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**Promotion and protection of human rights: human rights
situations and reports of special rapporteurs and representatives**

Situation of human rights in the Democratic People's Republic of Korea

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution [75/190](#) on the situation of human rights in the Democratic People's Republic of Korea. It provides an overview of the human rights situation in the country from August 2020 to July 2021 and a summary of the engagement of the Government of the Democratic People's Republic of Korea with the United Nations on human rights.

* [A/76/150](#).



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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [75/190](#) on the situation of human rights in the Democratic People's Republic of Korea. It provides an update of the human rights situation since August 2020, when the Secretary-General reported to the General Assembly at its seventy-fifth session (see [A/75/271](#)). The report provides an overview of the situation of civil, political, economic and social rights, including in the contexts of the coronavirus disease (COVID-19) pandemic and cooperation with the United Nations on addressing human rights challenges.

2. The ongoing challenge of gathering independent and credible information on human rights in the Democratic People's Republic of Korea has been compounded by the strict COVID-19 restrictions in place throughout the reporting period. Interviews conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) with escapees newly arrived in the Republic of Korea continued throughout the reporting period.¹ On 9 June and 7 July 2021, OHCHR sent note verbales to the Permanent Mission of the Democratic People's Republic of Korea to the United Nations Office and other international organizations in Geneva inviting the Government to provide information for and factual comments on the draft report. No response had been received at the time of writing.

3. The Secretary-General emphasizes the need for constructive engagement by the Democratic People's Republic of Korea with the United Nations in addressing the human rights challenges outlined in the present report. Such engagement will assist the Government in fulfilling the obligations it has voluntarily agreed to under international human rights law and would help to improve the lives and uphold the dignity of its people. The Secretary-General also makes recommendations to the international community, including to pursue systematic engagement with the Democratic People's Republic of Korea to promote improvements in the human rights situation as well as to deepen engagement with people from the Democratic People's Republic of Korea residing outside of the country in efforts to advance peace and human rights.

II. Political context

4. There was no indication of improvement in inter-Korean relations during the reporting period. According to the Joint Chiefs of Staff of the Republic of Korea, on 25 March 2021 the Democratic People's Republic of Korea test-fired two short-range ballistic missiles.² On 26 March, the President of the Republic of Korea, Moon Jae-in, responded to the tests, saying: "Now is the time for South and North Korea and the United States to ramp up efforts to continue talks. Any action that hampers the efforts is undesirable."³ Vice-Director of the Information and Publicity Department of the Central Committee of the Workers' Party of Korea, Kim Yo Jong, responded to those comments on 30 March, stating that the recent test-firing of missiles by the Democratic Republic of Korea was a legitimate exercise of their right to self-defence.⁴

¹ The Ministry of Unification reported that 229 escapees had arrived in the Republic of Korea in 2020, compared with 1,047 in 2019. See Republic of Korea, Ministry of Unification, "Policy on North Korean defectors".

² NK News, "North Korea test-fires first ballistic missiles since Biden took office", 24 March 2021.

³ *The Korean Herald*, "Moon slams North Korea's missile test amid efforts for dialogue", 26 March 2021.

⁴ KCNA Watch, "Vice-Director of Information and Publicity Department of WPK Central Committee, Kim Yo Jong, releases statement", 30 March 2021.

5. Earlier, Kim Yo Jong also issued a statement (16 March 2021) protesting the joint military exercises by the United States of America and the Republic of Korea, which began on 8 March, citing them as undermining inter-Korean relations.⁵

6. A report made by the leader of the Democratic People's Republic of Korea, Kim Jong Un, to the Eighth Congress of the Workers' Party of Korea acknowledged that economic goals from the previous five-year plan had not been met – in particular, goals to improve people's living standards. In the report, international sanctions, natural disasters, the “world health crisis” and domestic failures of economic management and discipline were cited as the reasons for the failure. Economic development was reaffirmed as a priority through a State-led system of planning aimed towards national self-sufficiency.⁶ Several months later, during the Third Plenary Meeting of the Eighth Central Committee of the Workers' Party of Korea, President Kim Jong Un reiterated the need to “stabilize and improve the people's living under the present situation”, calling the food situation “tense”.⁷

7. The report made by the leader of the Democratic People's Republic of Korea to the Eighth Congress asserted that the Democratic People's Republic of Korea was a “responsible nuclear weapons state, [that] will not misuse its nuclear weapons unless the aggressive hostile forces try to have recourse to their nuclear weapons against us.” The report indicated commitment to the further development of the country's nuclear weapons capabilities, including to making “nuclear weapons smaller and lighter for more tactical uses”, and to “push ahead with the production of super-sized nuclear warheads.”⁸ The Democratic People's Republic of Korea last conducted nuclear and intercontinental ballistic missile tests in September and November 2017, respectively. In its latest report in March 2021, the United Nations Panel of Experts established pursuant to Security Council resolution 1874 (2009) stated that the country had maintained and developed its nuclear and ballistic missile programmes, in violation of Security Council resolutions (S/2021/211, paras. 2–26).

8. The strict COVID-19 restrictions in the Democratic Republic of Korea led to a significant decrease in diplomatic presence in the country during the reporting period.

