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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 [77/226](#) on the situation of human rights in the Democratic People's Republic of Korea. It provides an update on the human rights situation from July 2022 to June 2023 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/78/150](#).



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [77/226](#) on the situation of human rights in the Democratic People's Republic of Korea. It provides an update on the human rights situation from July 2022 to June 2023.

2. On 7 July, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a note verbale to the Permanent Mission of the Democratic People's Republic of Korea to the United Nations in Geneva inviting the Government to provide factual comments on the draft report. In a note verbale dated 12 July 2023, the Government of the Democratic People's Republic of Korea responded that it rejected the report.

3. According to data from the Ministry of Unification of the Republic of Korea, in 2022, 67 escapees¹ from the Democratic People's Republic of Korea entered the Republic of Korea (35 men and 32 women).² In the first quarter of 2023, 34 escapees (29 women and 5 men) reportedly entered the Republic of Korea.³ By comparison, 63 escapees entered the Republic of Korea in 2021, 229 in 2020 and 1,047 in 2019.⁴ The majority of arrivals in 2022 and 2023 were people who had left the Democratic People's Republic of Korea before the Government imposed strict coronavirus disease (COVID-19) restrictions in January 2020, which included the closure of the country's borders. These escapees remained in third countries for several years. No United Nations international staff were present in the Democratic People's Republic of Korea during the reporting period.

II. Political context

4. During the reporting period, inter-Korean relations remained tense. On 1 January 2023, the President of the Democratic People's Republic of Korea, Kim Jong Un, spoke of the "importance and necessity of a mass-producing of tactical nuclear weapons" and the need for "an exponential increase of the country's nuclear arsenal" in response to perceived security threats from other States.⁵ In December 2022, the President of the Republic of Korea, Yoon Suk Yeol, reportedly ordered officials to "make sure to punish and retaliate in the event of any North Korean provocations".⁶ In January 2023, the United Nations Command determined that both the Democratic People's Republic of Korea and the Republic of Korea had violated the Korean War armistice agreement when they flew drones into each other's territory in December 2022.⁷

5. In a policy speech to the Supreme People's Assembly on 9 September 2022, President Kim Jong Un, in reference to the adoption of amendments to the 2013 law

¹ "Escapees" refers to people arriving in the Republic of Korea from the Democratic People's Republic of Korea.

² Republic of Korea, Ministry of Unification (see www.unikorea.go.kr/eng_unikorea/relations/statistics/defectors/).

³ Ifang Bremer, "34 North Korean defectors reach South in first quarter as COVID obstacles remain", *NK News*, 25 April 2023.

⁴ Republic of Korea, Ministry of Unification (see www.unikorea.go.kr/eng_unikorea/relations/statistics/defectors/).

⁵ KCNA Watch, "Report on 6th Enlarged Plenary Meeting of 8th WPK Central Committee", 1 January 2023.

⁶ Jeongmin Kim, "Yoon Suk-yeol orders 'retaliation' against any North Korean provocations", *NK News*, 29 December 2022. See also www.president.go.kr/president/speeches/rcrDLdQs.

⁷ The "United Nations Command" is not a United Nations operation or body. See statement by the Under-Secretary-General for Political Affairs to the Security Council on 17 September 2018 (see [S/PV.8353](#)).

on the country's nuclear doctrine,⁸ stated that “the position of [DPRK] as a nuclear nation has become irreversible”, adding that “if our nuclear policy is to be changed now, the world has to be changed, and so should the political and military environment on the Korean peninsula”.⁹ In its general comment No. 36 (2018) on the right to life, the Human Rights Committee has stated that the threat or use of weapons of mass destruction, in particular nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with respect for the right to life and may amount to a crime under international law (para. 66).

