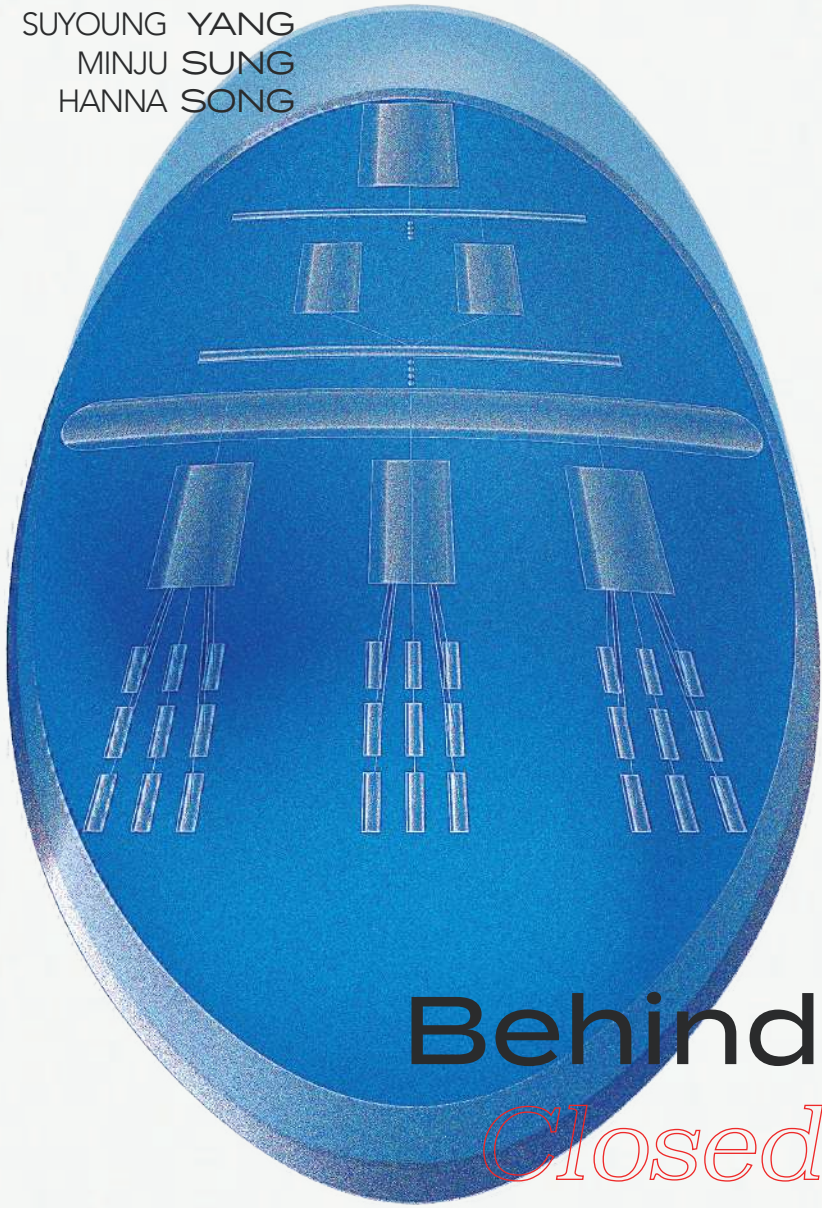


SUYOUNG YANG
MINJU SUNG
HANNA SONG



Behind *Closed* Doors II

: Mapping the System of Command
in the Ministry of State Security
& Social Security

Behind Closed Doors :

Mapping the System of Command
in the Ministry of State Security
& Social Security

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Behind Closed Doors :

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With your unwavering support, NKDB remains steadfast in our commitment to documenting the stories of the North Korean people until everyone can genuinely embrace and exercise their inherent human rights. Your courageous revelations serve as a crucial step towards fostering accountability through a deeper comprehension of the systematic nature of perpetrating institutions in North Korea, which are often veiled from sight.

We extend our deepest appreciation to the teams of UpRights and Global Rights Compliance for their invaluable support and patience in reviewing this report. Their expertise in international law and dedication to justice have been invaluable in producing a report that will significantly contribute to accountability efforts.

Lastly, we express our sincere gratitude to the Embassy of the Netherlands to Korea for their generous funding of this research project. Their support has been instrumental in enabling our efforts to shed light on these critical issues.

Executive Summary

The recent discourse on the North Korean human rights issue has shifted from exposing the gravity of North Korean human rights violations to finding ways to hold the perpetrators accountable. One of the key issues concerning individual accountability for crimes against humanity in North Korea is the matter of 'who is responsible' and 'to what extent they can be held accountable.' Legal precedents of the International Criminal Court specify that not only direct perpetrators of crimes against humanity can be held accountable, but also co-perpetrators and superiors.

In this context, the project has identified the organisational structure and the system of command of the Ministry of State Security and Ministry of Social Security to examine the level of responsibility of the perpetrators of crimes against humanity frequently reported in the two institutions. To achieve this, NKDB has conducted **20** in-depth interviews with North Korean escapees who can provide insights into the command structure of these two Ministries during Kim Jong Un's era. The testimonies provided have been cross examined with the information in the NKDB Unified Human Rights Database, news articles and official documents published by the North Korean authorities in order to enhance the credibility of the testimonies. Additionally, legal experts have reviewed the factual information of the report to ensure it aligns with various modes of liability under international criminal law.

The research has identified the command structure between





regional offices and individual offices of the two Ministries. It also examined the mechanism of how the punishment of the perpetrators of human rights violations within the institutions are handled. Furthermore, it delves into the relationship between the two Ministries and the Workers' Party of Korea (WPK). This research holds significant importance as it forms the basis for developing case theories that elucidate how and under what conditions human rights violations may have occurred. By establishing a linkage between the direct perpetrators and the accountable superiors, the study could aid in determining the future criminal liability of these individuals.



Key Findings

1

The research findings underscore that the two Ministries operate in a notably centralised manner, with significant emphasis placed on their provincial offices. These offices wield substantial supervisory authority over the regional offices, whose primary mission revolves around providing guidance to the regional counterparts. In contrast, the regional offices are predominately responsible for the day-to-day operational aspects of the Ministries. This centralised structure seems to be an inherent feature, aligning with the primary duty of these Ministries, which is safeguarding the security of the North Korean regime.

1-1 It is particularly noteworthy that the Ministry of State Security has modernised its communication by implementing an Intranet system. Given its mandate to address potential regime-threatening political crimes, this technological upgrade allows for rapid transmission of orders and reports, thereby enhancing operational efficiency and communication.

2

The research findings highlight the strong presence of the Workers' Party of Korea (WPK) within these institutions, as evidenced by the existence of a dedicated Political Department representing the Party's interests. The Political Department plays a crucial role in carrying out the directives and initiatives of the WPK.

2-1 The relationship between the Chief Political Officer and the Chief Officer of the two Ministries is a crucial part of understanding the Party-State system. While the Chief Officers are designated as the heads of their respective offices, it is believed that the Chief Political Officers, in charge of the Political Department, hold greater authority as they are responsible for overseeing personnel matters, implementing punitive measures and monitoring the implementation of Party directives.

2-2 Chief Political Officers appoint Cell Secretaries in the administrative departments to oversee Party-related activities and ensure the implementation of the Party's directives in daily operations. It has been established that the Cell Secretaries report directly to the Chief Political Officers.

3

The research findings also emphasise the fundamental characteristics governing the punitive measures taken against perpetrators of crimes against humanity within the two Ministries.

3-1 Of particular note is the Party Security Committee under the Ministry of Social Security, where high rank officials, include the Chief Political Officer and Chief Officer, convene to determine the level of punishment for the offenders. Testimony indicates that the Committee also deals with cases involving officers who have been involved in human rights abuses.

3-2 The range of punitive measures under this committee includes various strategies, such as re-education, personnel reassignment, or terminations. It has been testified that the punitive measures for the offenders are often mitigated due to their allegiance to the Party, potential for ideological realignment and prospects for rehabilitation.

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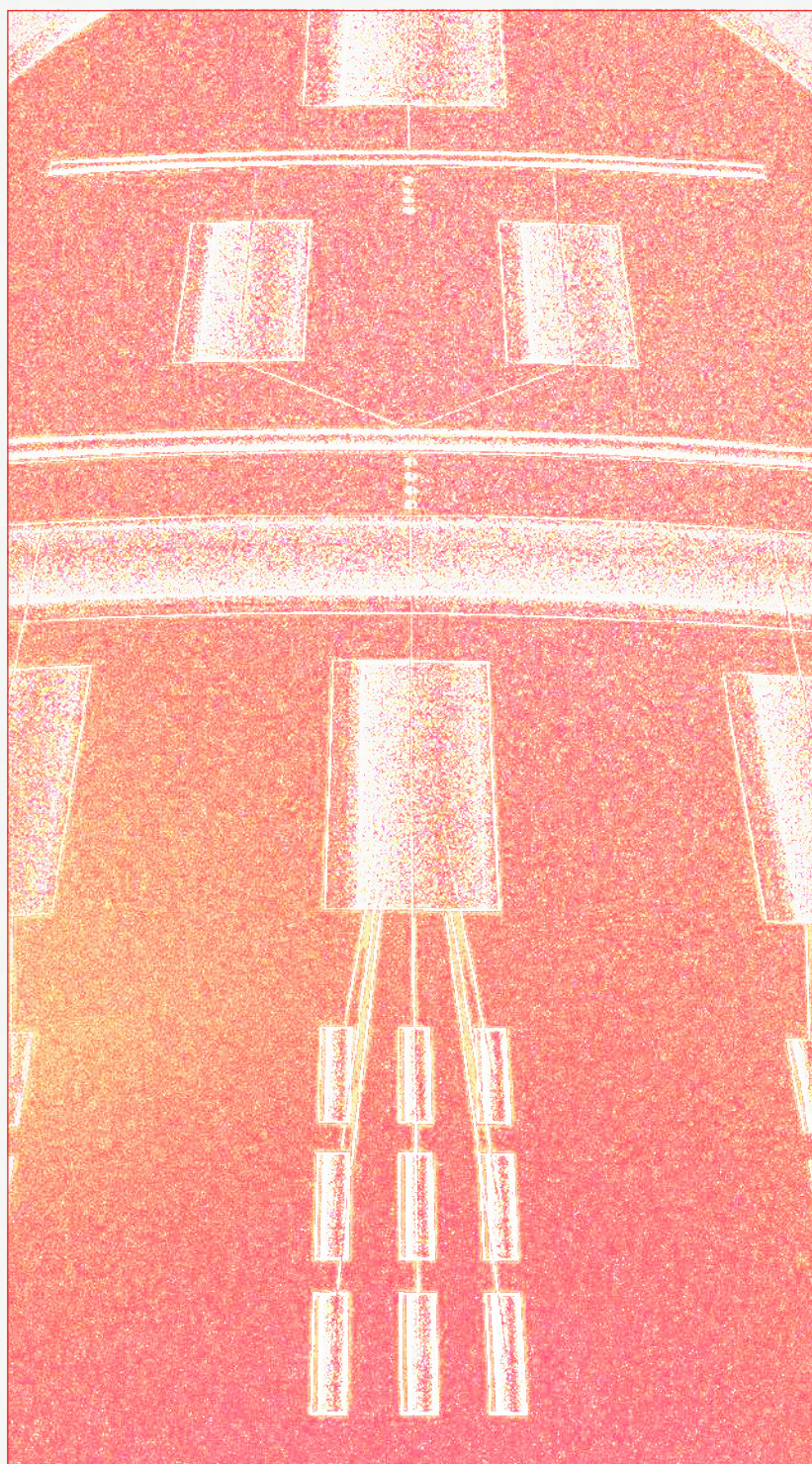
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I.

Introduction

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I. Introduction

1. Research Background and Objectives

In 2014, the United Nations (UN) Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea (COI) concluded that the human rights violations occurring in North Korea amounted to "crimes against humanity"; and that such acts were ingrained within the institutional framework of the North Korean society.¹ It emphasised the "institutional responsibility" of the Ministry of State Security and the Ministry of Social Security that are under the effective control of the Supreme Leader of North Korea.² At the same time, the COI reaffirmed that perpetrators who commit crimes against humanity in North Korea are not immune from criminal responsibility on the basis that they have acted on superior orders, and that "individuals" are also held accountable based on international customary law.³

The UN General Assembly's resolution on North Korean human rights,⁴ which was adopted on 18 December 2014, pushed for the UN Security Council to directly make a referral to the International Criminal Court (ICC) for holding the perpetrators criminally liable for committing crimes against humanity in North Korea. There have also been several studies

1 For the purpose of this report human rights violation occurring in North Korea amounting to crimes against humanity will be referred to as "crimes against humanity" or "human rights violations amounting to crimes against humanity."

2 UN General Assembly, Situation of Human Rights in the Democratic People's Republic of Korea, Note by the Secretary-General, UN Doc. A/70/362 (8 September 2015), para. 54. "...the Special Rapporteur recalls the principle of command and superior responsibility under international criminal law, whereby military commanders and civil superiors can incur personal criminal responsibility for failing to prevent and repress crimes against humanity committed by persons under their effective control."

3 Ibid, para. 1195. "Individuals who commit crimes against humanity in the DPRK may therefore be held responsible on the basis of international customary law ... perpetrators of crimes against humanity are not relieved of criminal responsibility on the basis that they have acted on superior orders, because orders to commit crimes of such gravity are manifestly unlawful."

4 UN General Assembly, Situation of Human Rights in the Democratic People's Republic of Korea, UN Doc. A/RES/69/188 (21 January 2015).

on whether filing of the perpetrators of the crimes against humanity in North Korea to the ICC is possible.⁵

At the moment, one of the major issues regarding individual accountability in North Korea is the matter of ‘who is responsible’ and ‘to what extent they can be held accountable.’ Legal precedents of the ICC specify that not only can direct perpetrators of crimes against humanity be held accountable, but also co-perpetrators and superiors, pursuant to Article 25(3) and Article 28 of the Rome Statute of the ICC.

In the same vein, Marzuki Darusman, former Special Rapporteur on the situation of human rights in the DPRK, has also spoken on the need for accountability to the UN General Assembly.⁶ He spoke of the need to hold the supreme commander and the head of government criminally accountable for their failure to prevent human rights violations in North Korea which amount to crimes against humanity. He accordingly emphasised the importance of identifying the system of command between the perpetrators and analysing the role of each North Korean governmental institution in order to ensure accountability for the crimes committed.⁷

Against this backdrop, the project aims to identify the system of command of the key judicial institutions, particularly the Ministry of State Security and the Ministry of Social Security.

5 Park, Mikyong. “북한의 인도에 반한 죄의 형사처벌 이행에 관한 연구[Implementation of Criminal Punishment for the Crimes against Humanity in North Korea].” Chonbuk Law Review Vol. 62 P89-124 (2020);

Baek, Buhm-suk, Lee, Yun Je. “북한인권침해 가해자의 형사책임규명[Pursuing Criminal Responsibility for Human Rights Atrocities in DPRK].” No.62 Vol. 1 P63-95 (2017);

Lee, Dong Bok. “북한 인권 문제의 국제형사재판소 회부 문제[The North Korean Human Rights Issue and its ICC Referral].” New Asia Essay No.23 Vol.2 (2016);

Cho, Jung-hyun. “국제형사재판소(ICC) 규정상 인도에 반한 죄의 구성요건 북한의 인권침해 상황과 관련하여[A Study on Elements of Crimes against Humanity at the International Criminal Court – With Respect to the North Korean Human Rights Situation].” Kangwon Law Review No.50 P585-625 (2017);

Hong, Jinyoung. “국제형사재판 매커니즘을 통한 북한 체제불법 관련 범죄의 처벌 가능성에 관한 검토[Research on the Criminal Accountability for Crimes of the North Korean Regime through International Criminal Mechanism].” The Justice P333-382 (2017).

6 UN General Assembly, Situation of Human Rights in the Democratic People’s Republic of Korea, UN Doc. A/RES/70/362 (8, September, 2015), para. 54.

7 Ibid, para. 59.

Both Ministries have been created to protect the North Korean regime and as a result, they are responsible for managing those who jeopardise the regime. There have been numerous cases of human rights violations documented involving these institutions, including those amounting to crimes against humanity. As of May 2023, 18,627 cases of North Korean human rights violations in which the Ministry of State Security and the Ministry of Social Security were the perpetrators have been documented in the Database Center for North Korean Human Rights' (NKDB) Unified Human Rights Database. Of these, 11,607 are cases of illegal detention; 3,751 are cases of torture and physical violence; 1,245 are cases of execution and murder; 340 are cases of disappearance; 145 are cases of sexual violence, and 117 are cases of forced abortion.

This project aims to identify the organisational structure and the system of command of the Ministry of State Security and the Ministry of Social Security, examine the state of human rights violations occurring in respective institutions, and display how the perpetrators of human rights violations within the institutions are handled. Based on the findings above, the project analyses the relationship between the two Ministries and the Workers' Party of Korea that exerts effective control over the institutions.

This project ultimately focuses on human rights violations amounting to crimes against humanity. It builds on the NKDB Unified Human Rights Database's extensive documentation of cases which may amount to crimes against humanity and maps the organisational structure and system of command of the two Ministries and Workers' Party with a view to laying the groundwork for legal analysis for superior responsibility and eventually other potential modes of liability under criminal law. NKDB notes that while this report focuses on human rights violations which may amount to crimes against humanity for the purpose of criminal responsibility, the

underlying human rights violations also pertain to the failure by North Korean authorities to ensure the human rights of their citizens.

To this end, NKDB conducted an extensive literature review including documents formally issued by the North Korean authorities, such as the penal code of the DPRK and the Rules of the Workers' Party of Korea. In addition, the testimonies from individuals who had previously worked for the Ministries or related institutions or who had suffered human rights violations in those institutions were collected and cross-analysed with existing information.