III. Overview of the situation of human rights

A. Human rights violations in places of detention

9. The accounts documented by OHCHR in interviews with escapees recently arrived in the Republic of Korea add to the growing body of information confirming consistent patterns of human rights violations committed in places of detention in the Democratic People's Republic of Korea.⁹ In her report to the Human Rights Council at its forty-sixth session, the United Nations High Commissioner for Human Rights laid out the ongoing analysis of OHCHR that the Government was engaged in a systematic and widespread attack against people considered to be a threat to the country's political system and leadership. Such individuals included people who

⁵ KCNA Watch, “It will be hard to see again spring days three years ago”, 16 March 2021.

⁶ NCK, “On report made by Supreme Leader Kim Jong Un at Eighth Party Congress of WPK”, 9 January 2021.

⁷ Ministry of Foreign Affairs, Democratic People's Republic of Korea, “Third-day sitting of 3rd plenary meeting of 8th Central Committee of Workers' Party of Korea held”, 18 June 2021; KCNA Watch, “3rd plenary meeting of 8th Central Committee of WPK opens”, 16 June 2021.

⁸ KCNA Watch, “Great programme for struggle leading Korean-style socialist construction to fresh victory on report made by Supreme Leader Kim Jong Un at Eighth Congress of WPK”, 9 January 2021.

⁹ For the particular violations experienced by women in detention, see OHCHR report entitled “I still feel the pain...”, July 2020.

practise religion, introduce influences considered to be subversive, such as foreign films or music, or leave the country. In furtherance of that policy, it appeared that members of the population were systematically imprisoned without due process for exercising basic human rights. In the report, she noted that, while in detention, escapees were intentionally subjected to physical and mental suffering, amounting to torture, as part of the policy to deter and punish those deemed to pose a political threat (A/HRC/46/52).

10. The High Commissioner highlighted in the report that the main State organs responsible for administering the ordinary prison system were the Ministry of State Security and the Ministry of People's Security. However, she observed that decision-making was highly centralized and that there were overlapping lines of authority within the Government of the Democratic People's Republic of Korea. Consequently, there remained reasonable grounds to believe that officials in superior positions at the local, regional and national levels of the Government were aware, or had reason to be aware, that subordinates down to the lowest rank of prison guard or similar personnel continued to commit human rights violations that might amount to crimes against humanity. If those violations were found to be perpetrated pursuant to a policy to inflict such treatment on detainees, such officials may be criminally liable either as direct participants, under doctrines of command or superior responsibility, or as part of a joint criminal enterprise (*ibid.*, para. 45).

1. Torture and cruel, inhuman or degrading treatment

11. OHCHR continued to receive consistent and credible accounts of the systematic infliction of severe physical and mental pain or suffering upon detainees, through beatings, stress positions and starvation. The High Commissioner informed the Human Rights Council that such information reconfirmed the findings of the earlier commission of inquiry and indicated that the crime against humanity of torture continued to take place in the prison system (*ibid.*, para. 51).

12. During the reporting period, OHCHR documented further witness and victims' accounts on the systematic and widespread use of beatings against detainees, which spanned the period from 2010 to 2019. This included beatings during interrogation to forcibly extract "confessions", as a means of discipline (e.g. for failing to sit absolutely still for prolonged periods or failing to criticize fellow detainees sufficiently harshly during group criticism sessions) and upon the failure to pay bribes.¹⁰

13. The severity of beatings described may constitute torture, which is prohibited without exception under international law. One woman described to OHCHR that, while detained in a *jipkyulso* (pretrial detention holding centre), being beaten by a Ministry of State Security officer in the face with firewood "so the skin on my face tore open, my chin became dislocated and four of my teeth were knocked out". Another woman described being beaten by a Ministry of People's Security officer: "I had to kneel, and they beat me on my thigh. I could not walk properly for a year." Another spoke of being beaten, while being detained in a *jipkyulso*, with a stick, chair and leather belt by Ministry of People's Security officers, and how "some detainees were asked to place their heads on the bars [of the cell] and the guards would beat us with a club... we were just like punching bags to them."¹¹

14. A former male detainee in a *kyohwaso* (prison) described being "beaten by a prison guard who knocked out my front teeth". Another former male detainee described being beaten by Ministry of People's Security prison guards in a *jipkyulso*

¹⁰ Interviews conducted by OHCHR.

¹¹ *Ibid.*

for making the “slightest movement” while being made to kneel on the floor for four straight hours: “I was beaten with a gunstock during this punishment, and then beaten again because I didn’t get up after being hit the first time.”¹²

15. Other treatment in detention documented during the reporting period may also constitute torture or other forms of cruel, inhuman or degrading treatment. Accounts reveal severe forms of physical punishment to discipline detainees for minor infractions. One female former detainee of a Ministry of People’s Security *kuryujang* (pretrial detention centre) told OHCHR: “There was a 70-litre tub filled with water, and they made us splash that water over the floor and sit on top of it, which would soak our trousers and freeze our bodies over.” Another punishment handed out to the 12 detainees of a cell, because one had been snoring at night, required them to: “extend their hands forward and do 1,000 squats. I was young so it was okay, but those who were older fainted on the spot.” A male former detainee of a Ministry of State Security *jipkyulso* described another collective punishment inflicted, because one of the detainees had “made a sound” while they were forced to stay sitting cross-legged: “In the fixed position, you had to be on your knees with the rest of your body off the ground, with your hands extended forward; you had to stay like that for hours. If you moved, they made you stick your hands out and hit them with a cane.”¹³

16. Accounts documented during the reporting period, spanning the period from 2010 to 2019, added to the growing body of information that detainees are provided with inadequate and poor-quality food.¹⁴ This included the *rodongdanryondae* (labour camps), where detainees are forced to undertake hard labour: “We were fed only corn meal, about 100 grams three times a day.” Detainees relied on family visits to receive adequate food, with those without family visits suffering more severely. Even prison guards were described as relying on the visits of detainees’ family members for food. Two escapees separately described how, during their time in a *kyohwaso*, the food situation led to deaths from malnutrition.¹⁵ Although no interviews took place with persons detained subsequent to the Government’s strict anti-COVID-19 measures implemented at the end of January 2020, there are risks that the food situation for detainees has worsened, as the food situation has become more acute for the general population.

