

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

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Mr. President,
Excellencies,
Distinguished Delegates,
Ladies and Gentlemen,

“No freedom, no rations, no commercial activities, surveillance and the risk of crackdown, no happiness for anyone in farming areas”. This is an answer given to me by a North Korean woman who recently escaped from the border area of DPR Korea when I asked her about their lives in the country during my last country visit in June.

Her answer helps capture the human rights situation in the Democratic People's Republic of Korea that I would like to present today. People know when their human rights are violated and restricted even if they do not necessarily call them human rights.

Mr. President,

Let me start with the situation of the right to food as an emblematic example of the people's right to an adequate standard of living. Food insecurity is at an alarming level in the Democratic People's Republic of Korea. 11 million people, nearly half of the population, are undernourished.

In 2019, 140,000 children are estimated to be affected by undernutrition and of those, 30,000 children face an increased risk of death.

In this context, we should not forget the devastating famine of the mid-1990s. People in DPR Korea still live with the memory of lost relatives, as well as the physical consequences such as stunted growth.

The Government of the Democratic People's Republic of Korea, who has the primary responsibility for ensuring the right to food, is violating its human rights obligations due to its failing economic and agricultural policies. The country's economic resources are being diverted away from the essential needs of the people. Pervasive discrimination in the public distribution system means that ordinary citizens, especially farmers and people in rural areas, have not been receiving any rations. Moreover, the collectivization of farming, and the restrictions on farmers' ability to tend and benefit from individual plots of land, further exacerbates their situation of food insecurity. At the same time, the Government has failed to put in place conditions where people can securely engage in trade and exchange in market places without facing criminalization, extortion and other forms of abuse when, in reality, the vast majority of people in DPR Korea are now engaged in such market activity for their survival.

Ironically, the failure of the government to properly regulate this nascent market activity is leading to the creation of an increasing inequality based on wealth, where only those with money have access to basic rights such as education, healthcare, freedom of movement and adequate housing. A gap between the rich and poor is growing in the DPRK.

In addition, climate conditions, infertile land, natural disasters and the negative impact of sanctions have contributed to further food insecurity. In this regard, I welcome the Security Council's efforts to exempt humanitarian actors from sanctions to enable them to operate, and encourage the Sanctions Committee to broaden their notion of what humanitarian work involves so that they can fully implement their mandate.

Ladies and Gentlemen,

The surveillance and close monitoring of citizens and other severe restrictions on basic freedoms continue to be widespread in the Democratic People's Republic of Korea. Newspapers, radio, television and the Internet are completely controlled by the Government, in particular by the Propaganda and Agitation Department of the Workers' Party of Korea. In border areas, people use mobile phones that are smuggled from China to make international calls illegally. If caught, they are punished including with imprisonment. The Government also sets up a system of peer monitoring called "self-criticism", which further enables the close control of the people. Several North Korean escapees who I met said this practice "is suffocating."

Mr. President,

North Korean people continue to live in the entrenched fear of being sent to a political prison camp (*kwanliso*). If you are considered to be a spy of the hostile countries or a traitor, when in reality you are simply exercising your basic human rights, you can be suddenly taken by agents

of the Ministry of State Security to a *kwanliso* and never be seen again. Suspects' families are never informed of the decisions or of the whereabouts of their relatives.

I have called for the gradual release of political prisoners. During the Universal Periodic Review of the Human Rights Council in May 2019, the representative of the Government of the Democratic People's Republic of Korea responded to this issue, saying that "telling us to show leniency to such criminals and to release them is like telling us to act, to do harm to the security of the State, society and the people with our own hands". I do not call for the Government to show leniency, but to uphold the basic human rights of these prisoners, such as due process of law, judicial guarantees, and guarantees against arbitrary detention. Ultimately I call for the release of these people who should be considered as arbitrarily detained under international law. I further urge the government to grant access to these facilities by international observers and to disclose information regarding the administration of these camps.

Enforced disappearances in the Democratic People's Republic of Korea also include people who were abducted from the Republic of Korea during and after the Korean War as well as Japanese and other foreign nationals who were abducted in the 1970s and 1980s. There has been no progress with these concerns, and the resolution of the issue of abductions must be included in the peace process negotiations. As long as adequate information about the whereabouts of these people is not provided, I underscore that this is a continuing violation of the rights of those abducted as well as their family members.

Ladies and Gentleman,

In the past 6 months, I have received information from family members living in the Republic of Korea of an increasing number of detention cases of North Koreans in China. Any escapee in China should not be forcibly repatriated to the DPR Korea because there are substantial grounds to believe that these individuals would be in danger of being subjected to torture or other serious human rights violations if repatriated. Regrettably, I have been recently informed of more cases of forced repatriation. I repeat that the principle of non-refoulement applies to these cases, and on humanitarian grounds alone repatriation should not happen. I appreciate the Government of China's increased engagement with me on this concern, and I hope that this will lead to greater compliance with international standards.

Mr. President,

It has been 3 years since I took up this mandate, and regrettably despite all efforts from different actors, I have not seen any improvement in human rights in the DPR Korea. The situation continues to demand the strongest attention from the international community, including further efforts towards accountability for widespread and systematic human rights violations.

Nevertheless, I still believe in the importance of attempting constructive engagement with the North Korean authorities as a strategy to bring improvements to the human rights situation.

Last May, the DPR Korea participated in the country's third Universal Periodic Review and accepted 132 recommendations from fellow member States to address a range of human rights situations, which may bring opportunities for improvement. For instance, one of the recommendations accepted by the Government was to grant immediate, free and unimpeded access to international humanitarian organizations to provide assistance to the most vulnerable groups, including prisoners. This last reference may represent the first time that North Korean authorities allow international access to places of detention, and could therefore be an opportunity to improve prison conditions. There are many important accepted recommendations on economic and social rights which also deserve attention. The UN system, including agencies working on the ground, should engage with the Government in helping to implement these recommendations.

In addition, after the DPR Korea's Universal Periodic Review last May, members of the delegation stayed in Geneva and participated in a three day human rights workshop organized by the Office of the High Commissioner for Human Rights. This is the first time such an event has occurred. I encourage the High Commissioner for Human Rights to continue to build on this, which may include the possibility of a country visit to DPR Korea.

Despite the DPR Korea's ongoing intransigence towards my mandate, as seen with the empty seat in front of me today, I will continue to persevere in my attempts to secure constructive engagement with the Government to find solutions to the country's human rights problems.

Mr. President,

I conclude by reminding the Government of the DPR Korea once again that there are international human rights standards that go beyond the sovereignty of the State, and must be respected and protected by any country in the world.

I would also like to reiterate that integrating these fundamental human rights into the current negotiations is crucial for the sustainability of any agreement for denuclearization and peace on the Korean Peninsula and beyond.

Thank you for your attention.