This project seeks to find out how the widespread and systematic human rights violations that are being committed in North Korea have taken place, under whose instructions or with whose connivance as well as the identity of the direct perpetrators, and to provide pragmatic preliminary data in the process of seeking accountability in the future.

2. Literature Review and Research Methodology

Most of the existing literature on the Ministry of State Security and the Ministry of Social Security concentrates on analysing and assessing their roles and functions in the sphere of national intelligence and security, crucial for the sustenance of the North Korean regime.⁸ This body of literature endeavours to furnish fundamental data for a comprehension of the intelligence agency's strategy vis-à-vis South Korea, with the ultimate objective of formulating effective countermeasures to safeguard national security. Few studies have focuses on the system of command that elucidates the mechanisms by which orders and reports are facilitated and the entities that exert effective control over/within the two Ministries. Therefore, it is difficult to scrutinise circumstantial evidence that can impose criminal liability for individuals responsible for crimes committed or their superiors who connive in such wrongdoings.

To overcome some of these limitations, this project will analyse the organisational structure and system of command of the Ministry of State Security and the Ministry of Social Security, along with the role and authority of superiors. It will furnish the requisite foundational evidence necessary for the prosecution of not only the individuals directly engaged in the commission of crimes but also those exerting remote control. In particular,

8 Kim, Il-Gi, Kim, Ho-Hong. "김정은 시대 북한의 정보 기구 [North Korean Intelligence Agencies in the Kim Jong Un Era]." INSS Research Report 2020-6. (2020);

Kim, Changyun. "북한의 치안정책에 관한 연구 [A Study on North Korean Police Security Policy]." The Korean Association of Police Science Review No.22 Vol.4 (2020).

Seo, Dong-gu. "김정은 체제 수호를 위한 북한의 정보·보안기구 [North Korean Intelligence and Security Agencies for Protect Kim Jong Un Regime]." Korean Institute for National Unification Online Series (2015);

Seong, Jun-hyuk. "북한 치안기관에 대한 고찰: 김정은 집권기 인민보안부의 사회통제분석을 중심으로 [Consideration of North Korean Security Agency (North Police): Focusing on the Kim Jong Un Administration]". Journal of Korean Public Police and Security Studies No.17 Vol.4 (2020);

Han, Sang Am, Lee, Myungwoo, Kim, Yun-Young. "김정은 시대 북한 정보기구에 관한 고찰 [A Study on Intelligence Agencies during the Kim Jong Un era in North Korea]." Journal of Korean Public Police and Security Studies No.20 Vol.1 (2023).

Hong, Jung-ki. "북한체제의 사회통제기제 분석: 국가보위성과 인민보안성 중심 [Analysis of Social Control Mechanisms in North Korea - National Security Agency and People's Security Agency]." Military Research and Development No.13 Vol.2 (2019).

the concluding chapter will examine the controlling mechanism employed by the Workers' Party of Korea (WPK) to assert its authoritative control over these two Ministries. This analysis will involve a detailed examination of the hierarchical subordination of the two Ministries to the Party.

To this end, NKDB conducted in-depth interviews with North Korean escapees in addition to the literature review for the project. The interviewees were those who 1) either had previously worked for one of the Ministries, 2) could testify in detail about the organisational structure and system of command of the two Ministries, or 3) had suffered human rights violations from the two institutions. Furthermore, to gain a more comprehensive understanding of the contemporary landscape, NKDB directed its interview efforts towards individuals who had resided in North Korea subsequent to Kim Jong Un's assumption of power. The aim was to discern the distinct characteristics and functioning of the two Ministries during the era of Kim Jong Un's leadership.

Using semi-structured interview questions, NKDB conducted 20 interviews in total, between 20 February and 16 April 2023, with 20 North Korean escapees invited based on the criteria above. Considering the features of different interviewee cohorts, separate interview questionnaires were prepared for previous workers and victims of human rights violations. As the aim of this project is to analyse and assess the degree of superior responsibility for human rights violations amounting to crimes against humanity, the questions were designed based on the legal grounds for superior responsibility commonly utilised under international criminal law.⁹

Proficient legal experts specializing in the domains of international human rights and international criminal law have conducted a comprehensive legal review of the two questionnaires to elicit information relevant to modes of liability in international criminal law. Furthermore, they examined

the factual information in the report, providing detailed explanations of the proposed amendments, while keeping the overarching objective of pursuing accountability in accordance with the principles of superior responsibility and other pertinent modes of liability under international criminal law in mind.

The greatest challenge and limitation to this project was the sample of interviewees. The number of interviewees was North Korean escapees who had work experience in the two Ministries, making it difficult to generalize the reality based on the individual experiences and accounts. To complement the interviews, the testimonies secured have been cross examined with the information in the NKDB Unified Human Rights Database. The testimonies were also compared to official documents published by the North Korean authorities including articles related to the Ministry of State Security and the Ministry of Social Security, Party rules, North Korean Criminal Law, and the Criminal Procedure Law. This methodical approach was employed to bolster the integrity and credibility of the information under examination.

This research endeavour carries profound significance as it delves into the intricate organisational charts and command systems governing the Ministry of State Security and the Ministry of Social Security. Moreover, by examining the close relationship between these Ministries and the Workers' Party of Korea, which exercises effective control over them, it lays the groundwork for essential evidence that can be utilised in future international criminal proceedings and other accountability mechanisms.

9 Article 28 of the Rome Statute delineates the following legal grounds for the criminal responsibility of commanders and other superiors: (i) the superior either knew, or consciously disregarded information which clearly indicated, that the subordinates were committing or about to commit such crimes; (ii) the crimes concerned activities that were within the effective responsibility and control of the superior; and (iii) the superior failed to take all necessary and reasonable measures within his or her power to prevent or repress their commission or to submit the matter to the competent authorities for investigation and prosecution.

<Table 1> List of Interviewees

ID Number ¹⁰	Type of Interviewee	Year of Final Defection from North Korea	Date of Interview
A-01	Insider Witness	2019	FEB-20-2023
A-02	Insider Witness	2016	FEB-23-2023
B-01	Related Personnel	2020	FEB-24-2023
A-03	Insider Witness	2019	MAR-01-2023
A-04	Insider Witness	2019	MAR-07-2023
B-02	Related Personnel	2019	MAR-11-2023
A-05	Insider Witness	2019	MAR-11-2023
A-06	Insider Witness	2013	MAR-15-2023
A-07	Insider Witness	2007	MAR-16-2023
C-01	Victim	2019	MAR-22-2023
C-02	Victim	2014	MAR-25-2023
C-03	Victim	2015	MAR-27-2023
C-04	Victim	2017	MAR-31-2023
C-05	Victim	2017	APR-06-2023
A-08	Insider Witness	2012	APR-06-2023
B-03	Related Personnel	2018	APR-11-2023
B-04	Related Personnel	2019	APR-14-2023
C-06	Victim	2019	APR-14-2023
A-09	Insider Witness	2019	APR-16-2023
C-07	Victim	2019	APR-21-2023

10 The identification number shows the categorization of the interviewee (A: Inside witnesses; B: Former official in a different relevant organisation or individual who knows people who worked in the two institutions; C: Victims).



II. Organisational Chart & Operational System



II. Organisational Chart & Operational System

This chapter examines the organisational chart and operational system of the Ministry of State Security and the Ministry of Social Security, along with their subordinate organisations. Furthermore, the functions and significant human rights violations perpetrated by these institutions within the North Korean regime will be briefly reviewed.

1. Ministry of State Security

The Ministry of State Security is under the direct control of the State Affairs Commission headed by Kim Jong Un. The Ministry of State Security and its subordinate organisations protect the North Korean regime and oversee the implementation of its policies. The Ministry handles cases involving criticism of the regime, acts of treason or espionage, and crimes against the state and nation. The Ministry also deals with individuals suspected of disrupting socialist culture by engaging in religious activities, drug-related offences, or possessing and disseminating external information. In addition, North Korean escapees who are arrested in China and forcibly repatriated are initially transferred to a regional office of the Ministry of State Security near the border areas. There, they are subjected to an investigation as to whether they attempted to escape to South Korea, participated in religious activities, or came into contact with South Koreans while in China.¹¹

11 The six routes of forced repatriation from China are usually 1) Dandong PSBDC Border Station, Liaoning Province, China → Ministry of State Security, Sinuiju City, North Pyongan Province; 2) Tonghua PSBDC Border Station, Jilin Province, China → Ministry of State Security, Manpo, Jagang Province; 3) Changbai PSBDC Border Station, Jilin Province, China → Ministry of State Security, Hyesan, Yanggang Province; 4) Helong PSBDC Border station, Jilin Province, China → Ministry of State Security, Musan County, North Hamgyong Province; 5) Longjing PSBDC Border Station, Jilin Province, China → Ministry of State Security, Hoeryong city, North Hamgyong Province; 6) Tumen PSBDC Border Station, Jilin Province, China → Ministry of State Security, Onsong County, North Hamgyong Province.

In 2018, the international community became aware of the severity of human rights violations committed by the Ministry of State Security, leading the U.S. Treasury to impose human rights sanctions on the then-Minister of State Security, Jong Kyong taek.¹² Following this, in 2021, Minister Jong was added to the European Union (EU) Global Human Rights Sanctions Regime list.¹³ Ri Chang-dae was appointed to the Minister of the Ministry of State Security in June 2022 and as of June 2023 still serves in this position.¹⁴

The Ministry of State Security itself is not a facility intended for the detention of criminals. However, according to testimonies, the provincial offices of the Ministry of State Security have detention centres to temporarily detain and investigate suspects. Most human rights violations at the Ministry of State Security occur during the investigation and preliminary trial process or during detainment to extract a confession or to punish violations of detention facility regulations. There are also reports of the physical assault and forced abortion of pregnant escapees who are forcibly repatriated from China, as well as disappearances that are presumed to be linked to transfers to political prison camps.

When detained at the State Security Office, people usually deny any wrongdoing right away. Even if the authorities present clear evidence, they flatly deny doing anything like that. But if you do that, you will get beaten badly. They beat you until you say that you did it. The women are usually beaten with a leather belt, while men are beaten with a wooden stick.

(C-01 Testimony)

¹² U.S. department of the Treasury, Treasury Sanctions North Korean Officials and Entities in Response to the Regime's Serious Human Rights Abuses and Censorship, December 10, 2018. <http://home.treasury.gov/news/press-releases/sm568>

¹³ Official Journal of the European Union, Legislation L991, March 22, 2021, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:0991:FULL&from=EN>

¹⁴ National Knowledge Portal on North Korea - Power Structure, <http://nkinfo.unikorea.go.kr/nkp/theme/getPowerStructureDang.do>

The Ministry of State Security is highly concerned about North Koreans coming into contact with enemy states, so those who are forcibly repatriated from China are beaten severely due to suspicion of attempting to escape to South Korea. Pregnant women can lose their child if they are beaten. So, forced abortions can occur at the Ministry of State Security.

(C-06 Testimony)

While I was at the detention centre, there was a man there who was charged for assisting an escapee. He was seen providing directions to South Korea. The escapee, however, was not caught and made it to South Korea, so there was no evidence. Believing that he would be fine if he just held out, the man denied having assisted the escapee. I did not see how he was beaten at the office, but four guards had to carry him back. He was beaten so badly that he could not walk anymore.

(C-07 Testimony)

The Ministry of State Security's Headquarters is in Daesung District, Pyongyang, and its offices are spread out across each province, city, and county. There are thirteen offices at the provincial level, including in Pyongyang, Nampo, Kaesong, Rason, North and South Pyongan, North and South Hwanghae, North and South Hamgyong, Jagang, Kangwon, and Yanggang province. According to multiple testimonies reviewed by the NKDB, as of the late 2010s, it is estimated that the Ministry of State Security operates approximately 200 offices across the city, county, and district levels.

The Ministry of State Security's Headquarters consists of the Political Bureau and administrative body. The Political Bureau is made up of the Organisational, Propaganda, Cadres and General Affairs Departments. It is understood that these four Departments are responsible for key Party tasks within the Ministry of State Security such as ordering daily instructions of the Party, providing guidance of the Party's ideological life,

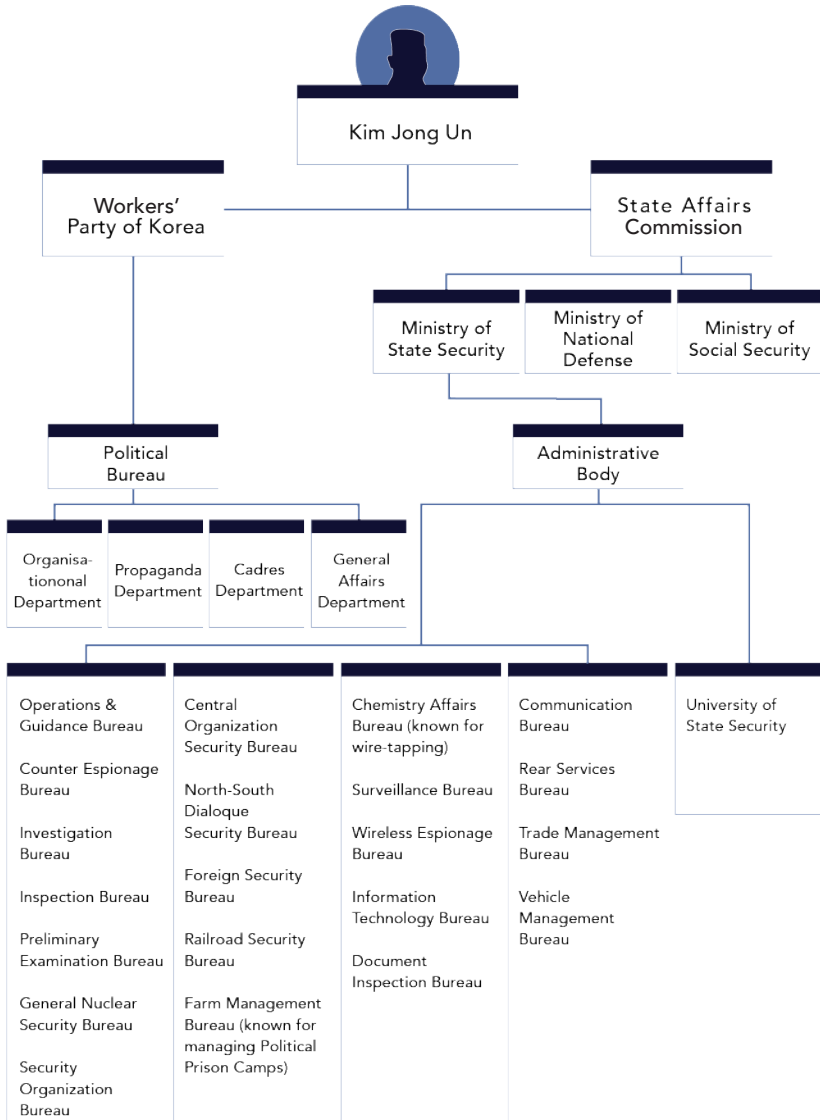
and granting approval for Party admission.

There are 35 bureaus under the Minister responsible for administration. This includes the Operations and Guidance Bureau, Counter-Espionage Bureau, Investigation Bureau, Preliminary Examination Bureau, Inspection Bureau, Judicial Bureau, Central Organisation Security Bureau, Security Organisation Bureau, General Nuclear Security Bureau, Defence Industry Bureau, North-South Dialogue Security Bureau, Foreign Security Bureau, Railroad Security Bureau, Chemical Affairs Bureau, Document Inspection Bureau, Surveillance Bureau, Information Technology Bureau, Wireless Espionage Bureau, Rear Services Bureau, Trade Bureau, and Communications Bureau.

The Espionage, Investigation, and Communication Bureaus carry out the Ministry's main functions. The Ministry of State Security Headquarters in Pyongyang is estimated to have around 4,000-5,000 employees.¹⁵

¹⁵ Youngja Park et al., *State Institutions under Kim, Jong Un*, p63.

**<Figure 1> Organisational Chart
of the Ministry
of State Security**



<Figure 2> The Headquarters of the Ministry of State Security in Pyongyang



Source: Google Earth

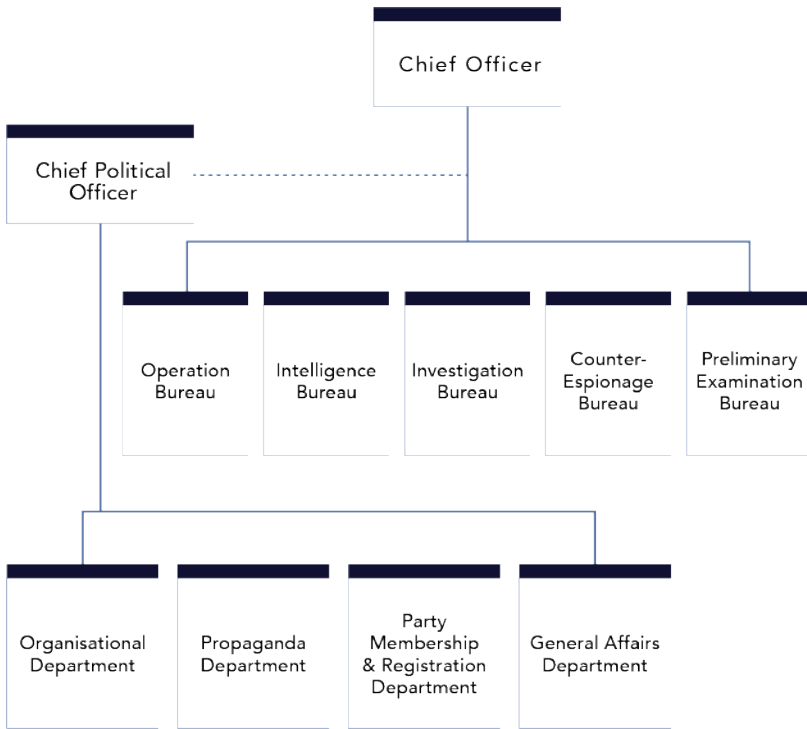
The thirteen provincial offices within the Ministry of State Security, akin to the Ministry Headquarters, comprise both a Political Department and an administrative body. To this end, NKDB has verified the existence of a minimum of five Departments within the Political Department, encompassing the Organisational, Propaganda, Party Membership and Registration and General Affairs Departments. It is inferred that these departments at the provincial level are prone to systematically replicate the primary functions found at the central Headquarters.