2. Forced labour

17. The economy of the Democratic People’s Republic of Korea continues to be organized in a way that relies on the widespread extraction of forced labour, including from conscripted soldiers and the general populace, including children. One important source of forced labour comes from the large detainee population, whose daily life is centred around work.¹⁶ This requires hard manual labour from male and female detainees in construction, agriculture, logging and the mining of coal and other minerals, among other areas.¹⁷ It also involves long hours manufacturing consumer goods, particularly for female detainees, through jobs such as knitting, metal fabrication and the making of wigs, false eyelashes and necklaces. Forced labour dominates the lives of detainees of labour training camps (*rodongdanryondae*, with

¹² Ibid.

¹³ Ibid.

¹⁴ The High Commissioner also highlighted this as an ongoing issue ([A/HRC/46/52](#), para. 55).

¹⁵ Interviews conducted by OHCHR.

¹⁶ As described by escapees to OHCHR during the reporting period, other forms of forced labour occur through compulsory mobilizations, often to construction sites and farms, by neighbourhood watch units (*inminban*), as well as unpaid labour provided at State-run factories and the mobilization to construction and agricultural sites of soldiers and school children.

¹⁷ Citizens’ Alliance for North Korea Human Rights, “Blood coal export from North Korea: pyramid scheme of earnings maintaining structures of power”, April 2021.

the intention of “educating” detainees of their “misdemeanours” through labour), prisons (*kyohwaso*, with the intention of “reforming” detainees who have committed “crimes” through labour), pretrial holding centres (*jipkyulso*) and political prison camps (*kwanliso*). Indeed, the premise of “education” and “reform” through labour as contained in the country’s criminal code and administrative law provides a legal pretext for this form of exploitation. This includes the handing down of sentences in “labour training camps” (*rodongdanryondae*) under administrative law by State officials, without any trial or judicial oversight.¹⁸

18. In the application of the standards set out by the International Labour Organization (ILO) in the Forced Labour Convention (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105), ILO considers that any of the following types of involuntary prison labour amounts to forced labour: involuntary work performed by prisoners who have not been duly convicted in a court of law; involuntary work performed by a prisoner for the benefit of a private undertaking; any involuntary labour that serves the purposes of political coercion or education, or as a punishment for holding or expressing political views; workforce mobilization for purposes of economic development; labour discipline; punishment for having participated in strikes; or racial, social, national or religious discrimination.¹⁹ According to the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), labour in prison “must not be of an afflictive nature”, referring to the pain, distress and grief caused by this labour.

19. During the reporting period, OHCHR continued to document accounts from both female and male escapees of their experiences of forced labour within the prisons system. In *rodongdanryondae*, escapees described working in farming units, in salt fields, on construction sites, excavating tunnels, in power stations, and logging and cutting trees. The work was described as “particularly physically challenging”, with long hours, inadequate health and safety measures in place, inadequate treatment for injury and occupational disease, and with no compensation. One former *rodongdanryondae* detainee had worked on constructing a county hospital and a county elementary school. She described the “tough” work of “loading and unloading cement”. She stated that they: “couldn’t help breathing in the cement either. There were no masks or gloves.” As a result, “wads of cement were mixed in our phlegm when we spit it out”. She told OHCHR that “No matter how hard we washed our hands, the cement did not easily come off, so our hands became cracked and dry.”²⁰

20. During the reporting period, former female and male detainees told OHCHR of their work in prisons (*kyohwaso*) and holding centres (*jipkyulso*), making artificial eyelashes and necklaces, knitting clothes, farming, logging and construction. They described being beaten, having food rations cut and being placed in solitary confinement if work quotas were not met, with detainees sometimes working through the night to meet their quotas. Farming work was done without the aid of machines, with one former detainee describing how she and her fellow inmates “dragged the cart that cows normally pull”. Another woman described how, during her time in a *jipkyulso*, she and her fellow detainees: “got frostbite on our toes because we worked sitting in the yard. I also got frostbite on my feet while cutting trees”. While undertaking the work, “2–3 guards watch over you while armed with automatic guns”.²¹

¹⁸ Administrative Punishment Law of the Democratic People’s Republic of Korea. State officials who can hand down sentences include the Socialist Law-Abiding Life Guidance Committee, the Prosecutor’s Office, and the Ministry of People’s Security. See articles 90, 230, 232 and 235.

¹⁹ ILO, *Combating Forced Labour: A Handbook for Employers and Business* (2015), pp. 10 and 17.

²⁰ Interviews conducted by OHCHR.

²¹ *Ibid.*

21. In her report to the Human Rights Council, the High Commissioner stated that OHCHR was gravely concerned by credible accounts of forced labour under exceptionally harsh conditions within the ordinary prison system, which might amount to the crime against humanity of enslavement (A/HRC/46/52, para. 61).