6. Since the beginning of 2023, the Security Council has held three open meetings on non-proliferation/Democratic People's Republic of Korea, in response to the 18 February launch of an intercontinental ballistic missile, known as the Hwasong-15, the 16 March launch of a Hwasong-17 missile and the 13 April test of a new type of intercontinental ballistic missile, Hwasong-18. On 13 April 2023, the Secretary-General strongly condemned the launch of a long-range ballistic missile and reiterated his calls on the Democratic People's Republic of Korea to comply fully with its international obligations under all relevant Council resolutions, to reopen communication channels and to resume dialogue leading to sustainable peace and the complete and verifiable denuclearization of the Korean Peninsula.¹⁰ During the reporting period, the Council was unable to reach consensus regarding its response to the violations of the relevant resolutions.

7. On 23 March 2023, the Security Council unanimously adopted resolution [2680 \(2023\)](#), by which it extended the mandate of the Panel of Experts assisting the committee overseeing its sanctions against the Democratic People's Republic of Korea until 30 April 2024. In March 2023, the Panel of Experts reported that there were growing tensions on the Korean Peninsula and that the production of nuclear fissile materials at the Democratic People's Republic of Korea's nuclear facilities had continued during the reporting period (see [S/2023/171](#), annex). The Panel reported that, in breach of the United Nations sanctions regime, the Democratic People's Republic of Korea had launched at least 73 ballistic missiles and missiles combining ballistic and guidance technologies in 2022, a dramatic increase over previous years (*ibid.*).

III. Overview of the situation of human rights

8. On 17 March 2023, an Arria-formula meeting of the Security Council was convened on the situation of human rights in the Democratic People's Republic of Korea. Council members heard briefings on the human rights situation, including from OHCHR, which noted that human rights were an essential tool for alleviating tensions, for building confidence and for providing a foundation on which a political solution could be built. OHCHR also stated that a critical appraisal of previous approaches, including on sanctions, might encourage the Democratic People's Republic of Korea towards dialogue and enable the return of the United Nations country team to implement a new partnership framework.

⁸ In September 2022, the Democratic People's Republic of Korea updated its law on its policy on nuclear forces, allowing automatic and immediate use of nuclear weapons if the command and control system for its nuclear forces was put in danger. See KCNA Watch, “Law on DPRK's policy on nuclear forces promulgated”, 9 September 2022.

⁹ KCNA Watch, “Respected comrade Kim Jong Un makes policy speech at Seventh Session of the 14th SPA of DPRK”, 10 September 2022.

¹⁰ Available at <https://press.un.org/en/2023/sgsm21760.doc.htm>.

9. On 22 March 2023, the United Nations High Commissioner for Human Rights presented to the Human Rights Council a report on promoting accountability for human rights violations in the Democratic People's Republic of Korea (A/HRC/52/64), which was submitted pursuant to Human Rights Council resolutions 49/22 and 46/17. The High Commissioner stated in the report that his Office continued to gather information that was consistent with the findings of the United Nations commission of inquiry on human rights in the Democratic People's Republic of Korea, established 10 years ago, that serious human rights violations and possible international crimes continued to be committed in the Democratic People's Republic of Korea (ibid., para. 45). The High Commissioner recommended that Member States take further steps to ensure accountability, including through referral by the Security Council of the situation to the International Criminal Court or the creation of an ad hoc international tribunal or other comparable mechanism (ibid., para. 57 (a)). The High Commissioner also called for "fresh, creative strategies" to address the lack of accountability for human rights violations and possible international crimes in the Democratic People's Republic of Korea. Possible strategies included investigations and prosecutions of those allegedly responsible for crimes under principles of extraterritorial and/or universal jurisdiction (ibid., paras. 17, 46 and 57 (a) and (c)). In underlining victims' rights to justice and to full and adequate reparation, the High Commissioner stressed victims' participation in processes relating to accountability as essential (ibid., para. 49). During the reporting period, OHCHR continued to carry out a series of consultations, mandated by the Human Rights Council in its resolutions 46/17 and 52/28, with victims and other stakeholders to gather their views on what accountability means to them. A comprehensive report on the outcomes of these consultations will be published in 2024.