NKDB has also confirmed that the administrative body typically consists of five to ten departments, including, but not limited to the Operation, Intelligence, Investigation, Counter-Espionage, and Preliminary Examination Bureaus. These Bureaus mirror the structure of Departments within the higher chain of command, thereby demonstrating a clear and well-defined line of order for each respective task.

Each Bureaus is managed by a director and a team of officers, with oversight of the administrative departments

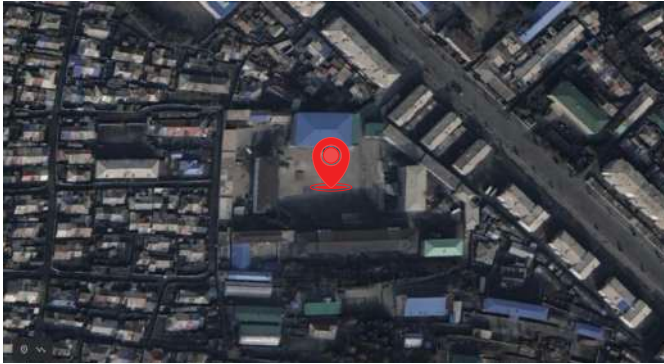
falling under the responsibility of the Chief Officer of the Ministry of State Security offices, while the Political Department is under the purview of the Chief Political Officer. In total, there are an estimated 1,500 to 2,000 employees working in each provincial office of the Ministry of State Security.

<Figure 3> Organisational Chart of the Provincial Office of the Ministry of State Security



Despite the division of the chain of command within the Political and administrative bodies, the dotted line indicates the significant influence exerted by the Chief Political Officer on the department's operation. This organisational structure serves as a distinctive characteristic of the Party-state system commonly found in communist countries. The research also indicates that although the Chief Officers are designated as the head of their respective offices, the Chief Political Officer operates independently and is not subordinate to the Chief Officer. ***

<Figure 4> The Provincial Office of the Ministry of State Security in Hyesan City, Yanggang Province

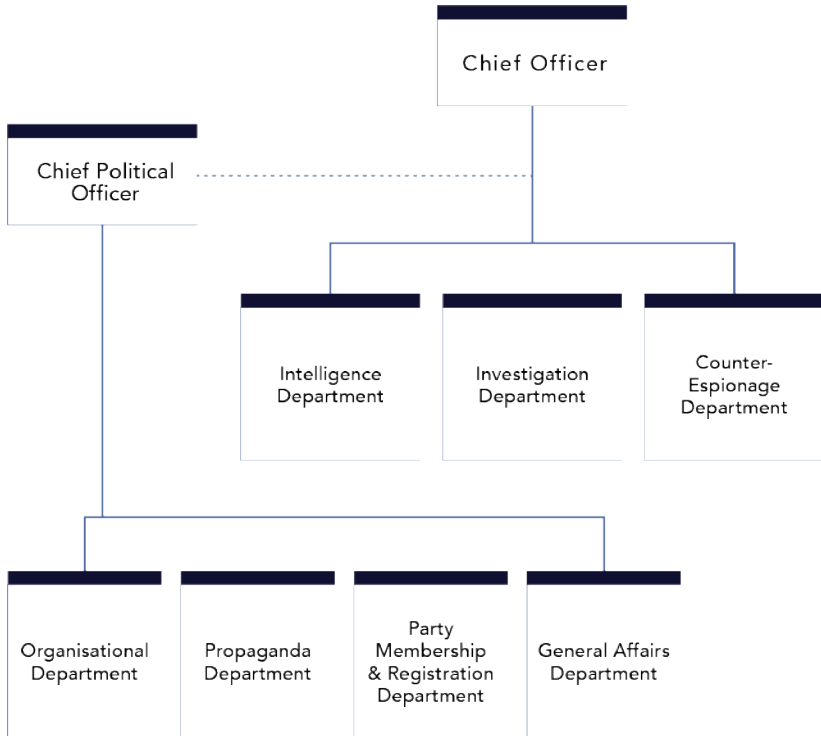


Source: Google Earth

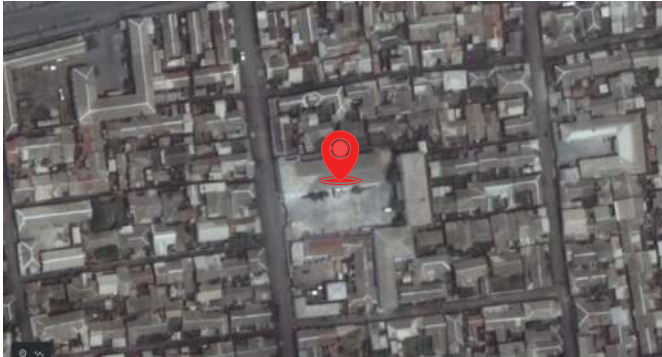
It has also been ascertained that the offices at the city, county, and district office replicate the organisational structure of the provincial level but on a smaller scale. NKDB has verified that the administrative body consists of a minimum of three to five departments, which include Intelligence, Investigation, and Counter-Espionage Departments, with the specific departments varying depending on the region. Likewise, each department is staffed with a director and officers, all of whom come under the authority of the Chief Officer responsible for overseeing the administrative functions.

It is deduced that these offices dispatch officers to each *ri* and People's Unit to monitor the ideological inclination of the residents. It is estimated that about 1,500 officers are working for these offices.

**<Figure 5> Organisational Chart
of the City/County/District Office
of the Ministry of State Security**



<Figure 6> The District Office of the Ministry of State Security at Hoesang District, Hamhung City, South Hamgyong Province



Source: Google Earth

The Intelligence Department gathers information on domestic political trends, while the Espionage Department collects information on the cross-border movement of North Koreans. Based on political trends identified by the Intelligence and Espionage Departments, the Investigation Department looks into cases of political crimes. The Investigation and Espionage Departments are known to be the two main departments that identify political criminals and subject them to brutal interrogations.

It has been testified during this research that the Ministry of State Security carries out its everyday operations based on a 'Security Operations Handbook' which contains standard operating procedures and details about the Ministry's operating system. The handbook also outlines the basic tasks of State Security officers as well as the roles and responsibilities of each department. This handbook, which is housed at the Office of the Classified Information Department, is believed to be referenced by administrative staff when carrying out individual tasks.

The Ministry operates based on the ‘Security Operations Handbook’ which serves as a reference guide. No one has their own copy; instead, it is stored in the Classified Information Department office. You cannot take it around with you for personal use, but you can borrow it from the office to use as a reference while working. Many people borrow it because it can be challenging to remember how everything should be done. When they’re unsure about something, they will go and check the handbook every once in a while.

(A-02 Testimony)

Top-ranking Ministry officials, such as the Minister, typically hold the rank of Lieutenant Colonel or Colonel. Mid-ranking department heads such as directors, commissioners, and managers are mostly Lieutenant Colonels. Officers within the departments who are responsible for day-to-day operations are promoted based on performance, so they can be of various ranks such as that of First Lieutenant, Captain, and Major.

Suspects who are detained for questioning by the Investigation and Espionage Departments are temporarily held in detention centres. The inmates are monitored by privates, known as ‘*gyeho*’ (guard), and their supervisors. In the Ministry of State Security, human rights violations are committed not only during the investigations conducted by officers of the Investigation and Counter-Espionage Departments, but also during detainment by guards and their supervisors.

The guards at city and district level facilities are generally Second Lieutenants. However, NKDB has acquired testimonies that guards in detention centres operated by the Ministry in Pyongyang are First Lieutenants. Therefore, it cannot be ruled out that there may be differences in the ranks of the guards depending on the location of the facility. In addition, there are testimonies indicating that some city or district offices either do not have a detention centre or do not have guards to run the facilities. Further investigation is needed to assess the

management practices of the Ministry of State Security's detention centres.

There was no detention centre at the District State Security Office, but they started building one in 2015. There were no guards. It was just a place where officers could conduct investigations on their cases as well as counter-espionage operations.

(A-09 Testimony)

There were around four to five workers from the State Security Office patrolling the detention centre. There were also guards. Originally, the City State Security Office did not have a detention centre. But when the Ministry of State Security became more influential and obtained jurisdiction over general crimes, they built a detention centre. Later, the Ministry lost its jurisdiction.

(C-06 Testimony)

2. Ministry of Social Security

The Ministry of Social Security¹⁶ is also under direct control of the State Affairs Commission which is headed by Kim Jong Un. The Ministry of Social Security and its subordinate organisations are security agencies that are tasked with monitoring and surveillance of North Korean residents in order to uphold the North Korean regime. The Ministry of Social Security usually arrests and investigates suspects of non-political crimes. Suspects involved in cases of theft, unemployment, illegal trading, and the sale or usage of narcotics are detained and later transferred to a labour training camp or prison once convicted. During the investigation process, those who are suspected of committing political crimes are transferred to other relevant institutions such as the Ministry of State Security. In addition, the Ministry of Social Security conducts a nationwide census every two years to monitor the ideological trends of North Koreans and are responsible for '*songbun*' (social status).

In 2018, former Minister Ri Young-gil was also sanctioned by the U.S. Treasury¹⁷ and added to the EU Global Human Rights Sanctions Regime list.¹⁸ In December 2022, Ri Thae Sop was appointed the Minister of Social Security and still serves in this role as of June 2023.¹⁹

The Ministry of Social Security is responsible for human rights violations, similar to those committed by the Ministry

16 The Ministry of Social Security has undergone several name changes in the past. It has been referred to as the Ministry of People Security and the Ministry of National Security. As of May 2020, the name of the institution has been changed to the Ministry of Social Security and the regional offices were renamed anjeonbu. Therefore, the study will unify the terminology accordingly. However, for the testimonies, in order to convey the original text of testimonies, the terms will not be unified.

17 U.S. Department of the Treasury, Treasury Sanctions North Korean Officials and Entities in Response to the Regime's Serious Human Rights Abuses and Censorship, December 10, 2018, <http://home.treasury.gov/news/press-releases/sm568>

18 Official Journal of the European Union, Legislation L991, March 22, 2021, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:0991:FULL&from=EN>

19 National Knowledge Portal on North Korea - Power Structure, <http://nkinfo.unikorea.go.kr/nkp/theme/getPowerStructureDang.do>

of State Security. The Ministry of Social Security investigates general crimes and maintains public order. It operates detention centres, holding camps, labour training camps, and prisons. Systematic and widespread human rights violations are believed to have occurred at these facilities. Most notably, the Ministry of Social Security's provincial offices carried out public executions in public places such as airfields, marketplaces, and school playgrounds from the late 1990s to mid-2000s. Testimonies suggest that since 2010, secret executions have been carried out in the Ministry of Social Security's underground facilities in response to the growing international criticism of public executions. In addition, there are reports of human rights violations, including physical assault, arbitrary detention, and forced abortions, being committed at the city, county, and district offices of the Ministry of Social Security. These violations occur during detention as well as during the investigation and preliminary trial process.

| *Another detainee was beaten in the waiting room of the Ministry of People's Security [now Ministry of Social Security]. There are CCTV cameras in the room that are monitored by guards. Once, a detainee was so hungry that he stole food from a younger detainee. The guard called him out and beat him mercilessly. He was punched and kicked on the face, chest, back, and shins; everywhere but the vital areas.*

(C-05 Testimony)

I was beaten a lot at the Ministry of People's Security [now Ministry of Social Security] detention centre. The guards hang you on the prison bars. There is a cement threshold that they'll make you kneel on while you're hanging from the bars. The guards would take off their leather belts and beat your hands with them all night long. One woman went into shock because she had been beaten so much.

(C-06 Testimony)

The Ministry of Social Security consists of a headquarters located in Susong District, Pyongyang, and its offices are spread

out across each province, city, county and district as well as *dong* and *ri* level police stations. Based on multiple testimonies reviewed by NKDB, it is estimated that around 200 offices are operational at the city, county, and district levels. When factoring in the security departments in the factory office and police stations at the *dong* and *ri* levels, the total number of these establishments is estimated to be around 4,000 as of the 2010s.

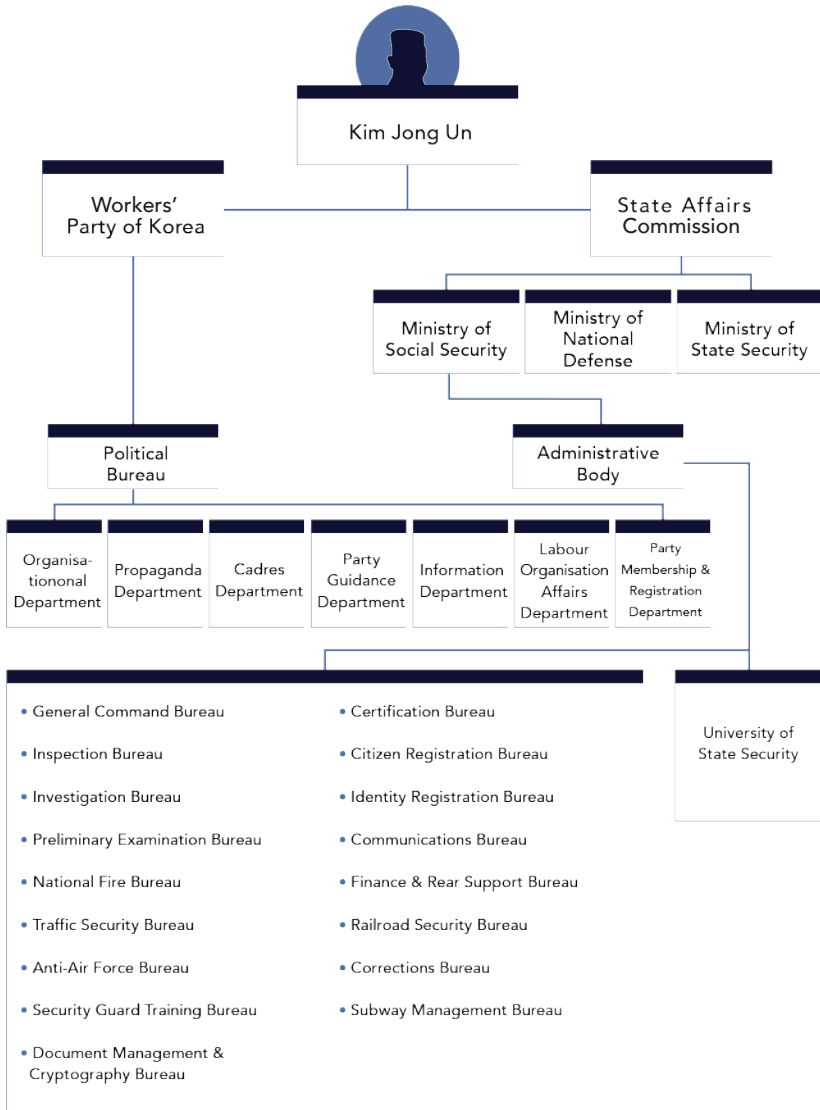
The Ministry of Social Security's Headquarters comprises an independent Political Bureau and administrative body. Similarly, the Political Bureau of the Ministry of Social Security is an independent organisation within the Ministry that carries out Party initiatives. It receives instructions from the Workers' Party of Korea and holds authority over personnel management and supervises the Ministry's operations. The Political Bureau is responsible for various duties, which include communicating Party guidance to security officers, overseeing the tasks carried out by the Ministry, and conducting personnel actions such as dismissal, promotion, and recommendation. It consists of the Organisational, Propaganda, Cadres, Party Guidance, Information, Labour Organisation Affairs, Party Membership and Registration Departments. It is estimated that the Political Bureau has about 300 employees. There are 17 bureaus under the Minister responsible for administration. The names and duties of each department can be found in <Table 2>.²⁰

20 Youngja Park et al., *State Institutions under Kim, Jong Un*, p66-67

**<Table 2> Departments and Their Main Duties
of the Ministry of Social Security**

Departments	Main Duties
General Command Bureau	Oversees the general operations and implementation of orders given to departments and affiliated organisations.
Inspection Bureau	Supervises the political activities of North Koreans by ensuring the circulation and implementation of proclamations and directives. It also conducts routine audits of provincial and local social security bureaus to detect corruption.
Investigation Bureau	Detects criminal cases, criminal (general and economic) investigations and arrest, forensic analysis, and guides and supervises scientific investigations conducted by provincial and local public security bureaus.
Preliminary Examination Bureau	Oversees the initial investigation of criminal cases and determines the handling and jurisdiction of cases.
National Fire Bureau	Manages safety operations related to fire and explosions such as firefighting.
Traffic Security Bureau	Maintains traffic order and manages traffic accidents.
Anti-Air Force Bureau	Oversees the evacuation, training, and control of residents in preparation for bombings, chemical weapons attacks, and black outs.
Security Guard Training Bureau	Conducts military training of Ministry of Social Security officials and guards major institutions or cadres' houses.
Document Management & Cryptography Bureau	Stores and manages important documents and interprets and disseminates cryptographic telegrams.
Certification Bureau	Issues permits and certificates for travel.
Citizen Registration Bureau	Verifies the identity of citizens upon request, registers the change of status, and manages the resident network system.
Identity Registration Bureau	Manages birth and death registration, marriage and divorce registration, and relocation of residence registration, and issues identification cards.
Communications Bureau	Oversees both wired and wireless communication.
Finance & Rear Support Bureau	Executes the budget and manages living expenses, the distribution of clothing, food, supplies and materials in the Ministry of Social Security.
Railroad Security Bureau	Oversees the security of North Korea's railroad tunnels, bridges, rail lines, rail facilities, military supplies at rail depots, and freight and passenger trains and oversees regulations related to travel.
Corrections Bureau	Manages criminals and operates the prisons.
Subway Management Bureau	Operates and manages the Pyongyang subway system and conducts safety operations in the subway.