B. Civil and political rights

22. COVID-19 restrictions in the Democratic People’s Republic of Korea further limited people’s rights to freedom of expression, including access to information, to freedom of association and of peaceful assembly, and to freedom of thought, conscience and religion.

23. Escapees who spoke to OHCHR described State ideology being propagated through State-run newspapers, radio and television, with no independent media or other sources of information allowed to exist. They described the strict penalties implemented for those caught with foreign media, particularly films, television dramas and music from the Republic of Korea with a “stepping up of crackdowns” in recent times. As described by one female escapee, “If you don’t have money to pay a bribe, you will get two or three years.”²² Accounts continue to be received of monitoring by Group 109,²³ as well as the Ministry of People’s Security and the Ministry of State Security, who visit people’s houses to check for foreign media content.²⁴ Although cell phones are becoming increasingly prevalent, using cell phones to call abroad is also monitored with harsh sentences imposed on those caught, such as imprisonment of up to two year in a *kyohwaso*.²⁵ Consistent with allegations of increasing restrictions, President Kim Jong Un urged officials at the party plenary in June to “wage a more offensive and efficient” fight against anti-socialist threats, including individualism and “exotic lifestyles”.²⁶

24. The lack of an independent judiciary that upholds the rule of law continues to have a negative impact on human rights protection. Alleged corruption in the judicial system has, according to accounts documented during the reporting period, enabled payments to be made to judges, prosecutors and Ministry of People’s Security officials to lessen sentences and to secure early release from detention. One female escapee even reported being sentenced in place of someone who had paid a bribe. Others bribed interrogators to ensure less harsh treatment – in relation to the physical and verbal abuse typically administered to force confessions – and to ensure that statements denying alleged crimes were accepted. For those in detention, bribes were paid to allow food to be delivered by family members and to be assigned less demanding work. Bribes were also paid to avoid military service, to secure particular jobs and to gain access to desired universities. Furthermore, individual freedoms appear contingent on the ability to pay bribes, including moving freely within the country, watching foreign media, making international phone calls and avoiding dress code regulations.²⁷

25. The threat of being sent to a political prison camp (*kwanliso*) permeates all aspects of civil and political life. There is widespread belief that those who criticize the Supreme Leader (*Suryeong*) or the Government, or otherwise engage in “disloyal”

²² Ibid.

²³ Group 109 is an interdepartmental censorship body that was established in 2004 to assist with the censoring of foreign media, publications, radio and DVDs.

²⁴ Ibid.

²⁵ See The Criminal Law of the Democratic People’s Republic of Korea, 2015, article 222.

²⁶ NK News, “Kim Jong Un admits food security issues as party plenum event kicks off”, 16 June 2021.

²⁷ Interviews conducted by OHCHR.

activity, such as attempting to go to the Republic of Korea or engaging in religious activities, will be sent to a *kwanliso*. During the reporting period, escapees continued to report to OHCHR of family members and associates who had been sent to a *kwanliso* for “disloyal” activity such as attempting to go to the Republic of Korea or helping those attempting to, engaging in religious activity or making “political” comments critical of the State.²⁸

26. Under the one-party rule of the Workers’ Party of Korea, there remains no right to political participation. In elections, citizens are required to vote for a single candidate recommended by the Workers’ Party. One key manifestation of the absence of meaningful democratic participation is the lack of women in government. According to the Inter-Parliamentary Union, as of June 2021 the country ranked 126th globally in relation to the percentage of women in national parliaments, with 17.6 per cent of the Supreme People’s Assembly made up of women (121 out of 687 members).²⁹ Nevertheless, in addition to the sister of President Kim Jong Un, Kim Yo Jong, there have been reports of an increase in the number of women in senior-level positions, including the first Vice-Minister for Foreign Affairs, the first Vice-Director of the Propaganda and Agitation Department, and the Head of the Secretary Bureau of the Committee for the Peaceful Reunification of Korea.³⁰ However, there remains an overwhelming lack of women in the country’s highest decision-making bodies, including the Central Committee of the Workers’ Party, the Politburo and the Cabinet.³¹

C. Economic, social and cultural rights

27. The Government acted swiftly following the start of the COVID-19 pandemic, taking steps to shut national borders and schools from the end of January 2020; launch an information campaign; and mobilize health-care workers for the prevention, detection and response to the virus. According to Government reports to the World Health Organization (WHO), during the reporting period there were no confirmed cases of COVID-19 in the Democratic People’s Republic of Korea.

28. At the beginning of 2021, at the Eighth Congress of the Workers’ Party of Korea, the country’s leader acknowledged that the five-year strategy for national economic development had fallen a “long way short” of improving people’s living standards.³² On 8 April, at the closing of the Sixth Conference of Party Cell Secretaries, President Kim Jong Un gave a speech in which he called on “the Workers’ Party of Korea organizations at all levels, including its Central Committee, and the cell secretaries of the entire Party to wage another more difficult ‘Arduous March’ in order to relieve our people of the difficulty, even a little”.³³ On 13 July 2021, the Government presented its first voluntary national review at the 2021 high-level political forum on sustainable development (see also para. 6 above).

²⁸ Ibid.

²⁹ Inter-Parliamentary Union (IPU), IPU Parline, Democratic People’s Republic of Korea: Supreme People’s Assembly, 2021.