Rule of law

10. The lack of governmental checks and balances, including an independent, competent and impartial judiciary, in the Democratic People's Republic of Korea fundamentally compromises the rule of law. In its 2001 concluding observations, the Human Rights Committee expressed concern about constitutional and legislative provisions that seriously endangered the impartiality and independence of the judiciary, notably that the Central Court was accountable to the Supreme People's Assembly under the Constitution (CCPR/CO/72/PRK, para. 8). The Democratic People's Republic of Korea has not submitted a report to the Human Rights Committee since 2000.

11. An important consequence of the lack of independence of the judiciary is the ongoing prevalence of arbitrary detention (A/HRC/46/52, paras. 46–50, and A/HRC/52/64, para. 22). Consequently, people remain under the constant threat of being deprived of their liberty, including for expressing views or exhibiting behaviour that the executive may deem inappropriate. A woman interviewed by OHCHR during the reporting period, who had been detained prior to her escape from the country, recounted "I did not have a trial, I was just sentenced and handed over to the police substation."

Forced labour and trafficking

12. During the reporting period, OHCHR received information that the Government of the Democratic People's Republic of Korea was increasingly relying on forced mobilization of men and women, without remuneration, to maintain the operation of key sectors of the economy, such as construction, mining and agricultural production. The announcement of large development projects also raised human rights concerns over the increased use of forced labour to meet State-set targets. Interviewees told OHCHR that they were mobilized for unpaid labour so frequently that they were

unable to work to meet their own needs.¹¹ As part of the five-year economic plan (2021–2026), President Kim Jong Un pledged that “the overall national economy will be put on a growth orbit with its work system”, and added that “a vigorous drive for building 50,000 flats in Pyongyang and for provincial construction and rural construction was launched, opening up a bright prospect for solving the housing problem”.¹²

13. Information received by OHCHR suggested ongoing practices of child labour, as part of the State’s widespread use of forced labour. Boys and girls have long been vulnerable to forced labour mobilizations through the country’s schools and organizations such as the Youth League, including mobilizations to “shock brigade” deployments.¹³ As shared by an escapee in an interview conducted by OHCHR during the reporting period:

At school, students were mobilized to support agricultural activity such as weeding. They told the students they were contributing to the State. During the high season, Kim Jong Un gave a direct order [that] every citizen who was strong enough to pick up a spoon should join forces to work. During my years as a middle school student we were sent about 10 times per year. During my high school years we were sent away from home to work on farms for around one month, during the spring season, on things such as rice transplanting.

14. In February 2023, State media of the Democratic People’s Republic of Korea reported that “many young people across the country have volunteered to take part in building a new street in Pyongyang City after receiving the emotional news that the task to build a street of new 3,700 flats in Pyongyang was set forth at the 6th Plenary Meeting of the 8th Central Committee of the Workers’ Party of Korea and the worthwhile and honorable construction task was entrusted to the youth”.¹⁴ Reportedly, more than 100,000 youths took part in construction work around the country, of which 38,400 Youth League officials and members in Pyongyang City joined the Paektusan Hero Youth Shock Brigade. In April 2023, State media in the Democratic People’s Republic of Korea reported that an 18-year-old girl had died from overwork at the Ryongpo Greenhouse Farm in July 2022 after continuing to work in construction all night despite severe pain from an emergency surgery. The girl reportedly wanted to fulfil President Kim Jong Un’s order to carry out rapid construction by doubling her work output. Such reports demonstrate how the State glorifies the use of forced labour practices instead of instituting labour protection measures.¹⁵

15. In a 2017 review of the country’s record on child rights, the Committee on the Rights of the Child stated that it was seriously concerned about information on children being requested to perform extensive labour tasks, including for construction projects, that interfered with their rights to education, health, rest and leisure and about the practice of exempting children from these tasks in exchange for money (CRC/C/PRK/CO/5, para. 54).

