

## **Press Statement by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea**

**Seoul Global Centre  
21 July 2017**

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Good afternoon,

I have just ended a five-day visit to the Republic of Korea in my capacity as Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. This is my second official mission in Seoul in less than a year, and I would like to thank the Government of the Republic of Korea for facilitating it. I am also grateful to the staff of the Office of the High Commissioner for Human Rights for their support in organising this visit.

My trip occurs in the context of the formation of a new government in the Republic of Korea following the presidential elections in May. I have had the opportunity to meet with various representatives of the new administration in Foreign Affairs, Unification, Justice, and the Korean Institute for National Unification. I also met with the Chairman of the Foreign Affairs and Unification Committee at the National Assembly. I visited resettlement centres for people who left North Korea and interacted with the directors and residents of these facilities. I also received North Koreans who wish to return to the DPRK. My mission included various other conversations with NGO leaders, academic researchers, as well as current and former members of the diplomatic community. I greatly appreciate the diversity of opinions that have been shared with me in these circles, which reflect the vivid debate on North Korean human rights.

I have been able to get a sense of the approach and priorities of the current administration regarding the situation in the DPRK, particularly in a context of mounting military tensions over the past months. This week the administration of President Moon Jae-in has announced an initiative that seeks to restore dialogue both in the military and humanitarian cooperation areas. This initiative, I understand, is part of a two-pillar strategy that seeks to rebuild channels of communications that have been severed for two years, while also continue to

put pressure on the DPRK through the UN sanctions regime and other international mechanisms to halt nuclear tests and ballistic missile launches.

Avenues for engagement with the DPRK are opening up, not just here in South Korea, but also internationally. The country recently received the Special Rapporteur on Persons with Disabilities, submitted national reports to the UN Committees on the rights of women and children, and civil society organisations outside the DPRK are actively assessing the state of implementation of the many recommendations that the DPRK accepted in the latest Universal Periodic Review. I welcome these developments and encourage further engagement with the Human Rights Council and with the Office of the High Commissioner for Human Rights. I believe these openings should be seen by the government of the DPRK as opportunities for constructive dialogue to improve the human rights situation on the ground.

Let me particularly welcome Seoul's decision to seek dialogue with Pyongyang and explore possibilities for mutual cooperation. This is a reassuring step forward to lower tensions that have built up between the two Koreas over the past months, which echoes the appeal I made to both countries in April to halt conflict rhetoric. I very much hope that the DPRK will respond positively to the Moon initiative in the interest of long-term peace, security and humanitarian cooperation between the two countries.

At the same time, let me emphasise that the protection of human rights should be central to this policy of rapprochement. The information that I have been receiving points to different violations that continue to affect the lives of ordinary North Koreans and even foreigners. For example, I continue to receive appeals to act on allegations of arbitrary detention, human trafficking, and enforced disappearances. The tragic death of US citizen Otto Warmbier shortly after his release in a comatose state from a Pyongyang prison was also a reminder to all of us of the dire consequences of the lack of access to consular and legal counsel for those in detention in North Korea.

During my visit to Seoul I have had the opportunity to interact with several men and women who left the DPRK this year. These brave people, longing for freedom and believing in it, were particularly inspirational. It was enlightening to hear their testimonies on the current situation on the ground, including in the

northern provinces that were hit by widespread flooding last year. The interviews confirmed some of the trends that have been called to my attention. For example, corruption is so widespread that it has become customary for people to pay officials to access basic rights, such as travelling inside the country and abroad, living in certain areas, and receiving medical treatment. North Koreans with irregular status in China who are forcibly repatriated are routinely sent to re-education camps and sentenced to forced labour without due process of law. Those who are found to have left with the intention of going to the Republic of Korea are said to be sent to the five political prison camps that are believed to be still operational. Women continue to be especially vulnerable to violent practices when they are sent back. Strip-searches, cavity inspections, verbal abuse and sexual violence are still known to happen in holding centres near the border with China.

One of course cannot hear these stories without recalling the need to hold public officials accountable for their actions. This debate will continue to expand following the latest DPRK resolutions at the Security Council and the Human Rights Council. But one also has to engage in this debate without reducing the concept of accountability to a set of criminal procedures to punish perpetrators, and rather consider it as part of the larger question of what it takes to ensure freedom and dignity for all North Koreans. For example, many observers I meet here and elsewhere remind me of the need to consider the impact of international as well as unilateral sanctions on the population, and the extent to which they integrate human rights protection concerns.

The North Korean escapees whom I met have also spoken of a recent crackdown by the authorities including in Pyongyang on audio-visual material with South Korean content, as well as continuing surveillance on mobile phones despite wider access for the population to smart phones than in the past. What I also gather from these accounts is the growing gap in living standards between the capital and the provinces. Violations of economic, social and cultural rights are harder to address in a context where there is no independent civil society, and freedom to travel and to express oneself is severely restricted.

I am also alarmed by a surge in detentions and forced repatriations of North Koreans who are caught in China. The trend has concerned adults as well as unaccompanied children, some of whom were repatriated and others are

currently detained in China and facing imminent refoulement. Many of those who leave DPRK leave their families behind. Over the past few months I have shared these concerns with the Chinese authorities recalling their obligations under the 1951 Refugee Convention, as well as relevant parts of the UN system. I urge them again to address this problem by giving special protection to DPRK citizens who transit through China's territory. The cycle of traumatic events to which people who leave North Korea are subjected, which often results in loss of family ties, must be broken. The pattern of separation that resulted from the war between the two countries cannot continue. The two Koreas are under a clear obligation to address this issue, listen to the voices of the victims and find concrete solutions.

Among the contentious issues that have been brought to my attention is the situation of the 12 women restaurant workers who arrived in the Republic of Korea from China last year. The DPRK has conditioned the resumption of separated family reunions on the return of these women to their home country, and has persistently accused the Republic of Korea of abducting them, including in reaction to my recent appeal to resume family reunions. I have interacted with a wide range of interlocutors here to gather as much information as possible on the situation of these women. Whereas I am pleased to learn that these women are safe and not held in detention, I see inconsistencies in the narrative concerning their cases, and will be following up with concerned governments. Here let me urge the two Koreas to avoid politicising the situation of these women, and strictly focus on their interests, protection needs, and the needs of their families.

I will take stock of this visit as well as my monitoring and advocacy work over the past year in my forthcoming report to the UN General Assembly, which is scheduled for October. By then I very much hope that a family reunion event would have been agreed between the two Koreas. This is certainly a challenge, but one that Koreans on both sides of the armistice line can overcome together if they place the rights of the thousands of people waiting to be reunited with their loved ones above all other considerations. I also look forward to pursuing the conversation with the different interlocutors here and in the international community on human rights. Most importantly, I look forward to an opening with the DPRK authorities to discuss practical approaches to the various

pressing issues that I have just outlined. I plan to come back to the region in the near future, and I hope I will have the opportunity to travel to the DPRK, but also to the other neighbouring countries. I came to the ROK at a very important political juncture where expectations are high. It is a unique opportunity to remind all stakeholders that whatever the agenda, human rights must remain at the core.

Thank you and the floor is now open for questions.

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