³⁰ 38 North, “The rise of women leaders in North Korea”, 25 September 2020.

³¹ See KINU, White paper on human rights in North Korea 2020, pp. 395–397.

³² KCNA Watch, “Great programme for struggle leading Korean-style socialist construction to fresh victory on report made by Supreme Leader Kim Jong Un at Eighth Congress of WPK”, 9 January 2021.

³³ KCNA Watch, “Respected Comrade Kim Jong Un makes closing address at Sixth Conference of Cell Secretaries of Workers’ Party of Korea”, 9 April 2021.

29. COVID-19 restrictions in place since the end of January 2020 have reportedly resulted in the widespread shutting down of workplaces and in both lesser quantities and poorer quality of food in the markets.

30. Already prior to the COVID-19 restrictions, there were ongoing concerns over violations of the right to food, with the country continuing to suffer from chronic food insecurity. In a joint assessment on food security conducted in 2019, the Food and Agriculture Organization (FAO) and the World Food Programme (WFP) indicated that some 10.1 million people – 40 per cent of the population – were food insecure and in urgent need of food assistance.³⁴ In its quarterly report issued in March 2021, FAO highlighted that a large portion of the population suffered from low levels of food consumption and very poor dietary diversity. It indicated that economic constraints, particularly resulting from the global impact of COVID-19, had increased the population's vulnerability to food insecurity, which included difficulties in importing food and essential agricultural inputs owing to border closures, such as improved seeds, fertilizers, agricultural chemicals and plastic. However, it also indicated that, as a result of the Government's anti-COVID-19 measures, it had not been possible to undertake any surveys or conduct observations on food production in 2020 or 2021. Nevertheless, FAO concluded in the quarterly report that there would have been a further deterioration of dietary diversity and food security inside the country.³⁵

31. Prior to the Government's COVID-19 restrictions, escapees described to OHCHR the particular difficulties in making a living in the Democratic People's Republic of Korea. One escapee spoke of how, "picking vegetables and gathering medicinal herbs", she "only made enough for one meal a day". Another spoke of how she "worked hard, including smuggling, but life was not good" and how she "had to spend a lot of money to bribe others". Another described the troubles navigating unpaid mobilizations and bribes with the observation that "even if you are involved in a business, money is usually not enough to make a living". As a result, people struggled to access basic necessities, including food. As one escapee revealed: "I do not want luxury or expensive clothes, but we want a life where we can at least eat corn and miso soup." Another stated that "North Koreans dream of eating white rice."³⁶

32. In his report to the General Assembly in October 2020, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea raised concerns over the deteriorating food situation in the country following the onset of the COVID-19 pandemic, including the risk of starvation. He urged the Government to invest the necessary resources to overcome food insecurity and to break the cycle of isolation ([A/75/388](#), para. 16).

33. Trade between the Democratic People's Republic of Korea and China reportedly decreased by 80 per cent in 2020 compared with 2019.³⁷ The value of the total trade with the Russian Federation dropped nearly 42 per cent year-over-year between 2019 and 2020, according to data from the Federal Customs Service of the Russian Federation.³⁸ The United Nations Panel of Experts established pursuant to Security Council resolution [1874 \(2009\)](#) reported that, during the first nine months of 2020,

³⁴ Food and Agriculture Organization of the United Nations (FAO) and World Food Programme (WFP), "FAO/WFP joint rapid food security assessment: Democratic People's Republic of Korea", May 2019, pp. 4 and 44.

³⁵ FAO, *Crop Prospects and Food Situation: Quarterly Global Report No. 1*, March 2021, pp. 5 and 26.

³⁶ Interviews conducted by OHCHR.

³⁷ Reuters, "N. Korea's trade with China plunges 80% as COVID-19 lockdown bites", 19 January 2021.

³⁸ NK News, "North Korea-Russia trade plummeted by nearly 42% in 2020 – the year of COVID-19", 5 March 2021.

the country's total exports reached only about 9.2 per cent of the total exports in 2019 (S/2021/211, para. 84). However, in relation to sanctioned goods, it reported that statistics indicated “many instances” in 2020 of the Democratic People's Republic of Korea trading items such as machinery, electrical equipment and iron, as well as exporting items such as coal, in violation of relevant resolutions (ibid., paras. 85–86). The Panel of Experts also reported instances of the illicit import of refined petroleum through direct deliveries and ship-to-ship transfers.

34. Owing to cross-border and domestic movement restrictions, no international humanitarian or diplomatic staff have been allowed entry into the country since August 2020. Essential humanitarian supplies have remained stranded outside the country, and field visits have not been permitted. By mid-March 2021, no United Nations international staff remained in the country. This situation has removed a lifeline for vulnerable populations, particularly in border and rural areas, during a time when their situation will likely have worsened. It is estimated that 10.6 million people in the Democratic People's Republic of Korea will need humanitarian assistance in 2021.³⁹ Of particular concern are children under the age of 5, and pregnant and lactating women.