16. During the reporting period, OHCHR interviewed men who had, prior to the COVID-19 pandemic, been sent to work overseas by authorities of the Democratic People’s Republic of Korea to generate income for the State. They described conditions that might amount to forced labour and a tight system of government

¹¹ Interviews conducted by OHCHR.

¹² KCNA Watch, 10 September 2022 (see footnote 9).

¹³ The term “shock brigade” is derived from expressions relating to inspirationally productive, enthusiastic labour.

¹⁴ “Many young people volunteer to work at construction site of new street of Pyongyang”, 12 February 2023. Available at <https://dprktoday.com/abroad/news/43721?lang=e>.

¹⁵ Colin Zwirko, “North Korea says ‘virgin girl soldier’ died for Kim Jong Un at construction site”, *NK News*, 10 April 2023.

control, in particular as exerted by the Ministry of State Security, in coordinating and sending nationals of the Democratic People's Republic of Korea overseas as labourers and controlling them once overseas. Those interviewed had mostly worked in labour-intensive sectors, such as construction and logging. They described physically arduous and sometimes dangerous work and long working hours without adequate remuneration, breaks or holidays, or adequate health and safety measures. As shared with OHCHR by one interviewee during the reporting period: "I left my workplace in ... because of the pressure I was under [to pay more contributions] from the Ministry of State Security (MSS) ... I told [the MSS officer] I wanted to go back to North Korea ... But he arrested me, and shackled me".

17. For those that managed to escape from government-controlled worksites while abroad, the closer monitoring and restrictions on freedom of movement during the COVID-19 pandemic in host countries exacerbated their vulnerability to arrest and detention. This led many men who had been subsisting abroad for extended periods to migrate to the Republic of Korea. This partly explains why, according to figures from the Ministry of Unification of the Republic of Korea, most new arrivals in 2021 and 2022 were men, whereas prior to the pandemic most new arrivals had been women.¹⁶ While OHCHR is aware that women are also sent to other countries as labourers, there were not sufficient interviews on this topic during the period under review to draw reliable conclusions.¹⁷

18. OHCHR continued to document accounts of women victims of trafficking during the period under review. It interviewed women who had been trafficked into neighbouring States, often for forced marriage or for forced labour. Some of the interviewees reported that they had been arrested in the neighbouring State, forcibly returned by the neighbouring State's authorities and imprisoned for having left the Democratic People's Republic of Korea, usually without a trial. Some of the forcibly returned women then left the Democratic People's Republic of Korea again after completing their punishment and eventually made their way to the Republic of Korea, where OHCHR was able to interview them.

Right to adequate food

19. On 8 September 2022, President Kim Jong Un made a speech in which he stressed the prioritization of nuclear weapons at the expense of long-term economic conditions in the country, saying "our generation will not pursue an immediately visible improved environment for the economic life at the cost of giving up the nuclear weapons,... nor will we change our choice even if it would mean experiencing great difficulties".¹⁸

20. During the reporting period, the senior leadership of the Democratic People's Republic of Korea discussed the food crisis and agricultural problems at least four times, signifying the seriousness of the food situation in the country. From 26 February to 1 March 2023, the Workers' Party of Korea organized a plenary meeting to discuss the food situation and agricultural production. President Kim Jong Un ordered farming and economic officials to solve food supply issues with science and technology, better equipment and stronger party control of the sector. To put agriculture on a "stable and sustained development track", he spoke of the need to strengthen the country's financial foundation, to accelerate the completion of the

¹⁶ Republic of Korea, Ministry of Unification (see www.unikorea.go.kr/eng_unikorea/relation/statistics/defectors/).

¹⁷ For an analysis of gender differences among arrivals, see [A/HRC/46/52](#), para. 43.

