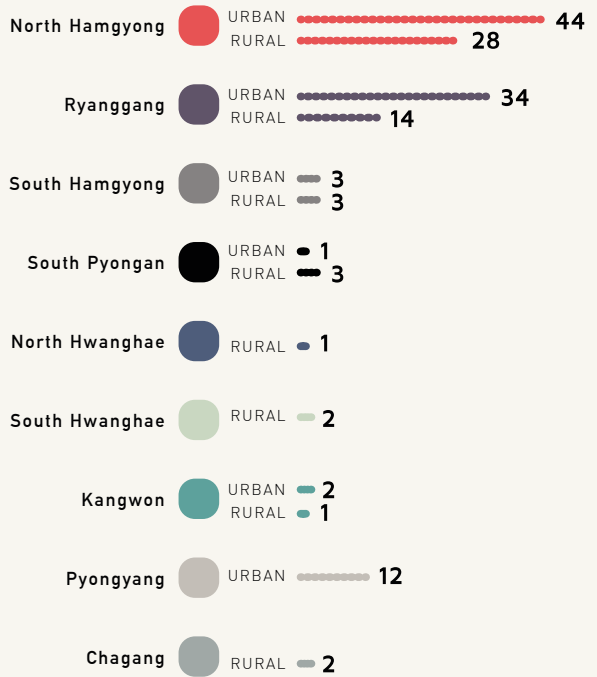
SOCIAL STATUS IN DPRK



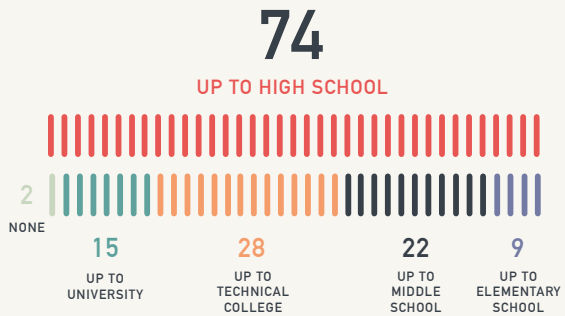
RELIGION



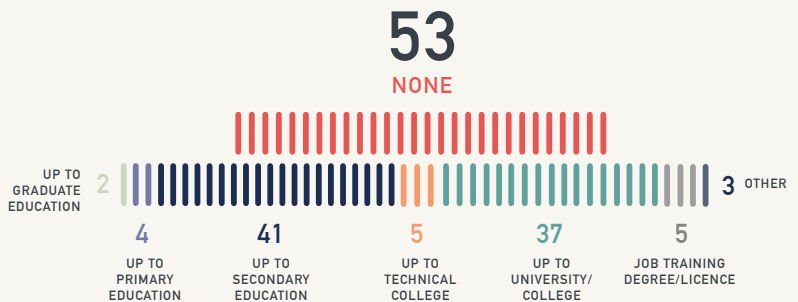
RESIDENCE IN THE DPRK



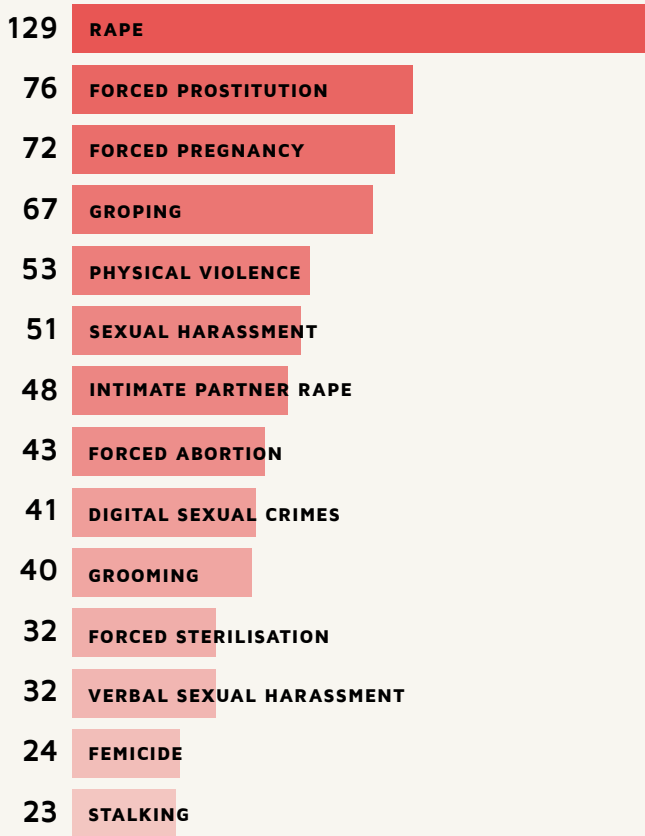
EDUCATION IN THE DPRK



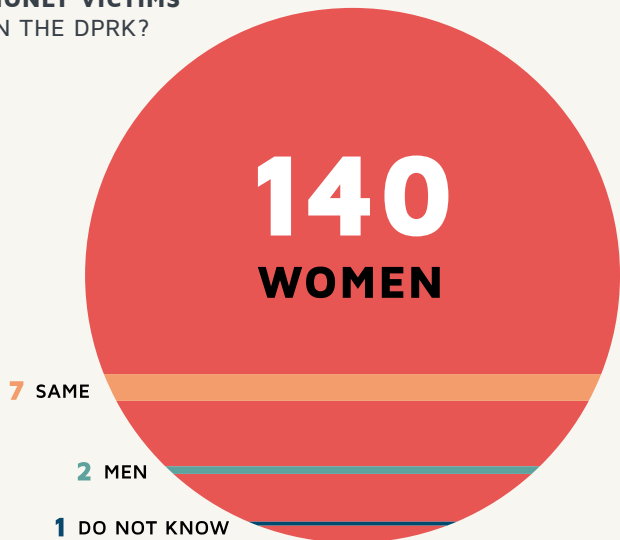
EDUCATION IN ROK



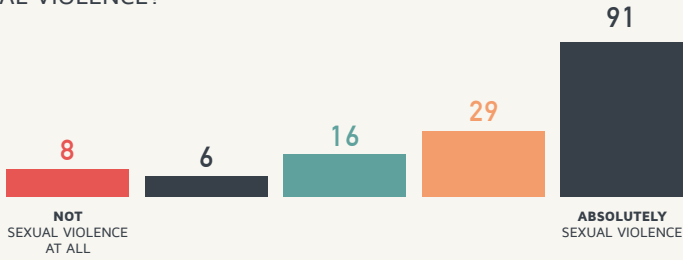
WHAT DO YOU CONSIDER
ACTS OF SEXUAL VIOLENCE?



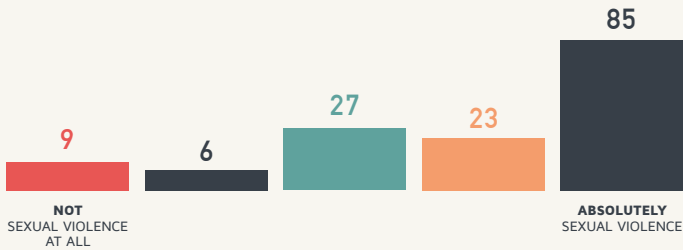
**WHO ARE MORE COMMONLY VICTIMS
OF SEXUAL VIOLENCE IN THE DPRK?**



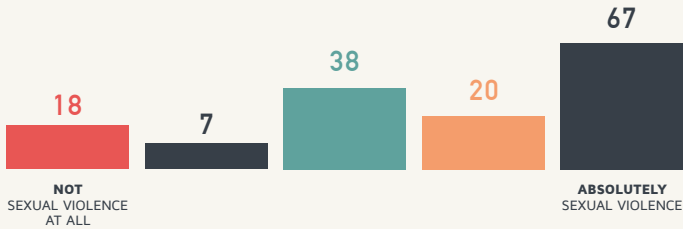
PERSON A WAS DRUNK AROUND PERSON B. WHEN PERSON A WAS UNCONSCIOUS, PERSON B ENGAGED IN SEXUAL INTERCOURSE WITH PERSON A. IS THIS SEXUAL VIOLENCE?