35. The health infrastructure and the capacity of health-care workers and doctors continue to be weak. The health system suffers from critical shortages of essential medical supplies, an absence of vital equipment and adequately trained staff. According to *The Global Health Security Index: Building Collective Action and Accountability*, published in October 2019, the Democratic People's Republic of Korea was ranked 193 out of 195 countries, evaluated as one of the most vulnerable countries to an epidemic or pandemic outbreak, including in terms of criteria such as having a health system sufficient and robust enough to treat the sick and protect health workers.⁴⁰

36. One female escapee interviewed during the reporting period described to OHCHR the situation before the COVID-19 pandemic, in 2017: “There was no medicine at the hospital, and the medical facilities were substandard.” Access to health care also relies, to some extent, on access to money, as explained by a former nurse: “In principle, health care is... free in North Korea. However, the reality is that the doctor will conduct a medical check-up only after you pay. The doctor performs surgery only after they are paid... Normally doctors, nurses and assistants rely on the money from the patients.” Indeed, she herself “did not get any salary as a nurse”.⁴¹ There continues to be a large urban-rural divide in access to health care, and the situation will have been exacerbated by the closure of national borders since the end of January 2020.

37. WHO and the United Nations Children Fund (UNICEF) have been working with the Ministry of Public Health to develop the COVID-19 vaccine roll-out plan and the COVID-19 Introduction Readiness Assessment Tool. The effectiveness of these measures will be impacted by the low United Nations operational capacity on the ground and logistical challenges. In May 2021, it was reported that a delivery of 1.7 million AstraZeneca vaccines to the country from COVAX – a joint initiative by the Global Alliance for Vaccine and Immunization and WHO – originally scheduled for June had been delayed and would instead take place between July and December 2021. The country's lack of “technical preparedness” and a “global supply shortage”

³⁹ A slight increase from 10.4 million in 2020, as remote assessment suggests that chronic needs were exacerbated by the global impact of the COVID-19 pandemic and recurrent natural disasters.

⁴⁰ Available at: www.ghsindex.org/wp-content/uploads/2019/10/2019-Global-Health-Security-Index.pdf. See pp. 28 and 245.

⁴¹ Interviews conducted by OHCHR.

were cited as causes of the delay.⁴² Given that each citizen will receive two shots, this particular batch of vaccines will only be enough to vaccinate around 850,000 people – about 3.3 per cent of the population.⁴³

D. Separated families, enforced or involuntary disappearances and international abductions

38. No State-sanctioned reunion events for separated families took place during the reporting period. Commitments made at the inter-Korean summit held on 19 September 2018 remain unfulfilled.

39. As at 7 May 2021, the Human Rights Council’s Working Group on Enforced or Involuntary Disappearances had submitted a total of 330 cases – 281 men and 49 women – to the Government of the Democratic People’s Republic of Korea. None of the cases have been clarified. The caseload includes 12 cases transmitted at its 122nd session (September 2020) and 2 cases at its 123rd session (February 2021). In its reports on its 121st and 122nd sessions, the Working Group reiterated its continued disappointment regarding the identical and non-substantive replies provided by the Government.⁴⁴ Furthermore, the Working Group emphasized the importance of carrying out searches and investigations to clarify the fate or whereabouts of the disappeared persons, and to provide precise information to the Working Group on the efforts undertaken and the results thereof. The fate of 12 Japanese nationals – 6 women and 6 men – abducted in the 1970s and 1980s remained unresolved.

40. On 15 June, in response to the announcement by the Government of Japan that it would hold a 29 June 2021 online symposium at the United Nations on resolving the abductions issue as a global issue,⁴⁵ the Ministry of Foreign Affairs of the Democratic People’s Republic of Korea issued a press release stating that the abductions issue had already been resolved. It further alleged that the intention behind the symposium was to “cover up” crimes such as “forced abduction and drafting of more than 8.4 million Koreans, the massacre of more than 1 million Koreans and forcing of 200,000 Korean women into sexual slavery during 40-odd years of its unlawful and illegal occupation of Korea in the last century”.⁴⁶

IV. Cooperation between the Government of the Democratic People’s Republic of Korea and the United Nations concerning the human rights situation in the country

A. Cooperation with United Nations intergovernmental and treaty bodies

41. The Democratic People’s Republic of Korea continued to reject cooperation sought pursuant to Human Rights Council resolution [25/25](#), including with the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea. The Special Rapporteur has consistently sought constructive engagement with the Democratic People’s Republic of Korea and has called for a spirit of unity and cooperation to address emerging challenges such as COVID-19 ([A/75/388](#), para. 49).

⁴² NK News, “North Korea stuck waiting for millions of COVID-19 vaccines”, 6 May 2021.

⁴³ NK News, “North Korea to get 1.7 million doses of COVID-19 vaccine through May 2021”, 3 March 2021.

⁴⁴ See [A/HRC/WGEID/121/1](#), para. 60, and [A/HRC/WGEID/122/1](#), para. 65.

⁴⁵ Available at www.un.emb-japan.go.jp/itpr_en/events_051921.html.

⁴⁶ KCNA Watch, “Japan’s groundless abduction farce to hoodwink the world”, 15 June 2021.

42. During the reporting period, no visits by thematic special procedure mandate holders were conducted, and the Government did not accept any requests for future visits. Two thematic mandate holders sought an invitation to visit the country: the Special Rapporteur on the human rights to safe drinking water and sanitation sent a reminder about a visit request on 24 February 2021; and the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, sent a visit request on 4 March 2021. Both requests remain unanswered.

43. The General Assembly, in its resolution [75/190](#) encouraged the Security Council to immediately resume discussion on the situation in the Democratic People's Republic of Korea, including the country's human rights situation. On 11 December 2020, the Council discussed the situation of human rights in the Democratic People's Republic, under "Any other business". Germany issued a statement also on behalf of seven other Security Council members, urging the Democratic People's Republic of Korea to end its human rights violations, engage credibly with the international community on its human rights record and allow the United Nations human rights mechanisms free and unhindered access to the country.