¹⁸ KCNA Watch, 10 September 2022 (see footnote 9).

irrigation system to cope with “abnormal climatic phenomena” and to stick to the national economic plan that “no one has the right to change”.¹⁹

21. Throughout the reporting period, serious concerns persisted over the food situation in the country. The Food and Agriculture Organization of the United Nations (FAO)-World Food Programme (WFP) food security assessment in 2019 reported that 10.1 million people, 40 per cent of the population, were food insecure and in need of food assistance.²⁰ Available information suggests that the food security situation has worsened further. In a recent report by FAO, it was found that a large portion of the population suffered from low levels of food consumption and poor dietary diversity, with the food security situation expected to remain fragile given persisting economic constraints aggravated by a below-average 2022 agricultural output.²¹

22. Information from interviews conducted by OHCHR suggested that during the reporting period starvation had occurred in some parts of the country,²² which may have been in part linked to the interruption of trade with neighbouring States and the increased restrictions on freedom of movement within the country. The interruption of trade thwarted economic activity, including the distribution and exchange of goods such as essential foodstuffs. Furthermore, those restrictions reportedly led to the loss of thousands of jobs that relied on cross-border activity and small-scale trading with neighbouring States, upon which people depended for their livelihoods.²³

23. During the reporting period, the country’s borders remained largely closed, with cross-border overland and sea traffic mostly suspended. However, smuggling of consumer goods and food imports has reportedly begun to increase.²⁴ Trade figures increased in the second half of 2022 and in the first quarter of 2023, but have still not reached pre-pandemic levels.²⁵ Data from the General Administration of Customs of China suggested exports of large quantities of wheat flour (34,715 tons), cooking oil and granulated sugar to the Democratic People’s Republic of Korea in January and February 2023.²⁶ In April 2023, the country imported around 46,000 metric tons of rice from China, which is around 2 per cent of the annual rice production in the Democratic People’s Republic of Korea.²⁷ The importation and distribution of food, fertilizers, farming equipment and humanitarian aid have been severely restricted since the end of January 2020, with serious implications for food production and people’s access to food. With no international humanitarian staff in the country, there is a paucity of data on current levels of food security and nutrition. The limited information collected by WFP in 2021 points towards a deterioration in food consumption since 2019 and a decrease in dietary diversity, particularly in consumption of fat, protein and fruits. The decrease in the diversity of foods has likely

¹⁹ KCNA Watch, Report on 7th Enlarged Plenary Meeting of 8th WPK Central Committee, 2 March 2023.

²⁰ FAO and WFP, “FAO/WFP joint rapid food security assessment: Democratic People’s Republic of Korea” (Bangkok, May 2019).

²¹ FAO, “Crop prospects and food situation”, Quarterly Global Report No. 4, December 2022 (Rome, 2022), p. 6.

²² Interviews conducted by OHCHR. See also Yonhap, “N. Korea to hold key party meeting amid severe food shortages”, *Korea Herald*, 23 February 2023.

²³ Interviews conducted by OHCHR.

²⁴ Seulgi Jang, “Smuggling surges in the border area between North Korea and China ... brisk trade in minerals, medicinal herbs, and livestock”, *Daily NK*, 30 March 2023.

²⁵ Shreyas Reddy, “North Korea-China trade continues steady rise as DPRK exports hit five-year high”, *NK News*, 19 May 2023.

²⁶ Ifang Bremer, “Food imports help drive North Korean trade with China to three-year high”, *NK PRO*, 23 March 2023.

²⁷ NK PRO, “North Korea in April 2023: a month in review and what’s ahead” (3 May 2023).

been worsened by the impact of ongoing internal restrictions on freedom of movement on the goods available at local markets.²⁸

Right to health

24. In a speech on 8 September 2022, President Kim Jong Un stated: “We overcame the threatening public health crisis, the first of its kind since the founding of our State ... bringing the unprecedented anti-epidemic war to a victorious conclusion at the earliest date possible.”²⁹ However, during the reporting period, owing to the closure of the country, it remained impossible to verify statistics on the prevalence of COVID-19 in the country, or the number of deaths caused by the virus. Moreover, limited testing capabilities within the country also hindered the collection of reliable data.³⁰ It was also not possible to verify the extent of vaccination campaigns.³¹