<Figure 7> Organisational Chart of the Ministry of Social Security



<Figure 8> The Headquarters of the Ministry of Social Security in Pyongyang



Source: Google Earth

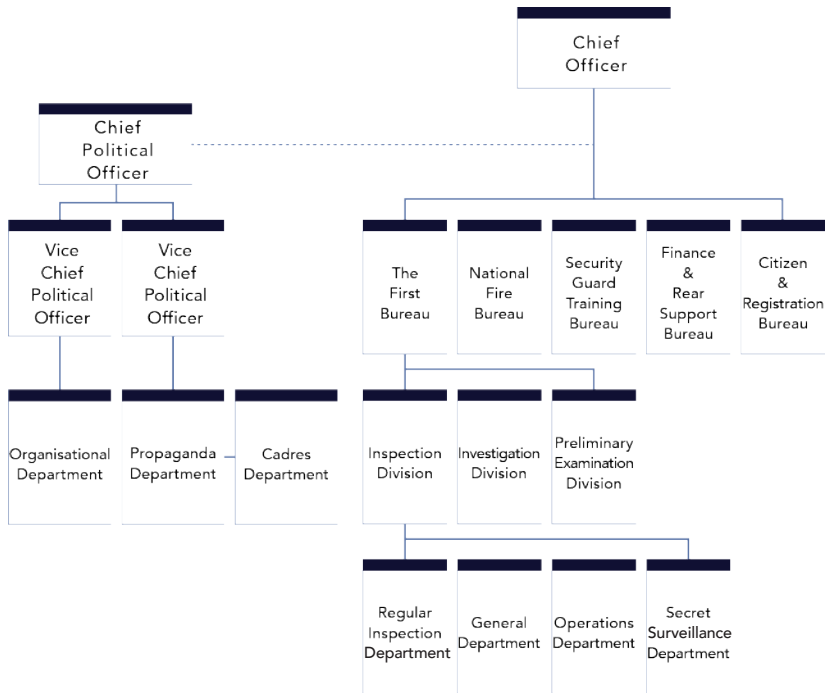
The thirteen provincial offices within the Ministry of Social Security, akin to the Ministry Headquarters, comprise both a Political Department and an administrative body. To this end, NKDB has verified the existence of a minimum of three departments within the Political Department, encompassing the Organisational, Propaganda and Cadres Departments. Additionally, NKDB has obtained information indicating that in each provincial office, a minimum of two Vice Chief Political Officers is present. One primarily representing the Organisational Department while the other is responsible for the Propaganda Department. Chief Political Officer is in charge of the Political Department.

NKDB has also confirmed that the administrative body comprises several departments, including but not limited to the First Bureau, the National Fire, the Security Guard Training, Finance and Rear Support, and Citizen Registration Bureaus. The structure of these bureaus mirrors the hierarchy in the upper chain of command, creating a well-defined chain of command for each specific task.

With the Chief Officer as the ultimate authority in the chain of command, each bureau is led by a Vice Chief Officer, and it has been observed that each bureau contains five to seven divisions, each headed by a Senior Director. NKDB has also identified the presence of 4-5 departments within the Inspection Division, led by the Director, each staffed by approximately 40 officers.

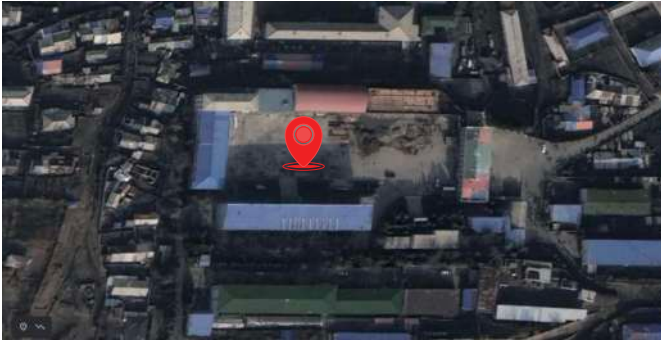
The Inspection, Preliminary, and Investigation departments are notorious for being the primary locations where most cases of human rights violations occur. This is mainly because they are responsible for the monitoring and surveillance of the North Korean population, as well as the interrogation of suspects.

<Figure 9> Organisational Chart of Provincial Office of the Ministry of Social Security



Despite the division of the chain of command within the Political and administrative bodies, the dotted line indicates the significant influence exerted by the Chief Political Officer on the department's operation. This organisational structure serves as a distinctive characteristic of the Party-state system commonly found in communist countries. The research also indicates that although the Chief Officers are designated as the head of their respective offices, the Chief Political Officer operates independently and is not subordinate to the Chief Officer. ***

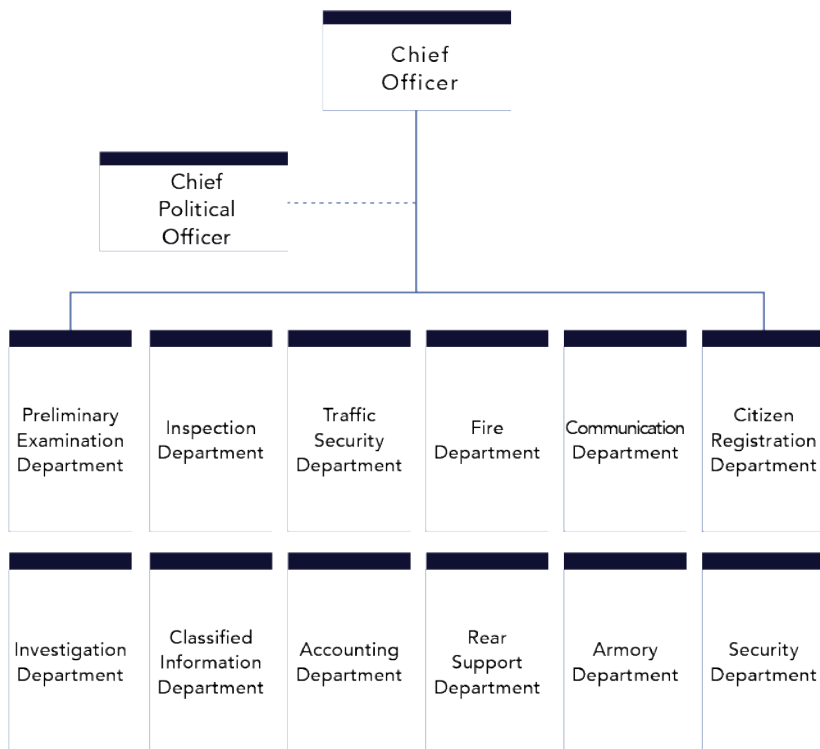
<Figure 10> Provincial Office of the Ministry of Social Security in Hyesan City, Yanggang Province



Source: Google Earth

It has also been ascertained that the offices at the city, county, and district offices replicate the organisational structure of the provincial level but on a smaller scale. NKDB has verified that the administrative body consists of a minimum of 10-12 departments, which include Preliminary Examination, Inspection, and Investigation Department, with the specific departments varying depending on the region. Likewise, each department is staffed with a director and officers, all of whom come under the authority of the Chief Officer responsible for overseeing the administrative functions.

**<Figure 11> Organisational Chart
of the City and County office
of the Ministry of Social Security**



<Figure 12> District Office of the Ministry of Social Security in Hoesang District, Hamhung City, South Hamgyong Province



Source: Google Earth

Unlike the Ministry of State Security, a handbook that lists standard operating procedures and details on the operational system has not been identified in the research. However, it has been confirmed that each department has an internal regulations manual that provides information on work ethics and case studies in the administration. These manuals include conducts expected from employees and practical examples to help understand how to handle specific situations, investigations and other aspects of their works. Further research is needed as it seems that different names are used to refer to these manuals.

The Chief Officer of the Social Security offices at the provincial, city, county and district levels usually holds the rank of Lieutenant Colonel or Colonel. Mid-ranking officials are usually Majors or Lieutenant Colonels. Security officers within the departments who are responsible for daily tasks can be Second Lieutenants, First Lieutenants, Captains, or Senior Captains, depending on performance and years of service. At local police stations at the *dong* and *ri* level, Police Chiefs are

usually Majors or Lieutenant Colonels, while the security officers responsible for patrolling are usually Captains.

As the Preliminary Examination department manages the detention facilities, it is located in a separate building. According to testimonies, the Ministry of Social Security's Detention Centre is staffed by 6 prison guards and one Chief Prison Guard, who rotate between prison guard duty inside the facility and 'stand by duty' which consists of monitoring the CCTV cameras. Prison guards usually hold the rank of a Sergeant First Class or First Sergeant.

It is estimated that the total number of officers and guards in charge of detention centres are between 100-300 in each region. However, information providers have also collectively testified that there are differences in the number of workers and the composition of the departments by region, which could be specified through supplementary investigations and research in the future.



III. Command & Reporting System



III. Command & Reporting System

This chapter examines the command and reporting system of the Ministry of State Security and the Ministry of Social Security, based on interviews of former employees. As previously mentioned, the Ministry of State Security supports the North Korean regime by carrying out duties such as the identification of political offenders, while the Ministry of Social Security maintains public order. Given their distinct functions, the two Ministries are analysed separately.

1. Ministry of State Security

(1) The Command and Reporting System between Regional Offices

At the top of the Ministry of State Security's chain of command is its Headquarters, which is affiliated with State Affairs Commission. Under the Ministry Headquarters are provincial offices, which serve as a supervisory body; and city, county, and district offices, which carry out day-to-day administration.

According to the 'State Security Handbook', the [city and] county offices do the work. Provincial offices are supervisory bodies. (...) The provincial offices collect intelligence from city or county offices and send it up to the Ministry's Headquarters. You can think of [provincial offices] as controlling institutions. The actual work is done at the city and county offices.

(A-02 Testimony)

The Ministry of State Security, similar to other North Korean administrative bodies, is a centralised organisation whose power is vested in its Headquarters. The Ministry Headquarters exercises operational control over subordinate

regional offices; while the provincial offices communicate orders and directives issued by the Workers' Party of Korea and the Ministry Headquarters to city, county, and district offices. Testimonies confirm that provincial officers from each bureau are dispatched to subordinate offices for about a year to conduct supervision of regional operations.

[The provincial offices] receive various reports from the city or county offices. These reports can include information about local developments, issues, or activities. Based on the information obtained, they also disseminate directives and instructional resources issued from [higher level institutions]. Additionally, the provincial offices are responsible for conducting a process known as "Unit Guidance." During Unit Guidance, officers from different bureaus or departments, which are part of the provincial office, are selected and dispatched to various locations for an extended period, often about a year. The purpose of Unit Guidance is to provide on-site support, supervision, or training to regional offices or institutions within the province. This can help ensure the consistent implementation of policies, improve local performance, or strengthen the connection between higher-level institutions and their regional counterparts.

(A-02 Testimony)

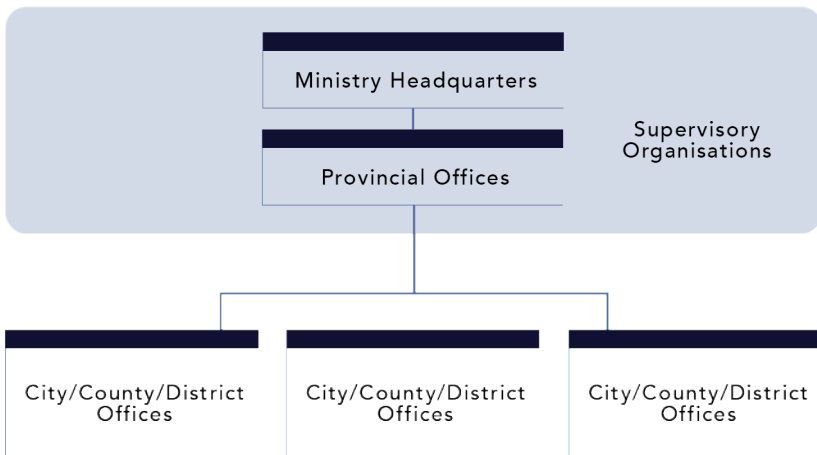
In contrast, the command and reporting structure of the Ministry of State Security stands out when compared to other North Korean administrative bodies. District offices are typically located within the administrative boundaries of cities, seemingly falling under the jurisdiction of the respective cities. However, due to their handling of sensitive information critical to the survival of the North Korean regime, district State Security offices maintain a direct reporting relationship with the provincial offices, from which they receive instructions."

[District State Security offices] are under the provincial, not city, offices. We receive [orders] from the provincial office and are in direct communication with them. This is

due to the classified nature of the work. The district offices are not administratively under the city offices, nor do we have less authority. We are responsible for reporting to them. The reports we submit have to make it from the district to the city, the city to the province, and finally to the Ministry Headquarters. [This whole process takes] too much time and there is a high risk of an information leak, so the provincial offices compile reports.

(A-09 Testimony)

<Figure 13> Command and Reporting System between the Ministry of State Security and its Regional Offices



Furthermore, as the Ministry of State Security is responsible for identifying political trends among North Korean residents and investigating anti-state and anti-regime activities, the Ministry Headquarters and provincial offices analyse reports submitted by regional State Security offices to identify political trends. These regional reports serve as the basis for policymaking and implementation by the Workers’ Party of Korea.

█ [Working at the provincial office] entails handling large

amounts of intelligence on a day-to-day basis. [The provincial office] analyses various trends among North Korean residents. All the intelligence is recorded on the computer. We closely monitor the daily trends among the North Korean people and assess public opinion on, for instance, the regime's missile tests, as well as other incidents significant to inter-Korean or North Korea-US relations. We write "these are the trends that have been detected." This information is gathered by secret agents. There are documents that contain information such as the time, date, location, names of individuals involved, and the content of their conversations. Regional officers compile and bring these records materials to the provincial office.

(A-02 Testimony)

[The District State Security offices] receive real-time reports from security officers that "an incident has occurred" or that "holiday rations have been distributed, but public opinion is unfavourable." The district offices send these reports to higher-level organisations. All of this information is collected by The Ministry Headquarters for its own reports, which the Party uses for policymaking.

(A-09 Testimony)

City, county, and district offices can conduct an investigation into incidents that occurred within their jurisdiction only after the provincial office has been provided with an incident report and issued a directive or operation plan. The incident report submitted by regional offices usually includes the personal information of the suspect(s), time taken to handle the incident, and a list of necessary equipment. Depending on the seriousness of the incident, the provincial office or Ministry Headquarters may authorise an investigation and provide supplies. While city, county, and district offices can conduct independent investigations, political crime cases are usually transferred to the provincial offices.

If an incident occurs [within the jurisdiction of the district

State Security office], you are required to notify the provincial office immediately. After that, you receive an investigation plan. [...] Depending on the severity of the incident, the provincial office can provide assistance. For example, you can receive wiretapping equipment, which is not available at the district office. These kinds of equipment are scarce in North Korea and, to use it, you have to report everything to the provincial offices. In North Korea, district offices lack the authority to use wiretap investigations.

(A-09 Testimony)

During the investigation, if you are suspected of having committed a political crime, the county office will transfer your case to the provincial office. Things become extremely difficult once your case is transferred from the county to the provincial State Security office.

(C-08 Testimony)

Investigations and interrogations procedures usually take place in the provincial offices. The atmosphere there is eerily cold. In fact, I've heard that very few individuals have managed to come out of there alive.

(C-06 Testimony)

State Security offices have modernised their communication methods by implementing an Intranet system²¹, which allows for the swift transmission of orders and reports. This technological upgrade marks a departure from traditional, slower communication channels. A former employee at a provincial office reported that routine task reports are now sent directly to the Ministry Headquarters via this Intranet system. It is likely that these reports play a crucial role in informing the Workers' Party of Korea about various activities and developments within the Ministry of State Security.

²¹ Additional research is required since witnesses use various terms, such as "Shield Network", or "Hard Network" *kang seong mang*, to refer to the Intranet.

To ensure the security of this communication system, the computers used for these purposes are housed in dedicated machinery and computer rooms. Additionally, a designated security officer is responsible for the systematic maintenance of these computers, ensuring that they function reliably and securely. This transition to more efficient and secure communication methods highlights the Ministry of State Security's commitment to maintaining control and surveillance over its operations while adapting to modern technologies.

We sent daily reports to the Ministry Headquarters through the Intranet. Despite its haphazard appearance, North Korea's reporting system is well-organised. Even within the Headquarters, there is a well-established system for submitting reports to the department Directors or other Party-affiliated institutions. This is because all North Korean organisations are subordinate to the Workers' Party of Korea.

(A-02 Testimony)

Reports to the provincial offices and Ministry Headquarters can now be made in real-time via Intranet. It takes only about 10-20 minutes to receive directives and begin implementing them. For Party-affiliated institutions and, in particular, the security organisations, security work, is of utmost importance. So, investments have been made for these purposes. Although North Korea is regarded as a poor country, it's fast with these kinds of things. While the regime has little regard for the well-being of its people, it stays up-to-date on these kinds of things. The computers are stored at the machinery or computer room within the State Security offices, and there is someone who is responsible for conducting maintenance of the Intranet.