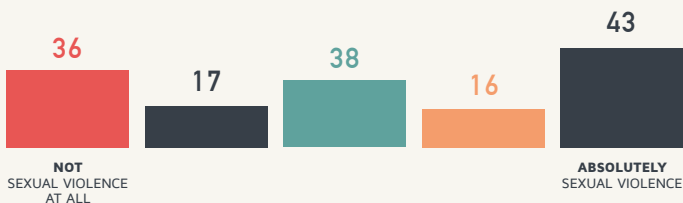
PERSON A WAS WEARING REVEALING ATTIRE AROUND PERSON B WHEN PERSON B MADE PERSON A ENGAGE IN SEXUAL INTERCOURSE. IS THIS SEXUAL VIOLENCE?



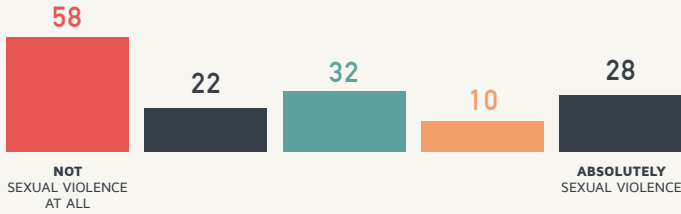
CORRECTIONAL OFFICERS AND PRISONERS HAVE A SEXUAL RELATIONSHIP. IS THIS SEXUAL VIOLENCE?



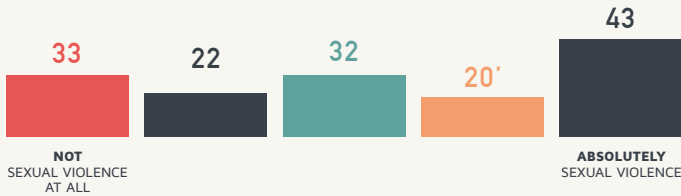
A DETAINEE DOES SEXUAL FAVOURS TO A CORRECTIONAL OFFICER IN EXCHANGE FOR BENEFITS WITHIN THE PENAL FACILITY. THIS DETAINEE HAS MORE VISITATION RIGHTS AND IS EXCLUDED FROM MANUAL LABOUR. IS THIS SEXUAL VIOLENCE?



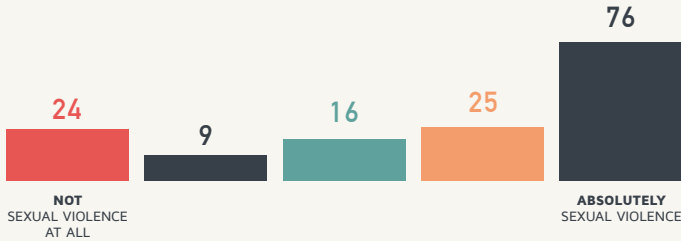
PERSON A OFFERS PERSON B AN OPPORTUNITY FOR PROMOTION IF PERSON B ENGAGES IN SEXUAL INTERCOURSE WITH PERSON A. PERSON B DOES NOT SAY NO AND ENGAGES IN SEXUAL INTERCOURSE. IS THIS SEXUAL VIOLENCE?



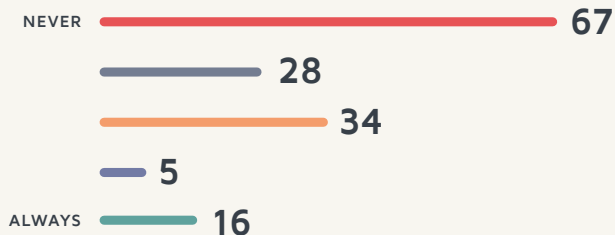
PERSON A AND PERSON B ARE ROMANTIC PARTNERS. PERSON A IS TIRED BUT PERSON B GETS ANGRY AT PERSON A SO PERSON A ENGAGES IN SEXUAL INTERCOURSE TO APPEASE PERSON B. IS THIS SEXUAL VIOLENCE?



PERSON A CONDUCTS BODY CAVITY SEARCHES ON PERSON B TO FIND MONEY. PERSON A AND PERSON B ARE OF THE SAME SEX. IS THIS SEXUAL VIOLENCE?



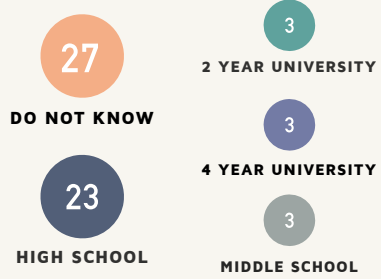
MEN WHO EXPERIENCE SEXUAL VIOLENCE IN NORTH KOREA WILL COME FORWARD WITH THEIR EXPERIENCES.



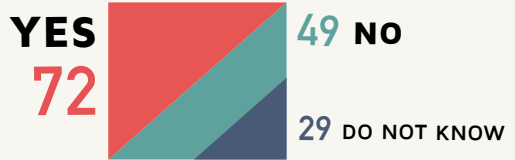
WHEN DO YOU GET SEXUAL EDUCATION IN SCHOOL?

2 N/A (DID NOT GO TO SCHOOL IN THE DPRK)

DID NOT GET
SEXUAL EDUCATION IN SCHOOL

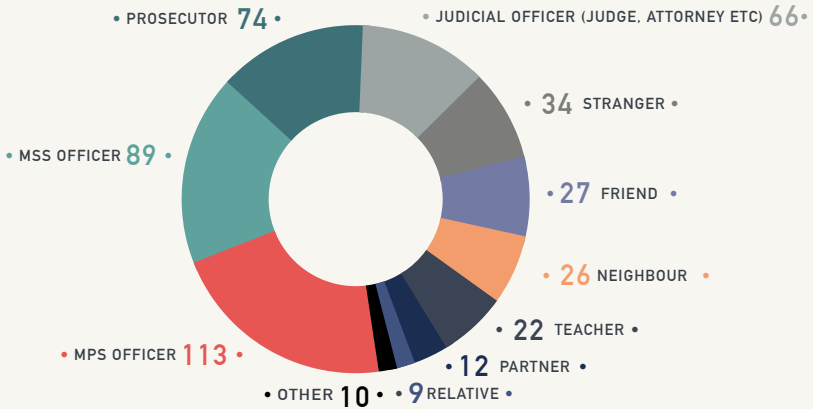


IS PHYSICAL TOUCH NECESSARY FOR AN ACT TO BE 'SEXUAL'?

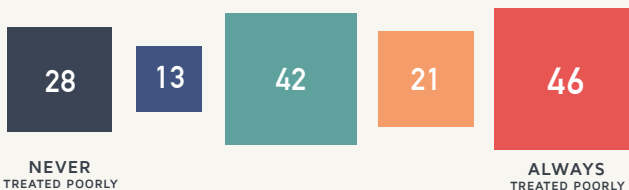


WHO ARE THE MOST COMMON PERPETRATORS OF SEXUAL VIOLENCE IN THE DPRK

(SOCIAL ROLES)
(MULTI-SELECT)

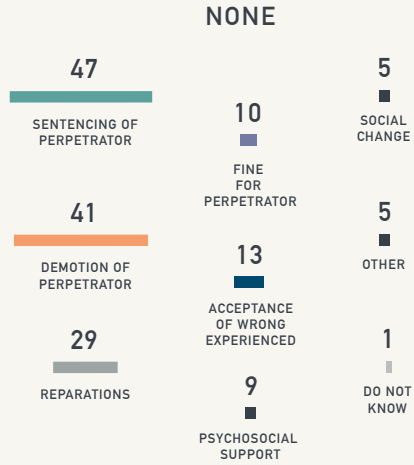


ARE VICTIMS OF SEXUAL VIOLENCE TREATED NEGATIVELY IN THE DPRK?