25. In the same speech delivered on 8 September 2022, President Kim Jong Un also alluded to shortcomings in the country’s health-care system exposed during the outbreak, stating that “through the recent public health crisis the present state of our public health sector was evaluated in an all-round way and the urgency of increasing its level and capacity was proved all the more. Urgent problems in medical service should be resolved first from the standpoint that the life and health of the people are a top priority.”³² He went on to say that the country was “unable to produce all medical supplies by itself” and acknowledged that medical supplies needed to be provided to the people “even by importing them”.³³

26. Maternal and infant mortality rates give an indication of the level of fulfilment of the right to health (including prenatal, perinatal and neonatal care), as well as infant nutrition, adequate sanitary and living conditions and access to social support for disadvantaged families. According to estimates by the United Nations Children’s Fund (UNICEF), the infant mortality rate in the Democratic People’s Republic of Korea stands at 15.4 per 1,000 live births.³⁴ The latest statistics estimate a maternal mortality rate of 107 deaths per 100,000 births in 2020, a decrease from 186 per 100,000 births in 2000 but an increase from 89 per 100,000 births in 2017.³⁵ This is significantly higher than Sustainable Development Goal target 3.1, which aims to reduce the global maternal mortality rate to less than 70 maternal deaths per 100,000 live births by 2030. Malnutrition, which has likely worsened owing to COVID-19 restrictions, risks compromising the gains made in infant and maternal mortality over the last decade.

27. Although very limited deliveries of humanitarian assistance were made during the reporting period, the majority of international humanitarian programmes in the Democratic People’s Republic of Korea have been suspended since early 2020, with the last international humanitarian workers having left by March 2021. According to UNICEF, in 2022, no children were vaccinated against measles/rubella, polio or tuberculosis, nor were any pregnant women immunized against tetanus/diphtheria, as

²⁸ WFP, Democratic People’s Republic of Korea annual country report, 2021.

²⁹ KCNA Watch, 10 September 2022 (see footnote 9). On 12 May 2022, State news agencies of the Democratic People’s Republic of Korea reported that an outbreak of COVID-19 had begun in late April 2022.

³⁰ Ethan Jewell, “North Korea’s COVID-19 testing limitations cast fog over outbreak’s future”, *NK News*, 26 July 2022.

³¹ Seulkee Jang, “N. Korea conducts second round of COVID-19 vaccinations in select areas of country”, *Daily NK*, 19 October 2022.

³² KCNA Watch, 10 September 2022 (see footnote 9).

³³ Ibid.

³⁴ See <https://data.unicef.org/country/prk/>.

³⁵ “Trends in maternal mortality 2000 to 2020: estimates by WHO, UNICEF, UNFPA, World Bank Group and UNDESA/Population Division” (Geneva, World Health Organization, 2023).

a result of the continued lack of stocks in the routine immunization programme. Inactivated polio vaccines have been out of stock since March 2021, pentavalent and measles/rubella vaccines since June 2021, tetanus/diphtheria vaccines since December 2021, bacillus Calmette-Guerin vaccines since January 2022 and hepatitis B vaccines since June 2022. The coverage of the national immunization programme has consequently dropped significantly compared with 2020 and 2021. There is thus an elevated risk of outbreaks of vaccine-preventable diseases, with an estimated 500,000 children having missed out on routine immunization since 2020. Moreover, only 1 in 10 children with acute malnutrition were receiving standard treatments by the third quarter of 2022, compared with 1 in 3 in 2020 and more than 9 in 10 children in 2019, owing to insufficient stock of nutritional products.³⁶ The ongoing health-care and food situation in the country highlights the need for the return of large-scale humanitarian assistance along with the return of the United Nations country team.