(A-09 Testimony)

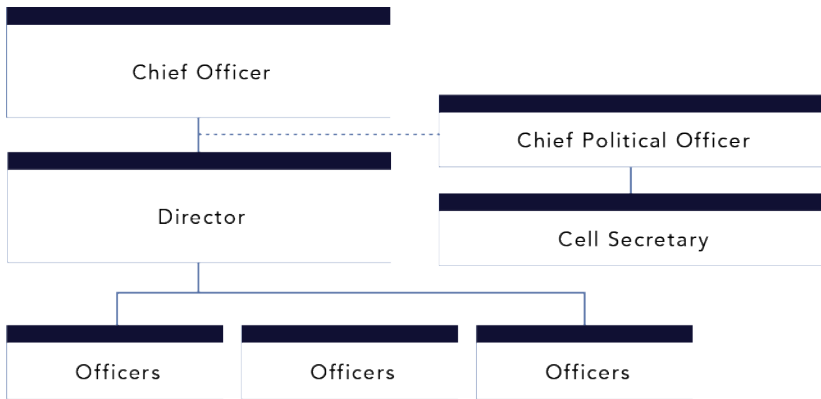
NKDB's research findings indicate that the Ministry of State Security operates as a highly centralised entity with a strong focus on its provincial offices, which wield significant supervisory and legal powers. This characteristic is of utmost

importance for an institution that is entrusted with upholding North Korea’s Monolithic Ideology.

(2) The Command and Reporting System within the Ministry of State Security

This section provides an overview of the command and reporting system of the Ministry of State Security. <Figure 14 > illustrates the command and reporting system of the Ministry’s regional offices based on testimonies provided by former employees of the Ministry and other relevant institutions. The Ministry of State Security consists of multiple departments referred to as *Gua*, *Bu*, and *Guk*, depending on the administrative unit. Each department is led by a Director (*quajang* or *bu-jang*) and is staffed with officers.

<Figure 14> Command and Reporting System of the Regional Office of The Ministry of State Security



The Ministry of State Security functions with a well-defined command and reporting structure within each department. A former provincial officer has affirmed their

practice of diligently reporting their daily activities to their superiors and receiving daily task instructions as part of their routine. For example, Information Bureau officers brief their superiors on the number of intelligence reports they have filed, the agents they met, and the information obtained from them. Officers typically submit their daily reports to their immediate superiors as well as to their Directors in each respective department.

Reporting methods may vary; officers can report their daily activities to their Directors in person, or they can submit a report via Intranet. Intranet reports, while containing the same information as those provided in person, are typically submitted by the officer responsible for collecting such reports in each department. The reports summarise the daily activities of both the Directors and officers. These reports can only be accessed by higher level institutions.

Every day at 5 p.m. there is an 'Ilbo'. There is also a designated time each day for recording all activities carried out throughout the day. An officer responsible for this task will document the details provided. [Within the Intranet] there is also what is called an 'Ilbo' window, where officers can post additional comments. [Reports from other cities and districts] are posted there, but the Intranet is programmed so that only higher-ranking institutions can access [the information].

(A-09 Testimony)

Consistent with practices in other communist nations, North Korea embeds representatives from the Workers' Party of Korea within all its state institutions. These appointments fulfil a dual function: efficiently implementing the Party's objectives and ensuring total alignment of state institutions with the Party's directives.²² This alignment mechanism is also present within the structure of the Ministry of State Security, which includes a Political Bureau representing the Party and an administrative

body, each with its distinct command and reporting systems. However, it is important to note that the Chief Political Officer exerts significant influence over the departments' operations despite the separate chain of command, as illustrated by the dotted line in <Figure 14>.

The Political Bureau manages life review meetings, during which individuals account for their daily activities and receive instructions based on the Ten Principles for Establishing the Party's Monolithic Ideological System. In contrast, the Directors are tasked with work review meetings, which involves issuing and receiving commands and reports about specific tasks.

In addition, the Chief Political Officer designates an officer to serve as a Cell Secretary, who oversees the Party life of each department. According to testimonies, The Chief Political Officer presides over quarterly and annual life review sessions for the entire organisation, while the Cell Secretary is responsible for weekly and monthly life review sessions for smaller cells, such as the sections or departments. Further research is required to confirm the exact cycles and officers in charge of these sessions.

A group of at least three people is considered to be a cell. In reality, however, there are usually about 8-10 people in a cell. The Cell Secretary presides over life review sessions which are held once every week in every office department. Weekly and monthly sessions are usually held at the cell level. The head of the Political Bureau is responsible for holding quarterly life review sessions for the whole office.

(A-09 Testimony)

The interviews elucidated that the relationship between

22 According to Chapter 7 "Party and People's Government" of the Bylaws of the Workers' Party of Korea the term "People's Government", which refers to administrative bodies, are defined as a 'comprehensive safety mechanism' that serve as a bridge between the Party and the people. It implements the Party's principles and policies under the guidance of the Party.

the Chief Political Officer and the Chief Officer of the Ministry of State Security office is defined by reciprocal monitoring and verification. In contrast to the organisational chart, some indicated that the Chief Political Officers are considered superior in rank, as they wield authority over personnel matters, including promotions and performance assessments.

[Although the Chief Political Officers and Chief Officers] work together, the Chief Political Officer is the one that holds the bigger stick. Although the Chief Officer has greater authority, the Chief Political Officer who is appointed from above is the one that writes the evaluations. The Chief Political Officers have the bigger stick because they monitor the Chief Officers of the MSS' daily activities and secretly keep records.

(A-09 Testimony)

Promotions are handled solely by the Political Bureau, with no involvement from the administrative bodies. Depending on how the Political Bureau evaluates your work performance, your work may be portrayed as subpar or exceptional, and you may even be hailed as a hero. This is why no one can challenge the Political Officer's authority. The security officers do the actual work which the Political Bureau evaluates under the guise of providing Party guidance. The Political Bureau's evaluation can determine promotions and favourable assignments. So, in reality, the Political Bureau has more power.

(A-02 Testimony)

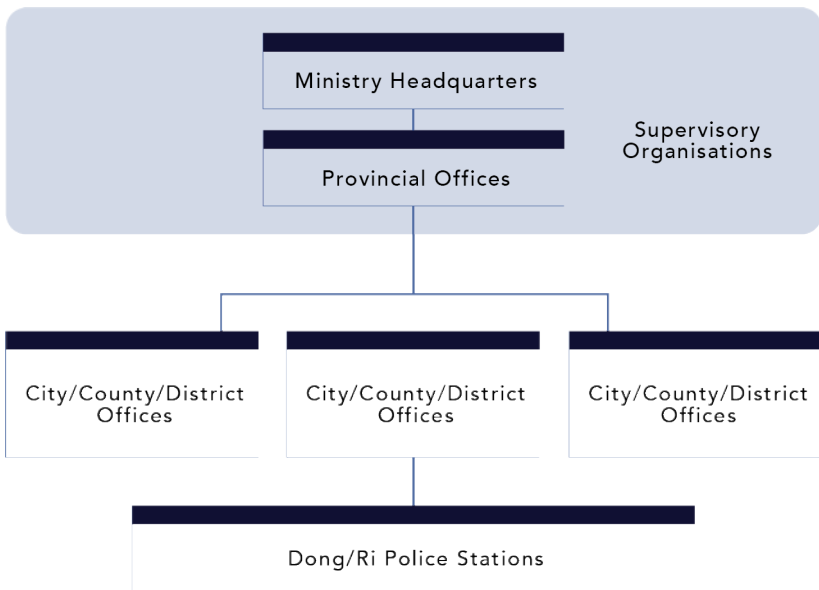
A comprehensive analysis of the internal command system of the Ministry of State Security reveals that the Political Bureau and administrative bodies operate under distinct command and reporting systems. Moreover, considering the Political Bureau's oversight over the human resources of the administrative body, it is assumed that the Ministry operates under a stringent system of governance to ensure the highest standards of efficiency and compliance with Party directives.

2. Ministry of Social Security

(1) The Command and Reporting System between Regional Offices

At the top of the Ministry of Social Security's chain of command is its Headquarters, which is affiliated with the State Affairs Commission. Under the Ministry Headquarters are provincial offices, which function as a supervisory body while the city, county and Dong/Ri offices carry out administrative tasks.

<Figure 15> Command and Reporting System between the Ministry of Social Security and its Regional Offices



Commands from the provincial offices are typically conveyed in the form of administrative directives related to law enforcement such as investigation and preliminary examination, and

supervision is carried out through educational initiatives. This approach underscores the importance of adhering to the principles of the Party and promoting a collective voice, while also recognising the necessity for a certain degree of autonomy at the city level due to the practical limitations, as not all tasks maintaining public security and managing law can be managed centrally. As such, supervisory bodies like the Headquarters and provincial offices exhibit a characteristic of delivering practical law enforcement training so that the principle and the policy of the Party are applied at every regional level.

From this, it's established that the city, county, and district offices independently study and learn the law according to their individual circumstances. For instance, in the Investigation Department, casebooks with summaries of investigation cases are used, while in the Preliminary Examination Department, compilations of trial case examples serve as training materials.

The guidance at the provincial level primarily focuses on Party directives and doesn't cover administrative matters extensively. Just because an officer in the Preliminary Examination works at the provincial level, it doesn't imply complete control over the same department at the city and county levels. The guidance mainly comes from the Party side. Provincial level officers are appointed by the Political Department at the provincial level to provide guidance. Therefore, they offer guidance and education to ensure that the Party's principles and policies are applied, rather than giving specific instructions on what people should or shouldn't do.

(A-05 Testimony)

There are regulation manuals available, such as the trial case reference materials and the investigation case reference materials. However, we are not allowed to take the regulation manuals with us. We have to review them and memorise the content in the office. If I happen to lose them, I would have to face disciplinary measures. [During practical training], we are required to study and review

various sections of the law. For example, we may be instructed to study Chapters One to Two of the Criminal Procedure Law or Chapters Three to Five of the Criminal Law. [These instructions] come from higher authorities, starting from the Ministry of Social Security. All Ministry of Social Security offices across the country receive these directives, and we are not allowed to act on our own accord. If we were to act independently, it could have serious consequences. It is part of the unique ideological system. We cannot organise things as we please; there are specific instructions from higher authorities. The training, lectures, and all educational materials come from the Ministry of Social Security.

(A-06 Testimony)

Additional information obtained emphasises that preliminary officers undergo a more in-depth and specialised training compared to their counterparts, with a specific focus on equipping them with a deeper understanding of the mission and the extent of their authority. These officers, in particular, are mandated to acquaint themselves with North Korean Criminal Law and Criminal Procedure Law.

These training sessions are hosted by the Director of the preliminary examination department, using casebooks. According to the testimony, practical training sessions, titled 'Practical Training,' are conducted up to a maximum of twice a month. However, further investigation is needed to obtain more detailed information.

[As members of the investigation department] we are expected to know the Criminal Law and the Criminal Procedure Law. Our primary responsibility is conducting preliminary examinations. We prioritise a strong understanding of the law, even more so than surveillance and investigation. In terms of education, we refer to previous cases for guidance. For example, in a case of sexual assault, we may examine the question, "What was the purpose behind the assault?" It serves as a reference

point. Since criminals have different psychological profiles, we consider how we can approach the pre-trial examination. When the education directive comes from above, the Director of the preliminary examination department conducts sessions approximately 1-2 times per month.

(A-06 Testimony)

In addition, the Headquarters and provincial offices are also responsible for providing administrative directives and supervision in accordance with the political guidance provided by the Party. The directives and instructions provided by the supervisory bodies encompass precise methods and guidelines for preserving order, safeguarding the stability of the North Korean regime, and monitoring the activities of ordinary residents. It has been testified that distinct orders are in place for the city and county offices, as well as various hierarchical levels, including Chief Officers, Directors, officers, and local police officers.

Based on these instructions, the city and county offices are responsible for administrative tasks aimed at maintaining legal order and public security. Within these administrative tasks, there are general duties related to maintaining public order, such as traffic management. Additionally, they are tasked with monitoring the political tendencies of residents, including cracking down on anti-socialist behaviour. In the event of a crime, their responsibilities involve conducting investigations, interrogating suspects, and even managing temporary detention facilities.

[There are] training plans and instructions from the Ministry of Social Security, such as Party directives and plans for crackdowns, as well as orders on how to implement policies. Party directives are distributed by the executive-level officers in the Workers' Party of Korea, and ratified directives are issued by Kim Jong Un himself.

The ratified directives are far more important than the policy.

(A-05 Testimony)

Upon receiving the Party's policy guidelines, the Political Bureau of the Ministry of Social Security relays it down to each province via the intranet. There are different policies for the province, city, and district offices, as well as between different ranks, such as Chief Officers, Directors, officers, and local police offices. But these policies and directives are all delivered by the Political Officer. [The directives are usually based on the words of Kim Jong Un] to the Minister of the Ministry of Social Security, about Non-socialist Groups, or rumours related to the North Korean regime or even something that people should do for the national economy, such as planting more trees.

(A-04 Testimony)

There was something called the '919 directive' during the Arduous March in the 1990s. This directive was created on September 19 to address a surge in the number of cases of robbery, theft, and gang fights. The directive now required preliminary examinations to be completed within ten days and court trials within a month. We conducted investigations and sentenced people to public execution as well as other heavy punishments due to the '919 directive.' About 20 to 30 cases of murder and robbery were processed within a month. The directive was communicated via the radio from the Ministry of Social Security. [By the late 2000s,] every office had one or two computers, and this was because of a directive that required computers at the office.

(A-06 Testimony)

The reporting system starts from local police offices to city offices, then to provincial offices, and from the provincial offices to the Headquarter and eventually to the Workers' Party of Korea. According to the interviews, there are officers in each echelon of the Ministry who are responsible for making reports. For example, city officers, who are in charge of making reports,

gather information from local offices and report it to the provincial office, and provincial officers report it to the Headquarters and the Party. Also, It has been confirmed that the prompt and punctual submission of reports through computers is considered extremely important.

[The Chief of the city-level office] needs to report to the [Chief of the provincial-level] every day. The officer in charge of making reports from the city office takes hold of local police offices and receives reports from them. The officer sends daily reports - to the provincial level, who then sends a report to the Headquarters, and from here the report arrives at the Party. The Party must be notified within 30 minutes that an incident has occurred. Urgent matters must be reported to Kim Jong Un. Officers who fail to make timely reports are disciplined and reprimanded. They'll be asked "What were you doing for three hours when something that happened at five is reported at eight?" (...) Each department was given one to two computers to use for making reports.

(A-06 Testimony)

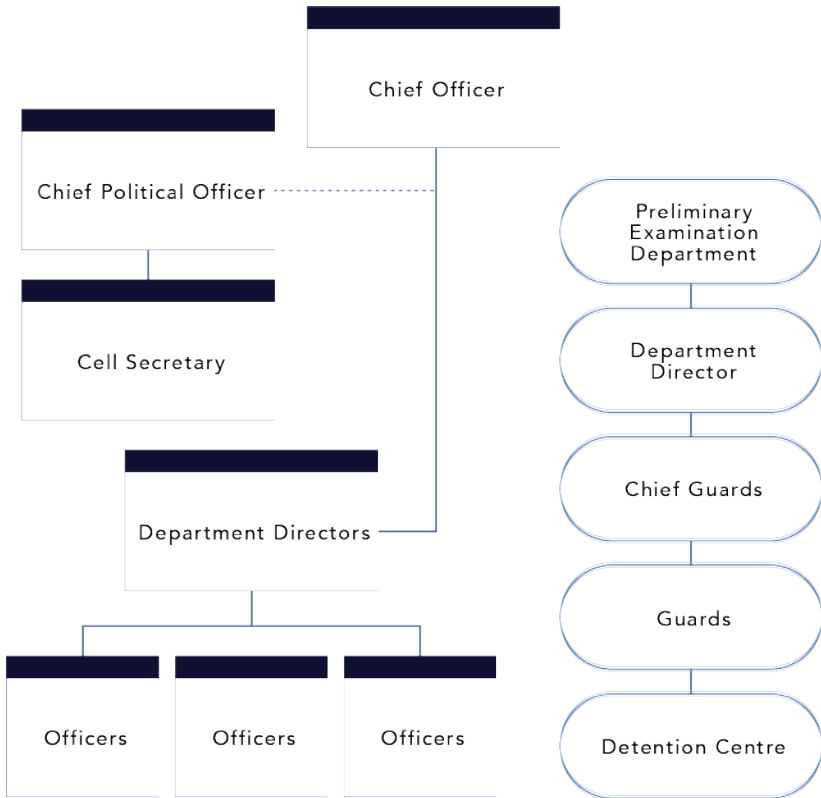
(2) The Command and Reporting System within the Ministry of Social Security

The following diagram depicts the command and reporting system within the Ministry of Social Security. Looking at the organisational chart, there is a clear division of departments based on their respective responsibilities. Within each department, there is a hierarchical structure where orders flow from the Chief Officer to the Director and then to the officers.

Of particular note is the role of the prison guards (*geho*) within the Ministry of Social Security. These prison guards are responsible for operating and managing detention facilities where suspects are held. The prison guards are typically affiliated in the Preliminary Examination Department where their overall duties are overseen by a Chief Guard. The Director

of the Preliminary Examination Department, in turn, manages the Chief Guard and has jurisdiction over the overall situation within the detention facilities.

<Figure 16> Command and Reporting System of the Regional Offices of the Ministry of Social Security



Reports and instructions within the Ministry of Social Security appear to take the form of comprehensive daily briefings. Primarily, the officers within the administrative organisation report to the section Directors in a hierarchical relationship. However, due to the socially agreed-upon legal

framework, the officers seem to have a certain level of autonomy and authority within the limits of the law. Particularly, in the case of the investigative officers who determine the course of action for a given case, it is evident that they are granted autonomy and responsibility for the cases assigned to them.

Before leaving work, there is a comprehensive end of the day briefing. Officers, Chief Guards, and Director of the Preliminary Department gather. They discuss if there are any issues within the detention centres, and they ask the officers if there were any issues raised during their duties. There is a daily business report that documents everything they did throughout the day. They inquire if there are any issues raised, and if there are any mistakes, they address them. For example, if someone had a loud and aggressive interaction with a witness during the day, they would be told that such behaviour is unacceptable. They provide feedback on what went well and what didn't. Then, in the security office, they discuss the direction that the department is going in and inform them about any issues raised during the meeting. This process takes about 30 to 40 minutes. If there is nothing else to address, they can leave work.