44. The Human Rights Council, in its resolution [46/17](#), expressed deep concern about the systematic, widespread and gross human rights violations in the Democratic People's Republic of Korea that, in many instances, constitute crimes against humanity, and about the impunity of perpetrators. It requested OHCHR to organize a series of consultations and outreach activities with victims, affected communities and other relevant stakeholders, with a view to including their views into avenues for accountability.

45. The Human Rights Committee, at its 131st session (1–26 March 2021), adopted a list of issues prior to the submission of the third periodic report of the Democratic People's Republic of Korea ([CCPR/C/PRK/QPR/3](#)). The replies of the Democratic People's Republic of Korea to the list, which are due on 22 April 2022, will constitute its third periodic report under article 40 of the International Covenant on Civil and Political Rights.

46. The third periodic report of the Democratic People's Republic of Korea to the Committee on Economic, Social and Cultural Rights has been overdue since 30 June 2008. Its initial report under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography has been overdue since 10 December 2016.

47. The report of the Democratic People's Republic of Korea to the Committee on the Elimination of Discrimination against Women under the follow-up procedure has been overdue since November 2019. When the previous concluding observations ([CEDAW/C/PRK/CO/2-4](#)) were adopted in 2017, the Committee requested the Democratic People's Republic of Korea to submit a follow-up report, within two years of their adoption, on the implementation of the recommendations contained in paragraph 12 (a) (comprehensive definition of discrimination against women in its legislation), paragraph 12 (b) (minimum age of marriage), paragraph 38 (sexual harassment and sex-based discrimination in the workplace) and paragraph 46 (a) (ensuring women in detention are supervised by female guards and all guards are provided with mandatory gender-sensitive training on the dignity and rights of women detainees). The Committee sent a letter containing a first reminder to the Democratic People's Republic of Korea in this regard on 11 March 2020.

B. Cooperation with the Office of the United Nations High Commissioner for Human Rights

48. Pursuant to Human Rights Council resolution [25/25](#), the OHCHR field-based structure in Seoul continued to conduct monitoring, documentation, capacity-building and outreach activities. It engaged with individuals who had left the Democratic People's Republic of Korea, regional and other governments, civil society actors, United Nations entities and humanitarian agencies.

49. The Permanent Mission of the Democratic People's Republic of Korea to the United Nations in Geneva provided limited comments to reports shared in advance of publication by the OHCHR field-based structure in Seoul. No substantive cooperation with OHCHR took place during the reporting period, despite repeated offers of engagement. For example, OHCHR and the Department of Political and Peacebuilding Affairs of the Secretariat offered to hold virtual exchanges with the Democratic People's Republic of Korea, including on follow-up to the universal periodic review, but the offer has not yet been taken up.

C. Cooperation with United Nations entities operating in the Democratic People's Republic of Korea

50. As a result of access and movement restrictions related to COVID-19, no international staff are currently residing in the Democratic People's Republic of Korea. The expedited humanitarian exemption procedure for humanitarian assistance in the country, as set out by the Security Council Committee established pursuant to resolution [1718 \(2006\)](#), allowed humanitarian partners to reach 4.9 million people in 2020 with humanitarian aid. In addition, the Committee updated its guidance to international and non-governmental organizations that sought to deliver humanitarian assistance to the Democratic People's Republic of Korea. It further simplified several areas of the humanitarian exemption process, extended the standard duration for humanitarian exemptions from six to nine months and made expedited approval procedures applicable to urgent requests for onset emergencies such as pandemic outbreaks and natural disasters.

V. Conclusions

51. Given the ongoing COVID-19 situation, the collection of reliable data and other information on the human rights situation during the reporting period has been more challenging than ever. OHCHR nevertheless continued to record accounts of women and men who have left the Democratic People's Republic of Korea at considerable risk to themselves and to their family members who remain in the country. Such persons often only reach places where they can be interviewed a considerable time after they have left the Democratic People's Republic of Korea, making up-to-date analysis of the current human rights situation in the country extremely challenging. Nevertheless, recurring patterns of human rights violations continue to be confirmed by new incoming information, even as the overall situation, especially in economic terms, deteriorates further, as acknowledged by the senior leadership of the country.

52. While acknowledging the efforts of the Democratic People's Republic of Korea to prevent the spread of COVID-19, the ongoing closure of borders and the increased restrictions on freedom of movement within the country are affecting the human rights situation – in particular, the right to food. The impact of these restrictions has exacerbated existing human rights concerns,

highlighting the imperative for institutional, legal and policy reforms. This includes reversing the trend towards increased surveillance and restrictions on freedom to access information, improving tolerance of different views, decreasing reliance on forced labour, protecting the right to freedom of movement within and across borders, and creating a legal environment in which people are protected in their pursuit of an adequate standard of living.

53. While humanitarian assistance remains critical, the Democratic People's Republic of Korea, consistent with its obligations in respect of the right to development, has obligations to address the underlying vulnerabilities and causes of situations in which people's human rights are denied. These obligations require the Government to introduce long-term and profound reforms aimed towards inclusive, equitable and sustainable development. The wider context of the Korean Peninsula also affects the willingness of executive boards of United Nations agencies to approve capacity development activities and the willingness of donors to provide funding.