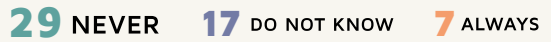
**WHAT FORMS OF JUSTICE ARE AVAILABLE
IN THE DPRK?**

76

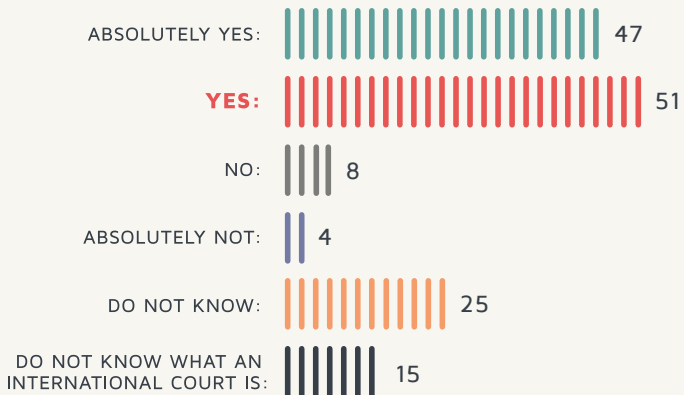


**ARE PERPETRATORS PUNISHED
IN THE DPRK?**

97 **SOMETIMES**



**DO SURVIVORS WISH TO PURSUE LEGAL ACTION
IN INTERNATIONAL COURTS?**



**WHICH JUSTICE AND ACCOUNTABILITY MECHANISMS
ARE YOU AWARE OF?**

INTERNATIONAL CRIMINAL COURT

++++
++++
++++ 77

UN HUMAN RIGHTS COMMITTEE

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++++ 74

DOMESTIC COURTS (ROK)

++++
++++ 49

INTERNATIONAL COURT OF JUSTICE

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++++ 43

TRUTH COMMISSIONS

++++ 26

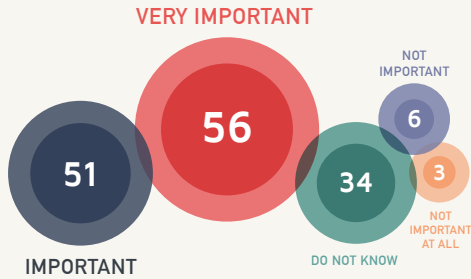
UNIVERSAL JURISDICTION

++++ 10

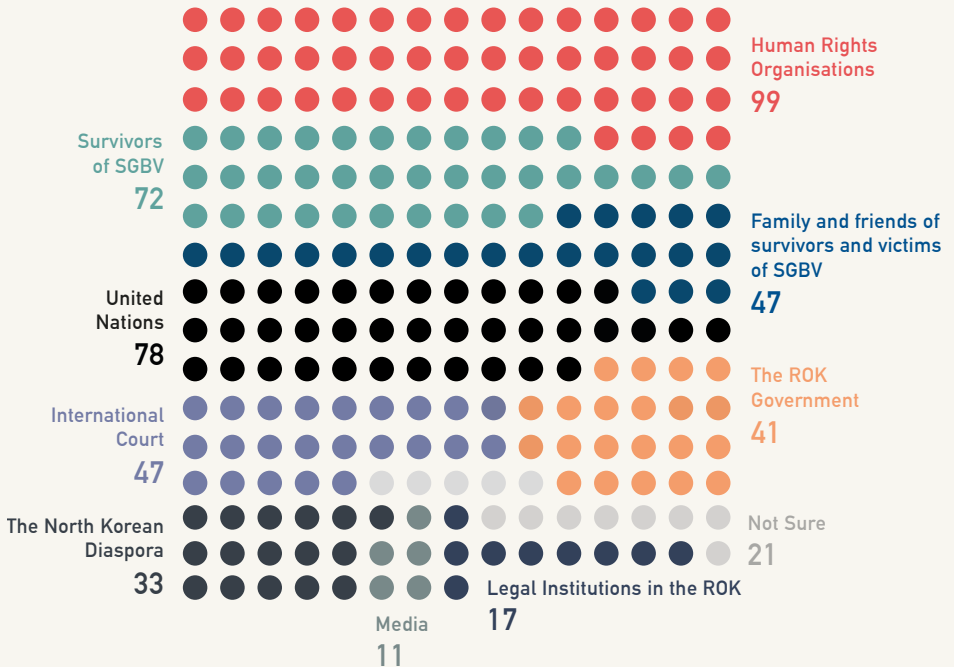
TARGETED HUMAN RIGHTS SANCTIONS:

++++ 9

DO YOU THINK IT IS IMPORTANT FOR SURVIVORS OF SEXUAL VIOLENCE TO SHARE THEIR TESTIMONIES WITH THE INTERNATIONAL COMMUNITY?



WHO SHOULD LEAD THE MOVEMENT TO BRING JUSTICE TO SURVIVORS AND VICTIMS?



Annex III.

Demographics of North Korean exiles for in-person consultations

UNIQUE REFERENCE NUMBER	GENDER	AGE RANGE	YEAR OF ESCAPE	YEAR OF ARRIVAL	PLACE OF RESIDENCE IN DPRK
A-1	WOMAN	30s	withdrawn	withdrawn	NORTH HAMGYONG
A-2	WOMAN	30s	2017	2017	NORTH HAMGYONG
A-3	WOMAN	40s	2017	2017	RYANGGANG
A-4	WOMAN	30s	2016	2017	RYANGGANG
A-5	WOMAN	20s	2019	2020	NORTH HAMGYONG
A-6	MAN	60s	2019	2019	RYANGGANG
A-7	MAN	30s	2019	2019	RYANGGANG
A-8	MAN	20s	withdrawn	2021	KANGWON
A-9	MAN		withdrawn		
A-10	MAN	40s	2019	2019	RYANGGANG
B-11	WOMAN	60s	1999	2003	SOUTH HAMGYONG
B-12	WOMAN	30s	2018	2018	RYANGGANG
B-13	WOMAN	30s	2011	2014	RYANGGANG
B-14	WOMAN	60s	2006	2010	NORTH HAMGYONG
B-15	WOMAN	50s	2001	2001	NORTH HAMGYONG
B-16	WOMAN	40s	2013	2014	RYANGGANG
B-17	WOMAN	20s	2014	2014	NORTH HAMGYONG
B-18	WOMAN	50s	2017	2017	NORTH HAMGYONG
B-19	WOMAN	30s	2017	2017	NORTH HAMGYONG
B-20	WOMAN	50s	2018	2018	NORTH HAMGYONG
B-21	MAN	50s	2019	2019	RYANGGANG
B-22	MAN	60s	2019	2019	N/A
B-23	MAN	30s	2017	2017	RYANGGANG
B-24	MAN	50s	2004	2006	NORTH HAMGYONG
B-25	MAN	60s	2017	2017	RYANGGANG
B-26	MAN	60s	2009	2010	NORTH HAMGYONG
B-27	MAN	30s	2017	2017	NORTH HAMGYONG
B-28	MAN	40s	2009	2018	NORTH HAMGYONG
B-29	MAN	40s	2013	2013	RYANGGANG
B-30	MAN	60s	2017	2018	PYONGANG

Annex IV.