(A-06 Testimony)

Although the officers report to the Directors, it is the assigned officer who handles the case that takes responsibility for it. It is not the responsibility of the Director. The Director cannot decide how the cases should be investigated. (The Director) can provide assistance when an incident is not progressing, but they don't have authority to rule out or cover up the case.

(A-05 Testimony)

The Ministry of Social Security, like the Ministry of State Security, also has a Chief Political Officer and a Cell Secretary who are responsible for implementing the policies of the Party within the institution. They manage the political ideology of the officers by conducting weekly life review sessions. According to

testimonies, the Chief Political Officer holds Life Review Sessions for the whole institution, while the Cell Secretary is responsible for department-level sessions.

In the reporting system [within the Ministry of Social Security], the Directors report to Chief Officer, and Cell Secretaries report to the Political Affairs Department. That is what the regulation requires. Every Saturday, a Life Review Session is organised by the Cell Secretary for each division, with even department heads participating under the guidance of the Cell Secretary. The Cell Secretary, often an inspector responsible for surveillance, plays a crucial role in monitoring Party activities. It is worth noting that Cell Secretaries are selected from within the same office to ensure effective observation and control of individuals' Party lives. If a Cell Secretary was assigned to a different office, they would be unable to closely monitor and supervise activities. As a result, someone working closely with me within the same office is chosen to fulfill the task of observing and regulating my Party life.

(A-04 Testimony)

We had life review sessions every week. There are weekly, monthly, quarterly, and annual sessions in the Social Security office. Since childhood, I have been accustomed to the framework of organisational life. We conducted Life Review Sessions held by the class president, and the class president reported to an officer in the Korean Children's Union.

(A-05 Testimony)

Since the secretary is the one who oversees the actions of the Directors, if the Directors do something wrong in terms of Party affairs, it is the duty of the Cell Secretary to address it. The Cell Secretary will take appropriate measures, and if the issue is not resolved according to the instructions, it will be reported to the Political Department. That is why there is a separate Party-affiliated organisation and an administrative organisation. The purpose is to correct any wrongdoings made by the Director . The Cell Secretary is responsible for political life, and that's why it is important.

(A-06 Testimony)

While it cannot be definitively determined whether the Chief Political Officer or the Chief Officer holds more power within the Ministry it can be said that the Ministry is strongly influenced by the Party, with the Chief Political Officer managing Party life and being involved in promotions and performance evaluations. This implies that the Ministry also receives a significant level of influence from the Party, represented by the presence of the Chief Political Officer.

Appointments require approval from the head of the Cadre Department and the Chief Political Officer. But the head of the Cadre Department requires final approval from the Chief Political Chief.

(A-04 Testimony)

The hierarchical ranking places the Chief Officer at a higher-level. However, in the Party, the secretary holds a primary role. In the provincial offices of the Ministry of State Security, the Chief Officer usually falls under the ranks of Brigadier General or Major General, but the Chief Political Officer holds the rank of Colonel, which is one rank lower. In terms of authority, the Chief Political Officer has more authority over the office. However, administrative tasks are primarily handled by the Chief Officer. But the Political Officer holds the authority over personnel. Therefore, the Chief Political Officer possesses significant authority.

(A-06 Testimony)

Based on a thorough analysis of these factors, it can be concluded that the provincial office of the Ministry of Social Security assumes a supervisory role over subordinate offices at the city and county levels, ensuring the effective implementation of Party policies and directives. Meanwhile, operational tasks such as investigations and preliminary examinations are conducted at the city, county, and district offices. The provincial office and Headquarters of the Ministry exhibit a centralised power structure in guiding administrative operations

and overseeing Party affairs. This centralised structure appears to be an inherent characteristic, given the Ministry's primary responsibility of safeguarding regime security in North Korea.



IV.

Justice System within the Two Ministries:

**The Punishment of Perpetrators of
Human Rights Violations
& Remedies for Victims**



IV. Justice System within the Two Ministries:

The Punishment of Perpetrators of Human Rights Violations & Remedies for Victims

This chapter commences with an examination of the primary characteristics of criminal procedures in both Ministries, alongside an analysis of human rights violations during these procedures. Subsequently, an overview of the punitive measures applied to officers implicated in such violations will be provided, followed by an exploration of the remedies provided to the victims.

1. Key Characteristics of Criminal Procedure of the Ministry of State Security

(1) Investigation and Interrogation

Firstly, when an incident takes place, the officers in the Espionage Department of the regional offices carry out interrogations to identify individuals suspected of engaging in political offences such as treason and espionage. If a case is determined to involve a political crime, it is then transferred to the provincial office. The findings from the interviews indicate that the lower-level officers are authorised to conduct initial investigations and interrogations in these cases, with their involvement limited to presenting their opinions to the officers at the provincial level.

[From the district office], we are well-equipped to offer essential insights and opinions to support the ongoing investigation. It's essential to emphasise that, in the investigative process, our role primarily involves providing these opinions based on the facts and evidence available to us. However, it's crucial to understand that, irrespective of

the depth of information, facts, and evidence we present, the ultimate and conclusive decisions are vested in the higher echelons of authority. The district office's input serves as a critical component of the investigation, yet the final determinations rest with those holding the highest levels of decision-making power.

(A-09 Testimony)

Even the transfer of a case from the city office to the higher-level, necessitates approval from the provincial office. The provincial office holds the authority to determine the appropriate course of action for the individual involved, such as re-education or transfer to the provincial Ministry of State Security.

(C-06 Testimony)

The reason for my arrest by the city office was that I was caught talking on the phone with a friend in South Korea. The officer alleged that the accusation against me involved an anti-state conspiracy. Initially, the Espionage Department conducted an investigation to determine if I was involved in any political problems. No such involvement was found, so I was transferred to the Social Security Office. The investigations at the [State Security] office lasted for ten days, and upon the completion of the investigation, it required approval at the provincial level. Consequently, the process took approximately 40 days. I have been informed that when transferring cases to the provincial level, the signatures of the Chief and Vice Chief of the Ministry of State Security at the city level are required.

(C-07 Testimony)

These lower-level officers essentially serve as the 'front line' of the investigative process, playing a critical role in gathering data relevant to the cases. This division of roles and responsibilities within the investigative hierarchy is designed to ensure a systematic approach to handling these politically sensitive cases, with lower-level officers serving as valuable contributors to the process, while the ultimate decision-making authority lies with those at the provincial level.

(2) Investigation, Preliminary Examination, Prosecution, and Trial

The legal foundations and procedures involved in managing political prisoners in North Korea remain largely undisclosed, and accessible information is scarce. However, based on collected reports and testimonies, it appears that the whole sequence of investigation, preliminary examination, prosecution, and trial concerning political prisoners transpires exclusively within the Ministry of State Security, without external judicial bodies' participation. According to these testimonies, the provincial office mainly undertakes investigations and prosecutions. Delegated prosecutors and judges engage in the prosecution and trial stages. It is reported that the Headquarters oversees the trial, and it's presumed that decisions regarding the severity and specifics of the punishment occur during the preliminary examination phase.

However, it is worth noting that there is limited detailed information available on the legal process within the Ministry of State Security, particularly as some cases involved prisoners who were sent to prison camps without a trial and family members of prisoners who were directly arrested without formal investigation or a trial. Further studies should be conducted to cross examine the information.

Investigations are carried out by the Investigation and Espionage Bureaus at the provincial level. These bureaus are responsible for thoroughly examining and gathering evidence related to the cases in question. They play a crucial role in uncovering the facts, interviewing witnesses, and collecting any pertinent information. Once the investigative phase is completed, the case proceeds to the Preliminary Examination Bureau. This step is significant in shaping the outcome of the case, as it helps decide the severity of sanctions or penalties that may be imposed on the individual involved. as well as the decision

on whether the individual should be sent to the prison camp. In most cases, it appears to be a “formal” procedure, but I heard that judges and prosecutors from the Ministry of State are dispatched to hold trials in the detention facility.

(A-05 Testimony)

There is no concept of a preliminary examination at the district office of the Ministry of State Security. The term ‘preliminary examination’ is exclusively used at the provincial level. This differs slightly from the procedures followed in the Ministry of Social Security.

(C-03 Testimony)

As the Ministry of State Security is responsible for handling cases related to serious crimes against the state, such as acts of criticism against the regime, treason, and religious activities, the central government exercises strong control over the handling of these cases. Thus, the well-established reporting and command system between the central and regional offices is clear. However, there is a need for further investigation and cross-validation to gather more detailed information about the key participants involved in each stage of the process and the specific reporting and order procedures within the departments.

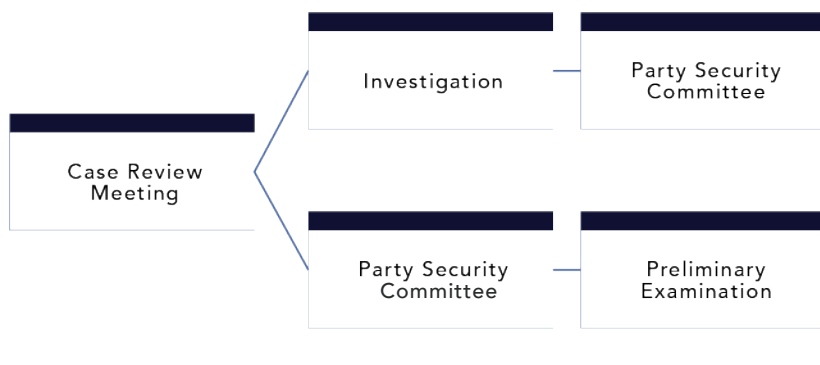
2. Key Characteristics of the Criminal Procedure of the Ministry of Social Security

(1) Case Review Meeting

The Ministry of Security also adheres to a standardised process for handling cases, in accordance with the provisions of the Criminal Procedure Act. The research has uncovered distinctive procedures that occur before the investigation stage, specifically, Case Review Meetings are held to make decisions on whether a supplementary investigation is needed and to establish investigative guidance. It is inferred that during these Case Review Meetings, a comprehensive analysis of evidence, including on-site photographs, takes place. These gathered documents serve as the foundation upon which the meeting classifies the types of criminal cases, identifies suspects, and formulates strategies for apprehension methods, as well as the selection of the relevant departments.

A Case Review Meeting is attended by the Vice Chief Officer of the Ministry of Social Security, the Director overseeing the case and, the assigned officer responsible for the case. Normally, three individuals participate in the meeting; however, depending on the nature and severity of the case, the number of participants may increase to five, seven, or nine, with the approval of the Vice Chief Officer. By ensuring an odd number of participants, equal votes are avoided, especially when deciding whether or not to proceed with a supplementary investigation. The diagram below depicts the case enforcement process of the Ministry.

<Figure 17> Key Characteristics of the Criminal Procedure of the Ministry of Social Security



According to the testimony, cases are commonly categorized based on the clarity in identifying the responsible suspect. Cases that require further investigation of the suspect progress to the investigation stage, while those with relatively clear suspect identification are directly referred to the Party Security Committee. ***

(2) Party Security Committee

When a supplementary investigation is deemed unnecessary, it has been found that the Party Security Committee is convened, with the Chief Political Officer, Chief Officer, the Director of the responsible department, officer in charge of the case participating in the proceedings. The primary objective of this Committee is to determine the appropriate level of legal punishment or educational measures for the individuals involved. It is indicated that the majority of punishments decided by the Party Security Committee result in individuals being sentenced to labour training camps. However, the specific details and severity of the punishments imposed at the Party Security Committee level remain unclear and necessitate further investigation.

The process leading up to the preliminary examination is intricate and involves the establishment of a Party Security Committee, which adds complexity to the proceedings. Decision-making on security-related matters is not entrusted to a single individual. The convening of the Party Security Committee is required, and in cases of significant importance, Party officials at the city and district levels are involved. The meeting of the Party Security Committee comprises the officer in charge of the case, the Director of the case department, the Chief Officer, and the Chief Political Officer, all of whom participate in determining the appropriate punishment. The role of the officer in charge of the case is of utmost importance, as they are expected to possess competence and a comprehensive understanding of relevant laws and regulations, which is considered a matter of personal honour.

(A-06 Testimony)

The level of punishment is determined by the Party Security Committee, which consists of key figures such as the Chief Political Officer, the officer in charge of the case, the Director of the case department, and the Chief Officer. This committee represents a convergence of administrative and Party authorities. If a case does not require further investigation, it is directly referred to the Party Security Committee. The purpose of this committee is to finalise its decisions 48 hours before the preliminary examination. Its significance lies in showcasing the equality between the Party, the leader, the people, and the state. It highlights the principle of avoiding ruthless execution. In North Korea, where social classes exist, certain individuals require special attention and care, taking into consideration factors like their loyalty to the Kim's family which is typically shown through their family background or military service. However, it is important to note that crimes against the state, repeated offences, and intentional killings cannot be forgiven.

(B-04 Testimony)

The officer in charge of the case provides a comprehensive briefing to the Party Security Committee, presenting all relevant

details. The Chief Political Officer and the Chief Officer carefully review the briefing and deliberate on whether to proceed with the subsequent preliminary examination. The Preliminary Examination Department then conducts a thorough assessment of the case, considering various factors, and presents its opinion on the appropriate degree of punishment. This valuable input is then transmitted to the prosecution, who proceeds to formally indict the individual based on the gathered evidence and findings. Following the indictment, the case progresses to trial, where the final legal disposition is determined.

The Party Security Committee assumes the responsibility of determining whether a suspect should be classified as a criminal. When your case is handed over to the Preliminary Examination Department, it means you are officially treated as a criminal. They thoroughly investigate the nature of the alleged crimes you are accused of. The department prepares a document called a case closure statement that includes details about the timeframe of the preliminary examination and the specific charges against you. After that, the prosecutor takes all the information and uses it to write an indictment, which is then presented in court. During the trial, the prosecutor reads out the charges, laying out what you are being accused of.

(B-04 Testimony)

The involvement of the Chief Political Officer, who represents the Party, in determining the extent of legal punishment is a notable aspect of the judicial enforcement process in North Korea. Based on the testimonies provided, it is evident that the role of the Chief Political Officer goes beyond assessing the specifics of the crime or the suspect's intent. Instead, additional factors, including the suspect's loyalty to the Party and their potential for ideological re-education within the socialist system, are considered in determining the appropriate level of legal punishment.

3. The Punishment of Perpetrators of Human Rights Violations and Remedies for Victims

Examining the punishment of perpetrators involved in human rights violations and the measures taken to provide relief for victims within the Ministries is of paramount importance in assessing the level of human rights protection. This following section will delve into the occurrence of human rights violations within the Ministries, shedding light on the gravity of the situation. Subsequently, it will scrutinise the adequacy and effectiveness of the accountability measures implemented by the Ministries to address both the perpetrators and the victims involved in these crimes.

3.1 Ministry of State Security

(1) Human Rights Violations in the Ministry of State Security

When inquiring about the cases of human rights violations witnessed or experienced by the victims and inside witnesses, it became apparent that incidents of physical violence and severe mistreatment perpetrated by prison guards, particularly during interrogation, were the most commonly reported.

Furthermore, there was a response indicating that the frequency of human rights violations is higher in the provincial departments. Testimonies attribute this to the fact that investigations and pre-trial proceedings are conducted at the provincial level, leading to more stringent measures in terms of investigation duration, intensity, and detention facility management compared to the city and county levels.

When I was taken into the detention facility in the State Security Office, I was subjected to degrading treatment.

[The prison guards] made us shout a degrading slogan 'the prison guards are the sky, and the criminals are the earth [...] The earth cannot look up at the sky.' Criminals are not even allowed to look at the prison guards, so I was forced to bend my head at a 90 degree angle all the time. I had to sit with my two fists clenched from 6:00am to 10:00pm. Any slight movement would result in immediate punishment, such as being forced to kneel near the bar and having my head forcefully struck against it. Reflecting on my experiences, I would prefer to work in a prison camp rather than endure the treatment within the detention facility.

(C-02 Testimony)

The Ministry of State Security always investigates the suspects with certain motives and evidence. This is the reason why it is so difficult to deceive the officer, but most people say they haven't done anything. So people will be physically abused until they confess.

(C-01 Testimony)

The treatment experienced at the provincial office differs from that at the county office. Although I was not implicated in any political crimes and therefore not sent to a political camp, the investigation process at the provincial level was rigorous and time-consuming. It took a minimum of three months to fully resolve my case.

(C-07 Testimony)

The victim groups participating in this study unanimously responded that they had not been informed about their rights during the investigation or preliminary examination. This reveals a significant case of human rights violation where the fundamental right of the accused to present evidence or provide explanations against the charges brought is not guaranteed. While the North Korean Criminal Procedure Law²³ explicitly outlines the basic rights of the accused, it has been observed that these rights are not adequately upheld within the Ministry of State Security.

The accused individuals are not informed of their rights, particularly by the State Security officers. Instead, they are often threatened with imprisonment and accused of committing serious crimes. In cases where individuals are apprehended in China, derogatory terms such as “piece of trash” are used, indicating a lack of consideration for their rights.

(C-02 Testimony)

They never [inform us]. When you go into the investigation room, they say “just write what you did” and they bring you a piece of paper. Here in South Korea, they explain what the case is about and what rights you have. The Ministry of State Security does not have that kind of procedure. They simply say ‘write down the things that you have done wrong.’ But how am I supposed to know what I have done?

(C-06 Testimony)

It is noteworthy that there have been reported efforts to prevent human rights violations within the Ministry of State Security during the Kim Jong Un era. Testimonies from inside witnesses indicate that they frequently received instructions from Kim Jong Un and the Party’s policy such as ‘Do not commit human rights abuses in detention facilities’ and ‘Do not use

23 Criminal Procedure Law

Article 163 (Prohibition of Compulsory Interrogation)

The preliminary examination officer cannot coerce the suspect into admitting a crime or induce a statement.