54. Given the ongoing isolation of the Democratic People's Republic of Korea within the international community, a strong diplomatic and United Nations presence in Pyongyang is essential to the maintenance of regular and predictable communication and engagement. Furthermore, the absence of diplomatic and United Nations presences freezes and gradually erodes the building of trust and the development of collaborative relations that create an enabling environment for the enjoyment of human rights by the people.

VI. Recommendations⁴⁷

55. The Secretary-General recommends that the Government of the Democratic People's Republic of Korea:

General

- (a) Take immediate steps to address the serious human rights challenges in the country and end violations;
- (b) Resume diplomatic engagement to secure a peaceful and secure Korean Peninsula that upholds all human rights for all;
- (c) Allow the entry and access of international staff, under the appropriate COVID-19 precautions, to support vaccination and other assistance efforts, as the United Nations system and wider humanitarian community stand ready to support the people of the Democratic People's Republic of Korea;
- (d) Begin constructive engagement with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea;

Detention

- (e) Conduct a comprehensive review of conditions in detention facilities and take steps to ensure that conditions in those facilities are in compliance with its obligations for the humane treatment of persons in detention, as outlined in the relevant provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and are consistent with the minimum standards elaborated in the Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and the

⁴⁷ Recommendations made in previous reports of the Secretary-General remain valid.

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules);

(f) Immediately cease the use of torture and other cruel, inhumane and degrading treatment in places of detention, including the practice of beatings as part of the system of interrogation and discipline for male and female detainees;

(g) Ensure improvement in the quality and quantity of food provided to persons in detention;

(h) Address the situation of forced labour within the prison system, which exists under exceptionally harsh conditions;

Civil and political rights

(i) As part of a wider process to introduce meaningful democratic participation, take steps to increase the number of women within the State's highest decision-making bodies;

(j) Reverse the trend of increasing restrictions on access to information and freedom of expression, including by ceasing the prosecution of persons exercising their civil and political rights;

(k) Release all political prisoners, disband all political prison camps and immediately cease the arbitrary arrest and imprisonment of persons on the grounds of their political or other opinion, or their social background;

(l) Take steps to establish the rule of law, including by addressing corruption within the country's judicial system;

(m) Respond to the Human Rights Committee's list of issues, adopted at its 131st session, by 22 April 2022;

Economic, social and cultural rights

(n) Take immediate steps to mobilize and use the maximum available resources, including through international assistance and cooperation, to address food insecurity and improve living standards in the country;

(o) Undertake an assessment of the impact of COVID-19 measures on the situation of economic, social and cultural rights, including its gendered impact, to enable the mitigation of its adverse impact through public policy and the distribution of resources;

(p) Take immediate steps to address food insecurity for the poorest and most marginalized segments of society, including providing immediate support to satisfy people's dietary needs;

(q) Intensify efforts to improve health infrastructure and the capacity of health-care workers and medical professionals, and to procure essential medical supplies and equipment;

(r) Take all necessary measures, including through international cooperation and assistance, to provide access to COVID-19 vaccines for all persons, without discrimination;

(s) Address the growing disparities between Pyongyang and other parts of the country – in particular, rural and border areas – in the enjoyment of economic, social and cultural rights;

(t) Establish a road map to enable diplomatic personnel and humanitarian workers to return to the country, with humanitarian actors provided access to all

people in need, and revive humanitarian aid distribution systems as soon as possible in conjunction with the COVID-19 vaccine roll-out plan;

(u) Submit its third periodic report to the Committee on Economic, Social and Cultural Rights;

Separated families, enforced or involuntary disappearances and international abductions

(v) Take the steps necessary, in collaboration with the Republic of Korea, to enable separated families to remain in regular contact, including through the use of videoconferencing platforms. Such collaboration should also be extended to include affected Koreans worldwide;

(w) Clarify the fate or whereabouts of all disappeared persons and clarify, to the satisfaction of affected families, the history and fate of persons abducted from Japan, the Republic of Korea and other countries and immediately return all abductees.

56. The Secretary-General recommends that the international community:

(a) Pursue systematic engagement with the Democratic People's Republic of Korea to promote improvements to the human rights situation, including through human rights dialogues, official visits to the country, cooperation initiatives and more people-to-people contact;

(b) Engage in more people-to-people contact with people from the Democratic People's Republic of Korea residing outside their country to ensure that their views and aspirations can inform diplomatic engagement on human rights issues;

(c) In line with efforts to counter trafficking in persons, extend protection to citizens of the Democratic People's Republic of Korea who have crossed international borders irregularly (many of whom are female victims of trafficking), and take steps to ensure that they are protected and not repatriated;

(d) Take further steps to ensure accountability for those responsible for serious human rights violations in the Democratic People's Republic of Korea under the applicable principles of jurisdiction under international law;

(e) Provide adequate and sustainable funding for humanitarian assistance, especially food and medicine, with a view to improving humanitarian conditions and the human rights situation in the country;

(f) Produce a coordinated and sustainable solution to the cash flow problem experienced by humanitarian organizations seeking to carry out their work inside the Democratic People's Republic of Korea;

(g) Take steps to minimize the unintended adverse humanitarian consequences of sanctions imposed on the Democratic People's Republic of Korea by enabling development actors to engage in capacity development work that improves resilience and reduces humanitarian need in relation to food crises and natural disasters and that facilitates the national provision of medicine and health care at the national level.