Pilot interview findings

UNIQUE REFERENCE NUMBER	GENDER	AGE RANGE	YEAR OF ESCAPE	YEAR OF ARRIVAL	PLACE OF RESIDENCE IN DPRK
P-1	WOMAN	60s	2005	2005	NORTH HAMGYONG
P-2	WOMAN	40s	2005	2017	SOUTH HAMGYONG
P-3	WOMAN	50s	2012	2019	NORTH HAMGYONG
P-4	WOMAN	60s	2011	2011	NORTH HAMGYONG

The survivors whom we engaged had experienced SGBV in penal facilities such as MSS detention centres, MPS detention centres, holding centres, labour training centres, and political prison camps. They had been detained between 2002 and 2006. Two survivors were subject to sexualised verbal harassment by correctional officers. All four survivors suffered forced nudity during strip searches and forced ‘pumping.’ After being forcefully repatriated back to the DPRK from China, one survivor was subjected to forced nudity and invasive body cavity searches in front of other male detainees, by male correctional officers. Two survivors witnessed correctional officers engaging in sexual relations with women detainees. One of the survivors was detained with a pregnant woman who did not receive the necessary reproductive care and was subject to the same unhygienic conditions and forced labour.



The pilot interviews affirmed the need for more sustained community sensitisation on SGBV and psychosocial support. Three out of four survivors of SGBV recognised that the existing scale of testimonies does not reflect the scale and severity of SGBV in the DPRK. While they hoped more survivors would come forward, most survivors were hesitant to participate in more public forms of accountability pathways themselves. One survivor highlighted that she feared repercussions for her family who remained in the DPRK and the threat of being detained during her visits to China due to the new anti-espionage law. The other survivors responded that they did not want to be put under the spotlight for SGBV. The survivor who shared that she was willing to do more public advocacy is already involved in North Korean human rights activism. However, she acknowledged that in general, most survivors prefer not to come forward due to the possible backlash from surrounding North Korean exiles. Despite their understanding that SGBV is a traumatic experience, most survivors were uncertain about the benefits of psychosocial support.



Annex V.

Potential costs incurred by interviewees

The following is a non-exhaustive, non-conclusive list of costs that may be incurred by interviewees, including survivors of SGBV. In terms of transportation fares, this guideline highlights Seoul, Gyeonggi, and Incheon with consideration for the residential locations of the majority of North Korean exiles resettled in the ROK⁹³ and investigative activities conducted.

TRANSPORTATION

CATEGORY	CALCULATIONS
INTER-CITY BUS	Most up-to-date fares can be calculated through the 'Bus Tago' website. https://www.bustago.or.kr/newweb/kr/index.do
INTER-CITY TRAIN	Most up-to-date fares can be calculated through the 'Korail' website. https://www.letskorail.com/ebizprd/prdMain.do
TAXI	Most up-to-date fares by district can be found on the Korea National Joint Conference of Taxi Association's website. http://www.taxi.or.kr/02/01.php
INNER-CITY METRO INNER-CITY BUS	Most up-to-date fares can be found on each city's respective website: Seoul: https://news.seoul.go.kr/traffic/archives/345 Incheon: https://www.incheon.go.kr/eco/ECO020804 Gyeonggi: https://www.gg.go.kr/contents/contents.do?cildx=629&menuId=2344
TOLL FEE	Most up-to-date prices can be found on the Korea Expressway Corporation's website. https://www.ex.co.kr/
GAS FEE	Most up-to-date gas prices can be found on the 'Opinet' website, which is the platform that publishes daily domestic petroleum price data. https://www.opinet.co.kr/user/main/mainView.do



Potential costs incurred by interviewees

OTHER FEES

CATEGORY	CALCULATIONS
PARKING	Parking fees vary based on the location and need to be calculated on a case-by-case basis.
CHILDCARE	Includes costs incurred for services such as but not limited to daycare, babysitting, and nanny services which the interviewee may have to arrange in order to attend interviews.
FOOD/DRINKS	Costs should be calculated according to reasonable and customary expenses based on location.
WAGE	Most up-to-date minimum wage can be found on the Minimum Wage Commission's website. https://www.minimumwage.go.kr/main.do Average wages by industry can be found on the Korea Statistical Information Service (KOSIS) website https://kosis.kr/statHtml/statHtml.do?orgId=118&tblId=DT_118N_LCE205

Annex VI.

Overview of psychosocial support landscape for survivors of SGBV

SGBV SUPPORT SERVICES	
GOVERNMENT	CSO
<p>Government-sponsored support for all survivors of SGBV is free and available nationwide. These services are managed by various government entities but primarily under the Ministry of Gender Equality and Family and also through the National Police Agency.</p> <p>The nationwide women's hotline 1366, which operates 24/7, provides emergency support including shelters, and phone, virtual, and in-person counselling for victims of SGBV.</p> <p>The sunflower centres (legally known as the 'sexual violence victim one-stop support centers') provide emergency support, counselling, legal assistance, and medical assistance nationwide. There are 38 centres in total: 16 emergency centres, 8 child victim support centres, and 14 integrated support centres.</p>	<p>While non-exhaustive, a comprehensive database managed by the Ministry of Gender Equality and Family, of relevant support centres can be found at: http://www.mogef.go.kr/inc/fs_fsc_s003.do?mid=fsc300</p>



PSYCHOSOCIAL SUPPORT FOR NORTH KOREAN EXILES

GOVERNMENT

CSO

MINISTRY OF UNIFICATION

The resettlement and well-being of North Korean exiles are managed by the Ministry of Unification. The Hana centres, which are overseen by the Ministry of Unification and the Hana Foundation, are regional integrated support centres for North Korean exiles. There are 25 centres nationwide that provide medical, legal, and psychosocial assistance specialised to North Korean exiles. The in-house counsellors are not required to be psychologists and, rather than focusing on mental health support, are also tasked with other responsibilities. Traumatized individuals including survivors of SGBV require more specialised support.

The Ministry of Unification has also been operating the Mæum Sup Counselling Centre for North Korean exiles at the North-South Integration Cultural Center since 2020.

MINISTRY OF GENDER EQUALITY AND FAMILY

The Ministry of Gender and Equality also has supported civil society-run counselling programs that provide training to recruited North Koreans as buddy counsellors or intermediaries that coordinate referrals to medical professionals, to tackle the cultural barrier or discrimination that may deter North Koreans from seeking help. For more information refer to the published 2017 briefing titled Research on violence against North Korean women and roadmap for support measures.

Psychosocial support from civil society involves one or all of the following depending on the organisation: (1) coordinating referrals with specialised medical professionals, (2) offering a variety of group healing programs and art therapy for community support, (3) providing counselling and therapy with certified professionals, (4) offering training to be certified counsellors for North Koreans. Some of these trainings aim to train North Koreans specifically as counsellors for North Koreans.

The civil society organisations that provide such services are ROK women's rights organisations with a focus on victims of SGBV in general, ROK organisations specifically focused on providing psychosocial support to North Koreans, and in a few cases, human rights organisations that also conduct investigations.

Annex VII.

Available psychosocial service providers

The following is a growing, non-exhaustive list of psychosocial service providers for referral. This information is presented in no order of importance and has been compiled with the consent of the organisations listed below.