Article 165 (Rights of the Suspects)

The preliminary examination officer who interrogates the suspect first confirms his identity and then informs him of his rights.

Article 166 (Rights of the Suspects)

The rights of the suspects in the preliminary examination are as follows.

1. When the suspect cannot acknowledge the accusation that are listed in the interrogation statement for criminal responsibility, suspect may raise an opinion.
2. When the suspect cannot acknowledge the accusation made by the preliminary examination officer, the suspect may directly disprove or request an accurate investigation and explanation.
3. The suspect may be assisted by an attorney.
4. The suspect may propose to change the person involved in the lawsuit, including the preliminary examination officer.
5. The suspect can write the statement during the interrogation, or request that the contents of the statement be corrected, deleted or supplemented.
6. When the suspect admit that his rights have been violated, the suspect can present his opinion to the prosecutor or the attorney.

physical force during an investigation.’ However, further research is needed to explore the implementation of these directives and policies across different departments of the institution.

When you look at the orders coming from Kim Jong Un within the Ministry of State Security, there were clear instructions to refrain from physically assaulting the prisoners. I remember it distinctly because these directives were communicated to our office. They didn’t specifically mention ‘human rights,’ but they used phrases like ‘don’t physically assault the residents’ and ‘eliminate physical violence.’ It’s like they were hinting at human rights without using the exact words, probably because those terms are seen as buzzwords outside of North Korea. Some of these guidelines were implemented in certain aspects of our daily operations, but not consistently across all activities.

(A-02 Testimony)

[During the Kim Jong Un era], I never witnessed any officers physically assaulting anyone within the Ministry. It’s possible that the prison guards may have engaged in such behaviour, but I have not personally heard any reports about it. It’s important to differentiate between the officers and the prison guards. The guards are military officers, not officials who work directly for the Ministry.

(A-09 Testimony)

During my time, I received various instructions from above, which encompassed Party directives, government orders, special directives, and even directives from Kim Jong Un himself. These included “don’t physically assault the detainees”, “don’t violate human rights”, “stop the bureaucracy and get rid of the beatings”.

(B-04 Testimony)

(2) Punishment of Perpetrators of Human Rights Violations

In this study, instances of punitive measures against individuals involved in human rights violations within the Ministry were notably absent. The testimonies put forth the notion that this absence of overt punishment for Ministry of State Security officers involved in human rights violations may be attributed to the nature of their responsibilities, which revolve around handling cases that directly impact the state's existence. This may have created a situation where punishments are not strictly enforced or disregarded.

Additionally, it has been confirmed that crimes against humanity such as secret execution requires final approval from the Chief Officer indicating that the operation of the Ministry is overseen and guided by the Chief Officer.

The Ministry of State Security enjoys certain privileges, you see? They have the ability to bypass legal and regulatory principles if it serves the purpose of safeguarding the leader and the system. They don't really emphasise things like "don't violate human rights" within the Ministry. Instead, they prioritise results, and if you can deliver, they'll consider you a top-notch officer, even if human rights were compromised along the way. That's just how it goes in the Ministry of State Security, you know? Human rights discussions don't hold much weight there.

(A-09 Testimony)

The Ministry of State Security does not seem to have that problem. The Ministry of Social Security may have such a thing, but [even if officers from the Ministry of State Security violate human rights] no one gets punished. Not even one person. That's what it was like when I was in the detention centre.

(C-01 Testimony)

In principle, reports on human rights violations within the

provincial office should be made, but do you think they will report them? Most of them think that the treatment is just and reasonable. During the investigation, officers think ‘why do you not answer, and why do you lie?’ Physically assaulting people in this context is not seen as a human rights violation.

(A-02 Testimony)

When I was in the State Security Office, I saw a pregnant woman being hit by officers. I saw her blood dripping out from her stomach. So, they took her to the hospital, but the baby was miscarried. The officers should be responsible for the miscarriage. But they colluded with the hospital to intentionally bury the case. So the woman said that the doctor stated that this was not a miscarriage. Even though we saw that it was through our own eyes, we cannot testify to such a fact.

(C-02 Testimony)

It appears that there have been instances where secret executions took place when activities related to espionage were detected, even at the county level. It is expected that the Chief Officer would have knowledge of all activities conducted within their jurisdiction. The final approval for such actions should always rest with the Chief Officer. When someone is apprehended within the office, it is crucial for the entire staff to be informed and aware of the incident. It is not something that can be overlooked or ignored.

(C-07 Testimony)

(3) Remedy for Victims of Human Rights Violations

In the study, no instances of redress for the victims of human rights violations within the Ministry of State Security have been identified. Human rights violations occurring within the Ministry are amenable to remedy through a legal procedure known as ‘*Sinso*’²⁴(Complaints and Petition Act). It is known that the act of filing a complaint extends beyond redressing infringement

upon the rights of ordinary citizens within legal institutions but also for societal harms at large. Respondents attested to a lack of awareness regarding cases in which complaints were filed concerning human rights violations experienced within the Ministry.

The most prominent reason for such absence is due to the secondary harm that the victims may face. It is asserted that soliciting redress for damages incurred within the Ministry, an entity dealing with political detainees, engenders more severe human rights violations. Victims comprehend that accepting limitations on their rights is a way to reduce harm. Therefore, it can be inferred that filing a complaint remains more of a formal and symbolic action.

No matter how many complaints are made from below, the decisions are always made above. If you see how the actual process unfolds, the institution above always makes decisions in a way that does not harm the Ministry. Even when the residents file a petition to the Party, it is virtually meaningless. There could be incidents occasionally where the officers are punished if they murder somebody. But there are virtually no incidents where the officers go to prison. Maybe getting discharged can be one option. But those cases are also rare. At most, they might face consequences, but it's very uncommon. I have never heard of such stories in North Korea. They claim to exist, but they don't.

(A-09 Testimony)

We cannot file a complaint in North Korea because the opposing Party are officers from the Ministry of State Security while I have been brought in for doing something wrong. Even if it is not a legitimate crime, I still feel that I have done something wrong in North Korea. How can a criminal file a complaint against a security officer? This

24 Complaints and Petition Act

Article 2 (Complaint Petition and Principles for Guaranteeing Rights)

A complaint shall prevent an infringement on one's rights and interests in advance or restore the infringed rights and interests.

The State Shall ensure that citizens' rights to file complaints are fully guaranteed.

only increases my level of punishment. So I should be grateful that they have released me. The Ministry is an impregnable fortress that cannot be touched. That's why they are referred to as the guardians protecting the leader.

(C-02 Testimony)

Filing a petition is useless and those who file complaints are not viewed favourably. There is no reason to file a complaint. People think that because they did something illegal, they deserve to get punished. There is no reason to file a complaint and even if I did, the chance of me winning is very low.

(C-07 Testimony)

3.2 Ministry of Social Security

(1) Human Rights Violations in the Ministry of Social Security

The cases of human rights violations reported within the Ministry of Social Security primarily revolve around instances of physical violence and harsh treatment during interrogation and in detention facilities, particularly by prison guards. Respondents have consistently recounted experiences of such abuses, shedding light on the grave concerns regarding the treatment of individuals during their time in the detention facilities and interrogation process.

The prison guards mistreat the prisoners who have been to China. They don't treat you like a person. Even in detention centres, children who have been trafficked, prostituted, or sold to China are not treated as human beings. So the guards hit them. A lot of women get hit, especially those who look a little weak, dazed or helpless.

(C-06 Testimony)

You must sit cross-legged in the detention facility. They don't want you looking at the guards, not even for a

second. It's as if they want to strip away your dignity and autonomy. The guards constantly patrol the area, watching us closely, waiting for any sign of disobedience. They know they have the power, the control. We are constantly under their watchful eyes, monitored by the ever-present surveillance cameras. The moment we make the slightest movement, a punishment swiftly follows.

(C-07 Testimony)

In addition, victims in the Ministry also seem to have not been informed of their rights during the investigation and preliminary examination phases. However, some victims with experience in legal proceedings testified to receiving partial assistance from lawyers during the trial. Nonetheless, they perceived that their rights were not adequately protected. The assisting lawyers were seen as prioritising the interests and benefits of the Party rather than advocating for the rights of the victim. It has been observed that they have received partial assistance from lawyers based on their loyalty to the party rather than a comprehensive protection of the rights of the victims.

It was said in the Social Security Office that we can self-appoint a lawyer and a prosecutor in the trial. However, in reality, most of us had no knowledge of how to do this. We were unfamiliar with the legal procedures and lacked information about available lawyers and prosecutors. Consequently, we ended up following the instructions and guidance provided to us, as we didn't have the means to appoint legal representatives independently.

(C-04 Testimony)

During my detention, I wasn't informed about the rights of the accused, including the option to self-appoint a lawyer. This important aspect of the legal process was not discussed or provided to me.

(C-05 Testimony)

In South Korea, people have something called human

rights. So when people get arrested they can ask for the reason and the lawyers help defend your rights. But in North Korea that is not the case. Even the lawyers are against you. Once we are taken in, we have no power. Regardless of whether there is any wrongdoing, if you happen to cross someone's path, they can fabricate non-existent crimes against you. Even a slight disagreement can lead to being dragged away.

(C-03 Testimony)

Originally, according to regulations, judges handle trials, and lawyers are responsible for defence. However, I was surprised when I saw lawyers in a South Korean movie. In actual trials in North Korea, lawyers are not on my side but rather on the other side. If a lawyer has a connection with someone, they advocate for the other Party, saying things like, 'Their family members are patriots, they have contributed this much to the country, so let's consider that.' The lawyers seem to advocate for someone who they promised to help. However, since there was no lawyer willing to save me, the role of a lawyer didn't matter to me.

(C-07 Testimony)

(2) The Punishment of Perpetrators of Human Rights Violations

In this study, there have been instances where perpetrators involved in human rights violations have faced punishments. According to inside witnesses, these punishments mentioned include the dismissal and transfer of guards who were implicated in such human rights violations. Prosecutors, tasked with monitoring the occurrence of human rights violations within the Ministry of Social Security have primarily been dispatched to preliminary examination departments that are responsible for managing detention centres. It has been confirmed that prosecutors also submit recommendations for dismissal to the Chief Officer and the Political Officers regarding guards implicated in severe assaults and abusive conduct.

If the [prison guards] violate human rights, there are consequences such as dismissal from their positions or being transferred to other positions. This may involve transferring them to different roles within the Ministry such as being a guard at posts where their behaviour can be better regulated [...] On average, two to three individuals are transferred to other positions or get discharged each year.

(A-06 Testimony)

When I was in the Social Security provincial office, the head of the 3rd Bureau at the Prosecutor's Office came to inspect the detention centres once or twice every three months. The 3rd Bureau is in charge of the preliminary examination proceedings. As the Prosecutor's Office is responsible for the affairs of the Ministry of Social Security, those individuals come once every three months to check if there are severe assaults and abusive conduct in the detention centres.

(C-06 Testimony)

The prosecutors oversee the activities of the Ministry of Social Security, including their investigation procedures, conduct during preliminary examinations, management of detention centres, and treatment of suspects, criminals, and detainees. Their role is to ensure that the rights of individuals are not being violated. Additionally, prosecutors have the ability to draft an inspection order, which highlights any misconduct by prison guards and recommends their dismissal from their positions. These inspection orders require approval from both the Chief Political Officer and the Chief Ministry of Social Security Officer.

(B-04 Testimony)

However, according to certain testimonies, there are indications of institutional negligence when it comes to imposing punishment on officers involved in human rights violations. It is suggested that when a human rights violation is reported by the regional offices, the Chief Officer receives a

reprimand from a higher authority. Consequently, it seems that the regional offices handle the matter internally.

When punishments are administered, they are determined by the Political Department which represents the Party. The type and severity of punishment for perpetrators are decided by the Party, with lesser offences resulting in mutual criticism during life review sessions, while more severe cases are handled by the Party Security Committee. The disciplinary measures for officers involved in these crimes can include personnel transfers, demotions, or dismissals. It is worth noting that the Party Security Committee takes various factors into account, such as loyalty to the Party and the potential for ideological education within the socialist system, when determining the appropriate level of punishment. Furthermore, there have been mentions of officers offering bribes to the Cadre Department within the Political Department to avoid negative consequences in personnel matters.

The incidents that the officers are involved in are usually covered up internally. As long as they do not kill somebody [...] I have never heard about officers being punished or being dismissed. Other city and county offices may assault the prisoners, but I do not think they beat them to death.

(A-06 Testimony)

When cases of human rights violations occur, there is a high likelihood that superiors within the Ministry are aware of these incidents. However, even if they have knowledge of such violations, their tendency is to engage in a cover-up. The cover-up efforts are predominantly focused on the pre-trial stage, and if news of the incident reaches the broader security office, there will be repercussions. Once the information becomes widespread, the security office Chief will face inquiries from higher authorities, causing significant distress and concern.

(A-05 Testimony)

When cases involving human rights violations arise,

investigations into the perpetrators are initiated. The Party's approach typically involves directing the perpetrator to write a self-criticism about their misconduct, a process that can last for about one month. Subsequently, the Party arranges for the individual to read their written statement during the quarterly and monthly life review sessions. During these sessions, the entire office engages in collective criticism by knocking on their desks. However, it is important to note that this entire process is orchestrated by the Political Department. While suggestions for punishments may be discussed during this time, these discussions are also controlled by the Political Department. It is worth mentioning that there have been no reported instances of the Party directly administering punishment to an individual. However, in principle, it has been conveyed that personnel transfers and the withholding of official recommendations serve as the prescribed forms of punishment. (...) If someone commits human rights abuses, they themselves provide bribes to the political authorities. If they are exposed for human rights abuses and become the subject of severe criticism, they will be excluded from personnel appointments for a period of two years.

(A-04 Testimony)

The punishment of the individual involved in human rights violations is usually overlooked by the Party Security Committee. But when the crime itself is very severe, it is passed over to the preliminary examination phase. In most cases, however, when a law enforcement officer has tortured and physically assaulted a person, the Committee deliberates on whether expulsion from the Party should be carried out. But I can say it is very rare to send a law enforcement officer to prison.

(B-04 Testimony)

(3) Measures of Remedy for Victims of Human Rights Violations

No interviewees were aware of any cases in which victims filed a complaint and received any form of remedy within the Ministry

of Social Security. As previously mentioned, North Korea has a Complaints and Petition Act that permits individuals to submit complaints if they believe their rights have been violated. Complaints about harm within the Ministry of Social Security, like in the Ministry of State Security, are hindered by fears of secondary harm. Victims have commonly expressed that the ability to file complaints is tied to social status and household background, reflecting shared socio-economic barriers.

There are procedures for petitioning. There are departments which deal with petitions in the Ministry of Social Security, the Party and the People's Committee at the city level. But it is all meaningless. If you file complaints, they handle it according to their own will. You need power if you want to file a complaint. Or else, when the person who is being complained about finds out about the petition, it may backfire on you. Filing a complaint puts you at a greater disadvantage in North Korea.

(C-06 Testimony)

If a person has been treated unfairly, there is probably a reason as to why he had been sentenced that way. If a person is sentenced to five to ten years in prison, and file a complaint, that is ridiculous. They would not even dare to entertain such thoughts.

(A-05 Testimony)

Not a single person would file a complaint for having their human rights violated. These people who suffer from human rights violations are typically the ones who do not possess power. They prefer to spend their time earning money rather than engaging in futile efforts like kicking rocks barefoot. There is no need for them to bother with understanding the law. They need someone they can rely on.

(C-05 Testimony)



V. Controlling Mechanism of the Workers' Party of Korea over the Two Ministries



V. Controlling Mechanism of the Workers' Party of Korea over the Two Ministries

In this concluding chapter, the material from the preceding chapters has been analysed to investigate the effective control exerted by the Workers' Party of Korea over the two Ministries. The chapter initiates by analysing the North Korean laws and system, known as the Party-State system, and assesses the control mechanism of the Workers' Party over the two Ministries.

1. Party-State System: Two Ministries under the Workers' Party of Korea

Every state institution in North Korea falls under the leadership of the Workers' Party of Korea. North Korea, akin to other socialist countries, upholds the Party-State system, where the Workers' Party of Korea governs and guides all sectors, including politics, economy, society, military, and culture. The North Korean Constitution stipulates that, "all activities of the country are conducted under the leadership of the Workers' Party." In the same vein, Article 7 of the Party Rule further underscores the relationship between the state and the Party by emphasising that the people's government, i.e., the state, acts as an executor of the Party's line and policies. This highlights the subordination of state institutions to the Party's leadership, with the Party itself serving as the ideological backbone, guiding, and directing the actions of the state and its institutions.

If unity with the Party marks one characteristic of the North Korean system, 'centralisation' emerges as another key principle. Article 11 of the Bylaws of the Workers' Party mandates that "Party members obey the organisation, the minority obeys the majority, the lower Party organisations obey the higher Party organisation, and all Party organisations obey

the Party Central Committee.” This suggests that the Party’s central authority takes charge of guiding and supervising the work at the provincial, city, and county levels to ensure a unified approach. In essence, it appears that policies deliberated and decided by the Party Central Committee in North Korea are cascaded down to each local unit, with each local unit essentially tasked with executing these central decisions.

These laws and systems have been established to efficiently carry out the policies of the Workers’ Party, which is aimed at constructing a prosperous and civilised socialist society. As state institutions are pivotal in implementing these policies, they strive to augment unity with the Party and centralise their governance system. Consequently, in each state institution, a corresponding Party organisation operates alongside the administrative structure. Party officials often carry dual roles, serving both as Party members and administrative officials. Furthermore, heads of state institutions often partake in the activities of relevant Party committees as members.

The Ministry of State Security and the Ministry of Social Security likewise abide by the principle of Party control. Key personnel within the State Affairs Commission, recognised as the supervisory body of the two Ministries, are frequently individuals associated with significant departments of the Workers’ Party. For instance, individuals like Ri Chang Dae, the Minister of State Security, and Ri Tae Seop, the Minister of Social Security, are tied to the Political Bureau of the Central Committee of the Party and they are known to hand out orders to the relevant departments based on the directive given by the Central Committee. This signifies that these institutions function under the leadership and oversight of the Party. As the North Korean Constitution’s Article 11 stresses that all countrywide activities are executed under the leadership of the Workers’ Party, it evidences that the two Ministries fall under the Workers’ Party’s control.

Moreover, this feature is observable in the organisational structure within the Ministry of State Security and the Ministry of Social Security. As detailed in Chapter 2, both institutions split into the Political Bureau, representing the Party, and the administrative body, tasked with implementing the Party's directives. The Political Bureau administers Party guidance, personnel decisions, and disciplinary authority over the officials in the administrative body. Taking these facts into account, the Ministry of State Security and the Ministry of Social Security appear to serve merely as implementers of the Party's line and policies, assuming a secondary role in endorsing pre-determined Party policies. This research further validates that the Workers' Party of Korea continues to be the entity exerting substantive influence.

Nothing is done voluntarily [in North Korea]. Our work should be done in accordance with the orders that are given by the Workers' Party and the superior institutions. There is no room for individuals to propose their own creative ideas and say, "Although the Party instructs us to do it this way, what if we try doing it differently?" There is no initiative for suggesting alternatives.

(B-04 Testimony)

Kim Jong Un's directives and the Party's policies are transmitted to us [State Security Offices] every two days. When we receive them, we share them with the officers. Sometimes the Chief Political Officer will deliver the message or sometimes the Chief Officer of the State Security office. They will state, 'Our Supreme leader has said something in this month and this day.' Then every officer needs to write them down on their directive notes. The book is coloured red. Sometimes based on the directives made, we are quizzed, and we are not allowed to make a single mistake. They were so troublesome to do. We did this test every fifteen days so two times on average a month.

(A-02 Testimony)

Every issue raised during their daily tasks and daily work in the Ministry of Social Security needs to be reported during the life review session and work review session. Every part of their life, from A to Z, is reported to the Party Central Committee based on the Ten Principles for the Establishment of the Monolithic Ideological System.

(A-06 Testimony)

Taking into account the level of influence that the Workers' Party of Korea has on the two Ministries, it becomes evident that the control and oversight extend into the intricate details of daily life and work within these organisations. In view of this, when identifying the individuals who should bear responsibility over cases of crimes against humanity as the legitimate superior authorities within these organisations, it is crucial to verify the controlling and guiding mechanism of the Workers' Party over the two Ministries.

2. Controlling and Guiding Mechanism of the Workers' Party of Korea

(1) Command and Reporting System between the Workers' Party of Korea and the Two Ministries

The controlling and guiding mechanism of the Workers' Party over the two Ministries can be inferred from the reporting and command system. Evidence from this research suggests that insider witnesses from the two Ministries typically reported receiving policy directives from the Party, with a distinct emphasis on the precedence of Party policies over regular duties.

For instance, when the Party issues a policy directive, each regional office of the two Ministries seemingly prepares a document detailing the enforcement of the Party's policy. This document, referred to as the Party Execution Status Report, records the issuance of the policy, its actual implementation, and any related issues. Based on this data, countermeasures are devised to ensure effective policy execution. Insider witnesses interviewed in this research indicate that the execution of these directives is monitored and verified during higher-level inspections, suggesting a clear trail of accountability.

Party directives and 'Pochi' from the Ministry of State Security differ. 'Pochi' refers to task-related instructions related to the protection of the Supreme Leader and the populace, as well as countering threats from spies and dissident elements. However, directives are issued by the Party. Security projects must comply with these directives. These directives are not exclusively given to the Ministry

of State Security, but also to Party workers, the People's Committee, the Prosecutor's Office, and the Ministry of Social Security. Each entity has its specific roles and functions.

(A-08 Testimony)

The Ministry of Social Security circulates directives to all provincial, city, and county offices through radio communication, a process conducted directly by the Ministry itself. Upon receipt of a directive, it is documented in a policy logbook, which includes the date, content of the policy, executing personnel, and any additional remarks. These are all recorded in a single line. This Party Execution Status Report serves as a record of how the policy was enforced, providing a clear overview of its implementation. Inspections can occur at any time, necessitating the ready availability of documentation and reports. The implementation of orders from the Supreme Leader and the Workers' Party constitutes the primary stage of this process.

(A-06 Testimony)

The Party Execution Status Report serves as a record of the progress made and the degree to which assigned tasks have been executed. For example, when Party directives are issued, we document what we have implemented according to those directives [...]. We are obligated to follow these directives in the execution of our duties. Suppose the Party directed us to carry out ten tasks, but we have only completed eight. One task is still in progress, and another task has not yet begun. In this scenario, the record should clearly indicate that out of the ten instructions issued by the Party, one task is currently underway, and one task cannot be undertaken in the future. The record should provide a succinct and accurate representation of the task execution status.

(B-04 Testimony)

The Political Bureau of the Ministry of Social Security obtains directives from the Workers' Party and disseminates them to each provincial office through a network. These directives are disseminated via a hierarchical network,

extending from the central level down to the provincial, district, and branch offices. There are differing tiers of directives, including managerial-level directives, officer-level directives, and directives intended for district officers. Typically, individuals convene to receive these directives.

(A-04 Testimony)

Additionally, practical issues within the departments of the two Ministries also appear to be reported to the Chief Political Officer through Cell Secretaries. As noted, Cell Secretaries are appointed to offices handling administrative affairs in each department within the two Ministries. Their primary role is to monitor and exercise control over the implementation of the Party's regulations and directives, ensuring adherence to the Party's principles and identifying any actions that deviate from them. Cell Secretaries directly report current affairs to the Chief Political Officers that include, for instance, information on offending officers pertaining to the cases of crimes against humanity and the details of the events. While direct testimonies on how cases of crimes against humanity are received and reported within the Party were not obtained during this research, it is possible to infer the procedures involved in reporting the details of cases handled within the Preliminary Examination and Inspection Departments to the Political Department within the Ministry of Social Security.

Usually, when human rights abuses occur within the provincial offices in the Ministry of State Security, the section leader reports to the Division Chief, the Division Chief reports to the Director, and the Director reports to the Ministry of State Security, following the administrative hierarchy. However, in addition to this hierarchy, there are Cell Secretaries in the Political Department. Each Cell Secretary, who also works in each department, reports to the Chief Political Officer. Each individual reports through their respective lines of communication, receives

instructions, and carries out their assigned duties.

(A-04 Testimony)

I *[In the Preliminary Examination Department,] the level and procedure for individuals involved in human rights violations are not determined by Criminal Law or the Criminal Procedure Law. Since these cases are handled within the Workers' Party, the Cell Secretary relays pertinent information to the Political Department. They report on the actions and activities of the offending officers, including details of when and what they have done. Cell Secretaries are responsible for exerting control over the thoughts and lives of those in the administrative body. Based on these reports, the Political Bureau, particularly the Organisational Department, makes decisions regarding how to proceed, such as whether to make arrests or impose severe punishments.*

(A-06 Testimony)

I *The Cell Secretaries are typically just normal officers, essentially serving as the vanguards of the Political Bureau. Kim Jong Un has made it this way. They are entrusted with the effective implementation of the Party's regulations and instructions, as well as the close monitoring and control of the officers' daily lives. Placing Cell Secretaries in different offices would hinder their ability to effectively supervise individuals' daily activities. Hence, individuals working within the same office are selected to conduct regular surveillance.*

(A-05 Testimony)

(2) Authority over Personnel

The controlling and guiding mechanism of the Workers' Party over the two Ministries can also be inferred from the authority that the Workers' Party has over the personnel. As noted, North Korea, a country adopting a Monolithic Ideological System, purposefully selects individuals who can efficiently carry out policies and ideologies of the Workers' Party in each sector. In this context, Political Department of the two Ministries wields

control over personnel transfers, performance evaluation and disciplinary measures of the officers of the Two Ministries on the basis of their loyalty to the Party and the Social Status.

The appointment and assignment of different officers is typically conducted by the provincial Political Bureau, who assign them to various administrative divisions at different levels, including cities and counties. In line with North Korea's Monolithic Leadership system, intervention and decision-making occur from the highest level down to the lowest. The positions of Chief and Deputy Chief of the provincial offices are assigned by the Headquarters, while those at the provincial level are responsible for assigning officers to cities and counties.

(A-05 Testimony)

The authority to make personnel appointments fundamentally requires approval from senior-level officials and Chief Political Officers. Furthermore, the approval of the senior-level Chief Political Officers is necessary for the appointment of a Chief Officers. Senior-level officials carry out background checks as part of the process. For example, if someone is from Yanggang Province and is working in Nampo City, the senior-level officials would conduct a background check that extends to Yanggang Province. They would dispatch someone to personally investigate and obtain fingerprints from family members and relevant individuals, as well as collect testimonies from individuals confirming the absence of criminal records and active participation as a core member. The person conducting the investigation would be required to bring the fingerprints of the individuals they interviewed.

(A-04 Testimony)

According to NKDB's research, the Organisational, Propaganda and Cadres Departments play significant roles in guiding, managing, and exerting control over individuals within the Party and the two Ministries. The Organisational Department holds a crucial position within the Party, being responsible for organisational management and censorship. It oversees

key executive personnel and ensures their adherence to Party policies and directives. The Propaganda Department is tasked with ideological control and guidance, playing a central role in shaping and disseminating the Party's ideology, principles, and narratives. The Cadres Department focuses on training and selecting general cadres within the Party. Further research is needed to comprehensively understand the roles and characteristics of how these departments influence the two Ministries.

Similarly, it has been also verified that the determination of punishment for the officers within the Ministries is also made at the Party level. For instance, The Chief Political Officers, acting on behalf of the Party, or in severe cases, the designated Party authority within the city, assumes the responsibility of meting out disciplinary measures to officers implicated in human rights violations that amounts to crimes against humanity.

The nature of punishment appears to encompass a variety of measures, including re-education, personnel transfers, or dismissals. The decision-making process for such punishments seems to consider not only the criminal nature and intent of the individuals involved but also factors such as their loyalty to the Party and their potential for ideological education within the socialist system. This suggests that the emphasis is placed on ideological re-education and the potential for rehabilitation, rather than solely focusing on punitive measures.

Law enforcement officers who have perpetrated severe human rights violations can face disciplinary measures from the Party Security Committee. Although it is uncommon for them to be sent to prison (Kyohwaso), they typically face dismissal, expulsion from the Party, or demotion to lower positions. If these law enforcement officers were to be sent to prisons, it is unlikely they would survive even a single day, as they would face fatal beatings upon entry. This is done to prevent any tarnishing of North Korea's legal institutions.

(B-04 Testimony)

During quarterly or monthly general meetings, if an individual has committed a political mistake, they are required to engage in self-criticism in front of the entire security agency. This process is considered one of the most severe disciplinary measures employed, and it involves the individual publicly acknowledging their wrongdoing, analysing their actions, and accepting criticism from their colleagues and superiors. Subsequently, at the conclusion of the meeting, the Chief Political Officer, representing the Party, imposes disciplinary measures.

(A-05 Testimony)

However, it is mentioned that the criteria for punishment within the Party lack clarity, and there appears to be a significant level of discretion exercised by the Chief Political Officer. Testimonies suggest that personal connections and the offering of bribes may also influence the determination of the severity of punishment. This indicates a potential absence of transparency and fairness in the decision-making process, with subjective factors playing a role in determining the extent of punitive measures.

[In the Party Security Committee] the opinions of individuals in charge of a case carry significant weight, and their recommendations can strongly influence the outcome. When the person in charge proposes a sentence, it is highly likely that the Committee will simply approve it. Consequently, many criminals resort to bribing the person in charge in order to obtain favourable opinions that could potentially lead to a reduced sentence. The person in charge may then devise methods to mitigate the sentence, such as suggesting that the criminals acted as independent patriots.

(A-04 Testimony)

[In the Party Security Committee], it is observed that people often turn a blind eye and are willing to accept bribes. This is particularly evident when it comes to taking punitive actions and appointing new personnel. After conducting

background checks, the person in charge, usually the Chief Political Officer, appoints individuals or decides the level of punishment based on their own preferences and personal interests.

(A-05 Testimony)

Based on the findings, it is highly probable that the higher-level Party will less likely to exert strong punishment against the perpetrators involved in cases of crimes against humanity. Although there was information on the issuance of directives that prohibit human rights violations, there are still concerns that such measures will less likely be applied to the two Ministries considering the nature of these institutions that protect the regime.

According to the testimony, in North Korea the concept of human rights and fundamental rights within these institutions is perceived to serve the group or collective interest rather than being individual rights safeguarded against potential state violations. This implies when Party interests and individual interests collide, the two Ministries will likely justify any means necessary to defend the Party's interest. Even if officers are involved in an incident, their level of loyalty will be the most crucial factor in determining the level of the punishment. For such reason, Kim Jong Un's teachings, the Party's "Ten Principles", and the Party's rule hold greater authority and significance than other substantive laws. It is stressed that strict adherence to these teachings and principles is considered a fundamental duty.

| *The "Ten Principles" can be understood as strict guidelines or rules that dictate various aspects of life in North Korea. If the Principles says "Go left" then I go left, if it says "Go right" then I go right. You shouldn't listen to the individual official but only listen to the Supreme Leader. Following the "Ten Principles" is always the right thing to do.*

(A-06 Testimony)

At first, when I was taken to the Ministry of Social Security, the officers hit me with a key, locked me inside a cell, and physically assaulted me by repeatedly hitting me. He said that I was mocking Kim Jong Un every time his name was said during the lecture. But he had simply fabricated crimes in order to have a reason to lock me up. He said that I had a bad facial expression during the lecture and that I was laughing at the name of Kim Il Sung. In North Korea, if you are implicated in such incidents, you end up in prison. I was beaten up so unfairly.

(C-02 Testimony)

In North Korea, there are numerous lectures and review sessions. So, one day, I said that it would be good to complete the whole lecture series at once rather than in separate sessions. Such a suggestion was seen as a violation of the “Ten Principles” of the Party. [Making such a statement] was the reason I was taken in for interrogation.

(C-05 Testimony)

In conclusion, it can be deduced that the Workers’ Party of Korea (WPK) employs Party-related punishments as a mechanism to address human rights abuses. Yet, there appear to be limitations and obstacles associated with this strategy. Moreover, it can be inferred that the criteria for punishments are ambiguous. NKDB’s research indicates that personal relationships, bribes, and favouritism could sway the outcome of punishments. Additionally, it is crucial to acknowledge that Party punishment alone may have inherent shortcomings in addressing human rights violations amounting to crimes against humanity. Party disciplinary actions may primarily cater to the Party and its leadership’s interests, rather than focusing on human rights protection and the welfare of individuals.



VI. Conclusion



VI. Conclusion

This research was undertaken to map the systems of the Ministries of State Security and Social Security, building on prior studies and conducting exhaustive interviews over a span of nine months. The objective was to illuminate the system and structure enabling the tolerance and perpetration of crimes against humanity in North Korea, a situation widely acknowledged by the international community. However, owing to North Korea's cloistered and secretive nature, researching the command and reporting structure of institutions implicated in human rights violations amounting to crimes against humanity posed formidable challenges. Consequently, there have been scarce instances where such research has been performed. These limitations have impeded the capacity to closely examine circumstantial evidence that could determine criminal liability for human rights violations amounting to crimes against humanity. Examples of such evidence include understanding the relationships between perpetrators and their superiors, the roles and positions of these superiors, and the composition of the overall organisation.

Nonetheless, this study has achieved significant strides in addressing some of the constraints associated with investigating the organisational structure and command and reporting systems of the two Ministries. It probed into the characteristics of the directive and reporting mechanisms amongst regional offices. Moreover, it allowed for the analysis of certain conditions and mechanisms of individual punishment for human rights infractions within these institutions. On this basis, it was feasible to deduce how the Workers' Party exercises potent and substantial control and delivers guidance to both institutions.

The importance of this study lies in its provision of fundamental data that can be employed across various

accountability mechanisms, encompassing international criminal law and domestic criminal law including universal jurisdiction. It furnishes a foundation for building case theories elucidating how and under what conditions human rights violations may have transpired. By establishing a linkage between the perpetrators and the accountable superiors, the study could aid in determining the future criminal liability of these individuals.

Furthermore, this research holds significance as it provides crucial insights to the international community that the Workers' Party of Korea is not indifferent to human rights violations within the two Ministries.

Controlling mechanisms of the Workers' Party of Korea over these two institutions demonstrate that even senior officers within the Political Department influence the two Ministries, providing diverse perspectives when holding relevant individuals accountable for criminal responsibility in the future. Also, highlighting the accountable superiors is likely to stimulate proactive measures against human rights infringements in North Korea.

This study adopted the methodology incorporating interviews with insiders, victims of the two Ministries, and individuals affiliated with related establishments. Nevertheless, the inherently closed nature of both Ministries posed challenges in understanding the organisational structure, detailed operational systems, and the scale of employees in regional offices. Future research should address these difficulties by conducting a supplementary research focused on inside witnesses, taking regional characteristics into account.

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The Database Center for North Korean Human Rights (NKDB) is a non-political, non-religious, non-governmental organisation that was established in 2003 in Seoul, South Korea. NKDB has dedicated its work to the advancement of the human rights situation in North Korea through the investigation and documentation of human rights abuses perpetrated in the DPRK. Through its North Korean Human Rights Archives, NKDB performs systematic investigations and documentation of cases of human rights violations in the DPRK and manages the NKDB Unified Human Rights Database, the largest repository on North Korean in human rights cases in the world. As of November 2023, the NKDB Unified Database houses over 85,000 cases of North Korean human rights violations and data on over 55,000 individuals related to those cases, including victims, witnesses, and perpetrators. The North Korean Human Rights Watch Functions conduct effective monitoring of specific human rights issues and publishes regular reports and publications on an array of issues pertaining to human rights in North Korea.

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