COUNSELING FOR SURVIVORS OF HUMAN RIGHTS VIOLATIONS IN THE DPRK

		DESCRIPTION
ORGANISATION	Database Center for North Korean Human Rights (북한인권정보센터 정착지원본부)	<ul style="list-style-type: none"> Professional support provided by psychologists and social workers with master's degrees
CONTACT	T: 02-723-6045 M: 010-9722-2460 E: seonh@nkdb.org	Focus:
ADDRESS	14, Gyeonghuigung-gil (Shinyeong Building, 3F), Jongno-gu, Seoul 서울시 종로구 경회궁길 14(신영빌딩) 3층	<ol style="list-style-type: none"> Victims of physical and mental abuse due to trafficking and forced prostitution into China Victims of physical and psychological abuse in North Korean investigative facilities and detention centres Returned prisoners of war, abductees, and other victims of long-term detention, forced labour and human rights abuses in North Korea Psychological counselling, medical support and case management for unaccompanied determinants, and third-country-born children who are not eligible for resettlement support
OPERATION HOURS	Mon. - Fri. 09:00 - 18:00	<ul style="list-style-type: none"> Individual, group, and family counselling available Default 10 sessions, 2 hours each session
ORGANISATION	Saejowi (새조위)	<ul style="list-style-type: none"> Provides psychological counselling to North Korean single parents and elderly living in solitude residing in Seoul Support provided by professionals with over 10 years of experience counselling North Korean exiles Initial peer-to-peer counselling conducted with a North Korean exile counsellor to assess needs and then referred to a specialist Contact 1566-2259 to have needs assessed then connected with appropriate organisations/experts
CONTACT	T: 02-747-2946 E: 88took@hanmail.net	Core focus: medical consultations
ADDRESS	112-7, Changgyeonggung-ro (Inui Building, 12F) Jongno-gu, Seoul 서울시 종로구 인의동 28-9 인의빌딩 12층	<ul style="list-style-type: none"> Specialises in sexual and domestic violence counselling Runs counselling centres in four hospitals (National Medical Center, Seoul Medical Center, Chungnam National University Hospital, Inje University Busan Paik Hospital) with a peer North Korean counsellor dispatched from Saejowi working in all facilities
OPERATION HOURS	Mon. - Fri. 09:00 - 18:00	
ORGANISATION	Everyday Counseling of Association (늘푸른상담협회)	<ul style="list-style-type: none"> Support services provided by psychologists specialised in working with North Korean exiles
CONTACT	T: 02-2646-9190 M: 010-8109-2713 E: nkrrc2005@naver.com	Focus:
ADDRESS	233-1, Mokdongdong-ro (Hyundai Dream Tower, 1F), Yangcheon-gu, Seoul 서울시 양천구 목동동로 233-1 현대드림타워 11층 1117호	<ul style="list-style-type: none"> Victims of domestic violence, sexual violence and sex trafficking, depression and torture, as well as children affected by emotional, developmental, behavioural, social issues and family conflict
OPERATION HOURS	Mon. - Fri. 09:00 - 18:00	<ul style="list-style-type: none"> Phone consultations, in-person sessions, and group counselling available



ORGANISATION

Sarangbang Center
(사랑방마음건강센터)

- A non-profit psychosocial counselling centre run by a former North Korean defector

CONTACT

T: 010-3804-5760
E: restore700@nate.com

- Specialises in psychological counselling for North Korean teens and college students, while also providing accessible counselling to all North Korean exiles free of charge

ADDRESS

80, Samil-daero 2-gil (Daedo Building, 3F), Jung-gu, Seoul
서울시 중구 삼일대로 2길 80, 대도빌딩 3층

OPERATION HOURS

Tues., Wed., Fri. 10:00 - 18:00
Sat. 10:00 - 15:00

ORGANISATION

North Korea System Trauma Healing & Counseling Center
(북한체제트라우마 치유상담센터)

- Specialised counselling for North Korean exiles/multicultural exile families

Activities:

CONTACT

T: 02-3661-8865
E: nhc2013@dawn.net

- 1) Play therapy
- 2) Psychological assessments
- 3) In-person prison counselling
- 4) North Korean Exile Homebuilder: Promoting Couple Love and Family Love
- 5) Establishing North Korean Multicultural and Remarried Families

ADDRESS

98, Gangseo-ro (Hyundai Education Center, 3F) 62-gil, Gangseo-gu, Seoul
서울시 강서구 통촌동 695-1 현대교육센터 3층 302호

- Services are provided free of charge for North Korean defectors and multicultural North Korean families
- Provides services such as psychological education, art therapy and cognitive therapy as well as scholarships
- Counselling conducted by experts in fields such as systemic trauma, play therapy, art therapy, counselling, etc.
- In the case of trauma counselling, 10 sessions are provided to start and the number of sessions are adjusted as necessary
- Counselling is available via Zoom for those living in rural areas/abroad or have difficulties travelling

OPERATION HOURS

Mon. - Fri. (CLOSED TUES.)
10:00 - 18:00

COUNSELLING FOR SURVIVORS OF SGBV**DESCRIPTION****ORGANISATION**

Korea Sexual Violence Relief Center (한국성폭력상담소)

- Counselling and psychological, medical and legal support provided for survivors of sexual violence

CONTACT

T: 02-338-5801
M: 010-2304-3855
E: ksvrc@sisters.or.kr

- Self-help groups and healing programs facilitated for survivors of sexual violence

ADDRESS

32-42, Seongji 1-gil (Hapjeong-dong 366-24, 2F), Mapo-gu, Seoul
서울시 마포구 성지1길 32-42 (합정동 366-24) 2층

- Initial consultation conducted by phone

OPERATION HOURS

Mon. - Fri. 09:00 - 17:00
(Lunch Break 13:00 - 14:00)

- Operates an off-site sexual violence survivor shelter 'Yeolimteo' ('열림터')

ORGANISATION

Korea Sexual Violence Relief Center (한국성폭력상담소)

- Conducts healing counselling for victims of sexual violence, domestic violence and sex trafficking

CONTACT

T: 070-4288-0363
M: 010-6334-7319
E: mslikeriver@gmail.com

- Individual counselling and family therapy programs available for affected women and children

ADDRESS

56, Daehak-ro 8ga-gil (Dongsoong Building, 2F), Jongno-gu, Seoul
서울시 종로구 대학로 8가길 56 동송빌딩 2층

- Always accessible for consultations via phone, internet and in-person meetings

OPERATION HOURS

Counsellors available at all hours,
24/7

Annex VIII.

Resources

The following non-exhaustive list is intended to support ongoing research for documentation of SGBV.

GLOSSARY

International Federation for Human Rights (FIDH) – Sexual and Gender-Based Violence: A Glossary from A to Z, 2020.

https://www.fidh.org/IMG/pdf/atoz_en_book_screen.pdf

GUIDELINES

Case Matrix Network – Legal Requirements: Sexual and Gender-Based Violence

Crimes, 2017. https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/sexual-and-gender-based-violence-crimes/ICL_Guidelines_LR_SGBV_EN_Final_02-1.pdf

Eurojust – Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations, 2022.

<https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

Global Code of Conduct for Gathering and Using Information About Systematic and Conflict-Related Sexual Violence ('the Murad Code'), 2022.

https://static1.squarespace.com/static/5eba1018487928493de323e7/t/6255fdf29113fa3f4be3add5/1649802738451/220413_Murad_Code_EN.pdf

Institute for International Criminal Investigations (IICI) – Guidelines for Investigating Conflict-related Sexual and Gender-based Violence against Men and Boys, 2016.

https://iici.global/0.5.1/wp-content/uploads/2017/03/160229_IICI_InvestigationGuidelines_ConflictRelatedSGBVagainstMenBoys.pdf

Public International Law and Policy Group (PILPG) – Handbook on Civil Society Documentation of Serious Human Rights Violations: Principles & Best Practices, 2016.

https://static1.squarespace.com/static/5900b58e1b631bffa367167e/t/59dfab4480bd5ef9add73271/1507830600233/Handbook-on-Civil-Society-Documentation-of-Serious-Human-Rights-Violations_c.pdf

UK Foreign & Commonwealth Office – International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, second edition, 2017.

https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

United Nations Human Rights Office of the High Commissioner – Integrating a Gender Perspective into Human Rights Investigations: Guidance and Practice, 2018.

https://www.ohchr.org/sites/default/files/Documents/Publications/IntegratingGenderPerspective_EN.pdf

United Nations Human Rights Office of the High Commissioner – Manual on Human rights

Monitoring' – Integrating Gender into Human Rights Monitoring, revised edition, 2011.
<https://www.ohchr.org/sites/default/files/Documents/Publications/Chapter15-20pp.pdf>

United Nations Human Rights Office of the High Commissioner – Manual on Human Rights Monitoring CH 11 Interviewing, revised edition, 2011.
<https://www.ohchr.org/sites/default/files/Documents/Publications/Chapter11-MHRM.pdf>

United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh (UNITAD) – Trauma-Informed Investigations Field Guide, 2021.
https://www.unitad.un.org/sites/www.unitad.un.org/files/general/2104429-trauma-informed_investigations_field_guide_web_0.pdf

Women's Initiatives for Gender Justice – The Hague Principles on Sexual Violence, 2019.
<https://4genderjustice.org/ftp-files/publications/The-Hague-Principles-on-Sexual-Violence.pdf>

World Health Organization (WHO) – WHO Ethical and Safety Recommendations for Researching, Documenting and Monitoring Sexual Violence in Emergencies, 2007.
http://apps.who.int/iris/bitstream/handle/10665/43709/9789241595681_eng.pdf;jsessionid=EB05CB51A3A1FC733CE672C7EFAED6A5?sequence=1

ARTICLES

Bode, Malin, et al. – "Critique of the Murad Code 2011," 2021.
<https://responsetodraftmuradcode.wordpress.com/>

The International Criminal Court, Office of the Prosecutor – "Policy Paper on Sexual and Gender-Based Crimes," 2014.
<https://www.icc-cpi.int/sites/default/files/iccdocs/otp/OTP-Policy-Paper-on-Sexual-and-Gender-Based-Crimes--June-2014.pdf>

The International Criminal Court, Office of the Prosecutor – "Policy on Sexual and Gender-Based Crimes," 2022.
<https://www.icc-cpi.int/sites/default/files/2022-12/2022-12-07-Policy-on-the-Crime-of-Gender-Persecution.pdf>

International Federation for Human Rights (FIDH) – "Accountability for Sexual and Gender-Based Crimes at the ICC: An Analysis of Prosecutor Bensouda's Legacy," 2021.
<https://www.fidh.org/IMG/pdf/cpiproc772ang-1.pdf>

Koenig, Alexa, and Egan, Ulic, – "Power and Privilege: Investigating Sexual Violence with Digital Open Source Information," Journal of International Criminal Justice, Volume 19, Issue 1, March 2021.
<https://doi.org/10.1093/jicj/mqab014>

Sellers, Patricia Viseur – "The Prosecution of Sexual Violence in Conflict: The Importance of Human Rights as Means of Interpretation," 2008.
https://www2.ohchr.org/english/issues/women/docs/Paper_Prosecution_of_Sexual_Violence.pdf

TRAINING RESOURCES

The following list presents resources for training investigators in ethical documentation, investigation, and SGBV. At present, this list is limited to sources that we examined. As such, this list is not comprehensive and is continually expanding. There are other reputable training sources available and investigative organisations are advised to refer to the most suitable and relevant resources that align with their needs and objectives.

International Providers:

Institute of International Criminal Investigations (IICI)

Investigation of Conflict-Related Sexual and Gender-Based Violence (SGBV) Course
<https://iici.global/course/investigation-conflict-related-sexual-and-gender-based-violence-sgbv/>

Investigative Interview Skills Course
<https://iici.global/course/investigation-conflict-related-sexual-and-gender-based-violence-sgbv/>

International Investigator Course
<https://iici.global/course/international-investigator-course/>

United Nations:

Audiovisual Library of International Law – Lecture Series

Sexual Violence and other Gender-based Crimes in the Jurisprudence of International Criminal Courts and Tribunals
https://legal.un.org/avl/ls/Oosterveld_CLP.html#

The General Framework and the Monitoring Mechanism of the Convention on the Elimination of All Forms of Discrimination Against Women
https://legal.un.org/avl/ls/Acar_HR.html

United Nations Institute for Training and Research (UNITAR)

Prevention and Response to Sexual and Gender-Based Violence Micro Course
<https://event.unitar.org/full-catalog/prevention-and-response-sexual-and-gender-based-violence-micro-course>

UN Women:

Understanding Violence against Women and Girls
<https://portal.trainingcentre.unwomen.org/product/understanding-violence-against-women-and-girls/>

¹ Human Rights Council, Report of the detailed findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea, A/HRC/25/CRP.1, 2014, p. 8

² The terms "documenting" and "investigating" often refer to different activities with differing procedural standards, aims, and outcomes. However, both terms are purposely used interchangeably in this report.

³ See IESOG, Reports on Gender: The Law of Inclusion & Practices of Exclusion (2021), p. 3. Available at: https://www.ohchr.org/sites/default/files/Documents/Issues/SexualOrientation/IESOG/Reports_on_Gender_Final_Summary.pdf

⁴ United Nations, IIM Gender Strategy and Implementation Plan (September 2022), p. 6. Available at: <https://iim.un.org/wp-content/uploads/2022/10/Gender-Strategy-Implementation-AbridgedEnglish.pdf>

⁵ United Nations, IIM Gender Strategy and Implementation Plan (September 2022), p. 6. Available at: <https://iim.un.org/wp-content/uploads/2022/10/Gender-Strategy-Implementation-AbridgedEnglish.pdf>

⁶ B-26. They said, "This person was not only influenced by capitalist culture but went so far as to engage in same-sex sexual activities, committing an act that human beings should not do."

⁷ B-26

⁸ A-5, A-10

⁹ A-8, A-9, A-10

¹⁰ A-4

¹¹ B-12, B-13, B-22, B-23, B-25

¹² Refer to appendix 9 for resources on SGBV in the DPRK context.

¹³ The Arduous March was a famine that devastated the DPRK in the 1990s, especially between 1994 and 1997.

¹⁴ B-17, B-25

¹⁵ B-12, B-16

¹⁶ Christy Lee, VOA News, Beijing Rejects Seoul's Demand to Stop Repatriating North Korean Defectors (August 2023). Available at: <https://www.voanews.com/a/beijing-rejects-seoul-s-demand-to-stop-repatriating-north-korean-defectors-7231443.html>

¹⁷ Our assessments are based on the in-person consultations with North Korean exiles and stakeholder consultations with North Korean exile-led organisations.

¹⁸ B-15, B-19

¹⁹ A-7, A-8, A-9, A-10

²⁰ A-5, A-10

²¹ A-1, A-2, A-8, A-9

²² B-13

²³ B-12, B-18

²⁴ A-1, A-2, A-4, A-10, B-18, B-23, B-27, B-28

²⁵ A-1, A-2, A-3, A-5, A-6, A-7, A-8, A-9, A-10

²⁶ A-1, A-3, A-5, A-7, A-8, A-10

²⁷ A-7

²⁸ A-4

²⁹ A-2, A-6, A-7

³⁰ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022). Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

³¹ Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-related Sexual Violence ('the Murad Code') (April 2022). Available at: https://static1.squarespace.com/static/5eba1018487928493de323e71/6255fd29113fa3f4be3add5/1649802738451/220413_Murad_Code_EN.pdf

³² UK Foreign & Commonwealth Office, International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law (March 2017). Available at: https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

³³ Institute for International Criminal Investigations (IICI), Guidelines for investigating conflict-related sexual and gender-based violence against men and boys (February 2016) Available at: https://iici.global/0.5.1/wp-content/uploads/2017/03/160229_IICI_InvestigationGuidelines_ConflictRelatedSGBVagainstMenBoys.pdf

³⁴ UNITAD, Trauma-Informed Investigations Field Guide (2021), p. 38. Available at https://www.unitad.un.org/sites/www.unitad.un.org/files/general/2104429-trauma-informed_investigations_field_guide_web_0.pdf

³⁵ Ibid.

³⁶ Institute for Public Health at Washington University, Gender-based Violence Disclosure Toolkit: Responding to Gender-based Violence Disclosure in Humanitarian Crisis Settings (September 2022), p. 75. Available at: https://cpb-us-w2.wpmucdn.com/sites.wustl.edu/dist/1/2391/files/2022/12/English_GBV-Disclosure-Toolkit_221115.pdf.

³⁷ Consultation 4: “The question also brought up the point, and I believe it is important to maintain communication and provide aftercare. Despite interviewees appearing to be at ease during the conversation, there might have been uncomfortable moments, and addressing the topic of psychological counselling right then and there might not have resonated with them. Adequate care is essential, and the interviewees need to feel that we are not here to just extract information from them. This approach enables us to engage in more substantial and meaningful discussions.”

³⁸ Consultation 4: “I believe that sharing emotions, even if it doesn’t involve providing psychological counselling, and validating emotional release is crucial to the investigation process.”; “Psychological counselling is conducted one-on-one and is confidential. In situations where trauma is manifested during the investigation, experienced investigators provide care and emotional support. If feasible, a brief break is taken for recovery, followed by a re-interview if it is needed. As a post-investigation follow-up, requests are made for assistance, referrals, or similar actions, but during the investigation itself, it might be challenging for investigators to respond appropriately within their capacity. In such circumstances, some intervention might occur, as counsellors are not directly conducting the investigation.”

³⁹ Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-related Sexual Violence (‘the Murad Code’) (April 2022), pp. 3-11. Available at: https://static1.squarespace.com/static/5eba1018487928493de323e77/t/62555fd29113fa3f4be3add5/1649802738451/220413_Murad_Code_EN.pdf

⁴⁰ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022), p. 12. Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

⁴¹ Consultation 4: Speaking about SGBV maybe challenging if a male investigator is present so we try to have female investigators. I’ve also seen organisation that have a counsellor on standby if the interviewee is a highly traumatised individual. If an interviewee cries, then we’ll just take a 10 minute break and also assure them. I think in many interviews, the investigators spend a lot of time and energy empathising and listening to interviewees even when what they are sharing aren’t necessarily relevant to the investigation questions.

⁴² Consultation 3: If the investigative organisation cannot provide aftercare, conducting interviews is more harmful. It only opens wounds. The language around the harms has to be changed in a broad sense because it’s humiliating. It’s what they want to conceal. Even if they trust you, they’re revealing the deepest secrets that they want to forget, which means [speaking of] this will leave a mark on the person. Why should someone reveal this during an interview if the result of doing so isn’t even clear?

⁴³ Consultation 4: We also discussed how to avoid leading questions. Many were unsure whether follow up questions about an experience especially if the interviewee seemed unaware that what they experienced was a violation could negatively impact the testimony.

⁴⁴ Consultation 4: If a lot of groups interview the interviewees, the information gets contaminated so that’s something we need to work together to figure out. I understand it’s difficult but we need to minimise it.

⁴⁵ Consultation 3: When we meet victims of SGBV, it’s important not to judge or criticise them. We need to provide them with the psychological safety net that they are genuinely being heard. Encouraging, supporting, empathising and beyond that caring for the victims is important.

⁴⁶ Consultation 3: I think it’s really important that survivors attach their own language to concepts. Simply spoon feeding concepts to sensitise survivors about SGBV may not be enough.

⁴⁷ Consultation 1: There are things that we have to be wary of because there are family members still remaining in the DPRK but we are survivors. I gave them courage through my human rights activism. I told them our voices are important for the truth.

⁴⁸ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022), p. 6. Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

⁴⁹ Institute for International Criminal Investigations (IICI), Guidelines for investigating conflict-related sexual and gender-based violence against men and boys (February 2016) Available at: https://iici.global/0.5.1/wp-content/uploads/2017/03/160229_IICI_InvestigationGuidelines_ConflictRelatedSGBVagainstMenBoys.pdf

⁵⁰ UK Foreign & Commonwealth Office, International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law (March 2017), p. 116. Available at: https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

⁵¹ Draft Global Code of Conduct for Investigating and Documenting Conflict-Related Sexual Violence (‘the Draft Murad Code’) (June 2020). Available at: <https://www.muradcode.com/draft-murad-code>

⁵² The ‘Do No Harm’ principle involves being “fully aware of the possible negative impacts of documentation on victims and other witnesses, the wider community and the investigators themselves; be prepared for the harm those impacts may inflict; and put in place measures to prevent or minimise that harm.” See UK Foreign & Commonwealth Office, International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law (March 2017), p. 85. Available at: <https://>

www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

⁵³ UNITAD, Trauma-Informed Investigations Field Guide (2021), p. 38. Available at https://www.unitad.un.org/sites/www.unitad.un.org/files/general/2104429-trauma-informed_investigations_field_guide_web_0.pdf

⁵⁴ Institute for Public Health at Washington University, Gender-based Violence Disclosure Toolkit: Responding to Gender-based Violence Disclosure in Humanitarian Crisis Settings (September 2022), p. 7. Available at: https://cpb-us-w2.wpmucdn.com/sites.wustl.edu/dist/1/2391/files/2022/12/English_GBV-Disclosure-Toolkit_221115.pdf

⁵⁵ Consultation 3: Conducting this kind of investigation involves unearthing a person's deepest thoughts, ones that the person wants to hide the most. While the investigator may achieve their objectives by extracting those thoughts, it would be an irresponsible investigation if the person's wounds are left unattended and unresolved. Approaching an investigation solely for the sake of investigation demands a cautious approach, and if an investigator lacks the expertise of a counsellor, I think it might be wiser to abstain from such a role. It's hard, even for trained counsellors. Disrupting an individual's life for investigative purposes leaves them to grapple with the aftermath by themselves.

⁵⁶ The Murad Code states that before deciding to proceed with investigations, investigators should consider the added value by setting a clear purpose for documentation, reflecting on whether documentation will realistically provide new information within the available time and resources, and taking steps to identify whether interviewees have previously been interviewed.

⁵⁷ Consultation 1: People say "you were raped because you were careless and stupid"; they don't acknowledge that someone was assaulted with force. Growing up in North Korea, people are influenced by the education system of their era, and these perceptions need to change but they just don't.

⁵⁸ Consultation 1: It's rare anyone talks about their experience with sexual violence; I believe the majority suppresses it. For instance, if I were to openly discuss being a survivor of assault to the media, there are underlying factors within my community that might label me as a morally compromised woman. Society stigmatising individuals is a broader concern, but within the community I belong to, even among fellow female exiles there is a sense of shame attached and they would whisper things even to this day, "why does she need to talk about such shameful matters openly?". Because North Korean women possess a low level of sexual/gender sensitivity, rather than empowering those who raise their voices against injustice and fighting together, they tend to ostracise survivors.

⁵⁹ Consultation 1: There were two women who came forward once, and I learned that they regretted their decision and wondered to themselves why they did it in the first place. When the report came out, their boyfriends pointed fingers and said, "you idiot why would you do that?". Survivors are put off by that kind of thing. It's better for leaders of human rights organisations to step forward and represent them; it's harder for the individuals to do so themselves. Moreover, among North Korean defectors, even trivial matters can spread as rumours and lead to isolation and exclusion.

⁶⁰ Consultation 1: A - The North Korean diaspora community is not healthy. B - I agree. It's deeply concerning.

⁶¹ See also, Consultation 1: If a woman says she was sexually assaulted by a man, most of the time, people tend to blame the woman for what she did wrong, and this quickly spirals into gossip, resulting in victim-shaming and silence. Women are vulnerable not just within the North Korean diaspora community but in the ROK as well. However, it is especially concerning in the North Korean diaspora context due to the lack of education, which contributes to a lack of awareness about the seriousness of such issues.

⁶² Consultation 2: People choose to remain silent due to the fear of rumours spreading. The North Korean diaspora community is.... While people tend to trust information provided by the media or the government, for North Korean defectors, information from their own networks or from fellow defectors, holds greater importance, more so than what the police might say. They believe information coming from their peers is more accurate and reliable, and this is why rumours spread so quickly within their networks. It's a learned habit originating from North Korean society. Because there, information was scarce.

⁶³ UNITAD, Trauma-Informed Investigations Field Guide (2021), p. 65. Available at https://www.unitad.un.org/sites/www.unitad.un.org/files/general/2104429-trauma-informed_investigations_field_guide_web_0.pdf

⁶⁴ *Ibid.*, p. 69

⁶⁵ General strategies for detecting vicarious trauma and promoting self-care can be found in resources such as UNITAD's Trauma-Informed Investigations Field Guide. While these strategies are non-exhaustive and are not equivalent to medical assistance, they may serve as a reference point for identifying early indicators of vicarious trauma.

⁶⁶ UK Foreign & Commonwealth Office, International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law (March 2017), pp. 89–91. Available at: https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf; UNITAD, Trauma-Informed Investigations Field Guide (2021), p. 27. Available at https://www.unitad.un.org/sites/www.unitad.un.org/files/general/2104429-trauma-informed_investigations_field_guide_web_0.pdf; Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022), p. 6. Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

⁶⁷ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022), p. 6. Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

⁶⁸ Consultation 4: A - For individuals with family members in North Korea, we have been mindful about collecting personal information. We inform them that there's no need to disclose real names or identifiable details and that information is collected for investigations or research purposes. We inform them that audio recordings are used only when typing alone is insufficient, otherwise promptly discarded. We mention that the gathered information contributes to the advancement of North Korean human rights, and while we do request specific details of their experiences, we inform them that they have the option to decline discussing sensitive subjects.

Consultation 4: B - We explain that their testimonies aid in building a shared awareness of human rights abuses within North Korea and contribute to potential future accountability of regime leaders and restitution for victims. We highlight that records will be preserved for these purposes. We also provide details about recording protocols and security measures, ensuring that sensitive elements will be treated with confidentiality.

⁶⁹ UNITAD. Trauma-Informed Investigations Field Guide (2021), p. 26. Available at https://www.unitad.un.org/sites/www.unitad.un.org/files/general/2104429-trauma-informed_investigations_field_guide_web_0.pdf

⁷⁰ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022). Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>, UK Foreign & Commonwealth Office, International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, second edition, (March 2017), p. 166. Available at: https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

⁷¹ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022). Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>, UK Foreign & Commonwealth Office, International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, second edition (March 2017), p. 166. Available at: https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International_Protocol_2017_2nd_Edition.pdf

⁷² Consultation 4: As the participants before me shared, without understanding the culture of the DPRK or the terms used there, knowing what follow up questions to ask or how to ask the questions will be challenging. Understanding how North Korean exiles in South Korea use new vocabulary is also important. For instance, North Korean exiles in South Korea use the term 'political prison camp' which is more often used by South Koreans than North Koreans [who call it gwallsol]. So it's our job to clarify what they mean exactly by 'political prison camp'.

⁷³ Consultation 4: If we ask open-ended questions about SGBV and they answer, that would be ideal but only relying on open-ended questions can result in a lot of gaps in understanding. We have to ask follow up questions. Did they use this expression. What happened there. The moment we ask these questions, we're asking leading questions but also they're necessary to communicate effectively and understand what is going on.

⁷⁴ Consultation 1: Speaking to another North Korean exile about these matters may be more difficult because of the widespread patriarchal beliefs and bias against victims of SGBV among the North Korean exile community.

⁷⁵ Consultation 3: I think survivors should be empowered to use their own language to conceptualise the harms and violence they suffered.

⁷⁶ Consultation 3: This one North Korean exile I supported did not have the terminology that accurately conceptualises the sexual violence they experienced. When I was supporting this person, the perpetrator used this difficulty with language against the survivor in court. I think that continued research on how to support survivors who do not have the language to describe and conceptualise the harms they experienced, is really important. Maybe education prior to investigations? I'm not sure.

⁷⁷ Eurojust, Documenting international crimes and human rights violations for accountability purposes: Guidelines for civil society organisations (2022). Available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-icc-csos-guidelines.pdf>

⁷⁸ Institute for International Criminal Investigations, Guidelines for investigating conflict-related sexual and gender-based violence against men and boys (February 2016). Available at: https://iici.global/0.5.1/wp-content/uploads/2017/03/160229_IICI_InvestigationGuidelines_ConflictRelatedSGBVagainstMenBoys.pdf

⁷⁹ PILPG, Handbook on Civil Society Documentation of Serious Human Rights Violations: Principles & Best Practices (2016), pp. 29–32. Available at: https://static1.squarespace.com/static/5900b58e1b631bffa367167e1/59dfab4480bd5e-f9add73271/1507830600233/Handbook-on-Civil-Society-Documentation-of-Serious-Human-Rights-Violations_c.pdf

⁸⁰ Consultation 4: As we work within our organisation, we can see that the perception of ROK citizens regarding sexual violence is gradually improving, and we believe there's a slight shift towards a more open-minded attitude.... However, North Korean exiles do not have the tendency to seek counselling when faced with challenges. It's only after spending over ten years here that they realise the value of such services. Some individuals are slowly beginning to open up and think about how they can benefit from receiving counselling.

⁸¹ Consultation 3: Using terms like "psychological counselling centre" or "mental health" may create resistance because it may solidify the notion that they are being labelled as mentally ill or in need of treatment. Reframing it as counselling aimed at guiding them toward a future focused on happiness and well-being, rather than using a title that exposes their vulnerabilities, would be a more effective approach. You should not frame it as counselling for sexual violence survivors, instead highlight that these are services committed to help them lead healthy lives. If you do that, they will surely be keen.

⁸² Consultation 3. North Korean exiles sometimes come back with more emotional distress after engaging with KSVRC and other organisations because of the contrasting communication styles. Conflicts often stem from a combination of the conventional psychosocial support methods in the ROK and the North Korean women's limited understanding of these matters, compounded by the distinct communication styles prevalent in North Korea.

⁸³ Consultation 3. When a regular counsellor [not North Korean] conducts a session, North Korean exiles find it difficult to open up. They want to receive counselling for certain issues, but they struggle to come forward and be open. So, when we tell them that we have counsellors who are North Korean exiles themselves, their demeanour changes and their tone becomes brighter. Communication becomes possible. They ask each other what year they arrived in the ROK, and from there, real connections begin to form. From then on, they become comfortable talking about even the most difficult topics. However, there isn't a system in place to make these kinds of connections and bridges.

⁸⁴ Consultation 3. Psychosocial counselling centres typically begin with an initial psychological assessment and follow structured procedures. However, for North Korean defectors, due to their deep-seated suspicions and traumas, establishing trust with the counsellor can be challenging. These individuals have undergone significant trauma and are already struggling, so subjecting them to a psychological assessment right from the start can push them away. It's crucial for counsellors to gradually build a relationship, and this initial connection is paramount. Taking the time to gradually develop this connection and maintaining consistency is crucial, and I believe that, with this foundation, long-term counselling can be highly effective.

⁸⁵ Ministry of State Security. The MSS is an intelligence agency with an official mission to protect the Kim family and the political system by uncovering citizens and foreign nationals engaged in espionage, anti-party, or anti-revolutionary activities—commonly deemed 'political crimes.'

⁸⁶ The Ministry of People's Security. The Ministry of People's Security has had several changes of name, including as recently as May 2020 when it was renamed the Ministry of Social Security. To avoid confusion with the Ministry of State Security, we continue to refer to it as the Ministry of People's Security or MPS, which is conventionally the name most used.

⁸⁷ The political prison camp or gwalliso here refers to the revolutionary zone. There are two zones in gwallisos. The revolutionary zone is where political prisoners are sent for crimes considered less serious such as questioning the WPK's policy or border crossing. Sentences can last from a few months to ten years. The total control zone is where political prisoners considered guilty of serious crimes that threaten the regime are sent for life.

⁸⁸ P-1, P-2

⁸⁹ P-3

⁹⁰ P-3, P-4

⁹¹ P-3

⁹² P-2

⁹³ Korea Hana Foundation, 2022 북한이탈주민 정착실태조사 (2022), pp. 8, 13. Available at: https://hanaportal.unikorea.go.kr/hanaportal/Institution/Archive/?boardId=bbs_0000000000000008&mode=view&cntId=43&category=&pageIdx=