Fundamental freedoms

28. As noted in previous reports, the systematic repression of rights and freedoms flows from the constitutional and institutional characteristics of the State, which serve to control the population and centralize power rather than enable the realization of human rights (A/77/247, para. 9).

29. On 29 May 2022, a decree was reportedly issued by the Ministry of Public Security to prevent the spread of “groundless rumours that disrupt emergency anti-epidemic work” with punishments defined as “including the death penalty, and family members living together with them will be subject to relocation and expulsion”.³⁷ This follows other recently introduced laws that further repress freedom of expression, including the Reactionary Thought and Culture Denunciation Law enacted in 2020 (A/HRC/49/74, para. 8).

30. Restrictions on freedom of movement as a COVID-19 control measure remained in place during the reporting period. This included disproportionate measures to prevent people from crossing the national border. A decree issued by the Ministry of Social Security on 25 August 2020 sets a “buffer zone” as a “one-to-two-kilometre boundary” away from the northern border and states that “people or animals who entered the buffer zone without organizational [approval] and those that approach the border blockade adjacent to the roads and railroads, breaking the regulation and order set along the northern border area, will be unconditionally fired at. In addition, the [people] and animals that trespassed into our side of the Amnok [Yalu] and Tuman [Tumen] rivers will be fired at without prior notice.”³⁸ Reports also continued to be received of the significant reinforcement of border fences and related infrastructure.³⁹ A person who escaped the Democratic People’s Republic of Korea during the COVID-19 pandemic recounted that guards were posted every 70 metres along all borders and “were ordered not to let any living thing in or out of the country”. Anyone attempting to cross the border “had to be shot on sight”.⁴⁰

31. The Democratic People’s Republic of Korea continues to maintain a level of surveillance over the population rarely seen elsewhere. People’s right to privacy is

³⁶ UNICEF, country office annual report, Democratic People’s Republic of Korea, 2022.

³⁷ Jeongmin Kim, “Full text: North Korea’s death penalty decree for spreading COVID ‘rumors’”, NK PRO, 28 November 2022.

³⁸ Jeongmin Kim, “Full text: North Korea’s decree to ‘fire at’ people illegally approaching border”, NK PRO, 26 October 2020.

³⁹ Andrei Lankov, “Outside information can change North Korea. But it won’t start a revolution”, *NK News*, 8 November 2022; and Human Rights Watch, “North Korea: Covid-19 Used as Pretext to Seal Border”, 17 November 2022.

⁴⁰ Interview conducted by OHCHR.

systematically violated, with homes subjected to random searches, including for possession of information that has not been authorized by the State. This is combined with a system of punishments that may also constitute gross human rights violations. Such punishments can include extrajudicial killing and enforced disappearance into one of the country's political prisons for exercising rights to freedom of expression, thought, conscience, religion, peaceful assembly and association.

32. Accounts documented by OHCHR during the reporting period point to children being used by the State's sweeping surveillance system to reveal family members who have accessed foreign media content. One escapee interviewed by OHCHR described how the governmental body Group 109⁴¹ used children in its monitoring activities:

They will go and talk with the children in the kindergarten, give them sweets and praise the children, and tell them that they are their parents' friends. They will say that the children are very good at computers, they do this because the children know the password of their parent's computers. The Group 109 will then conduct an inspection on the computers and if they find movies from the US or from the ROK the families will be taken away. This is the biggest concern for parents in the DPRK, to teach children that they should not report on their parents.

The escapee went on:

According to the anti-socialist act, these people are sent to the *kyohwaso* [prison]. If you watch one movie you are sent for one period, if you watch two or three, the length [of the detention] increases. Earlier the persons were re-educated, but nowadays the party does not think that re-education is necessary. Now the Party believes that since North Koreans are educated from birth to death, when you commit a crime, you know you are committing a crime, so there is no re-education necessary. The person will be sent to the *kyohwaso* and the rest of the family to a rural village.⁴²

33. Concerns remain over the violation of children's right to education, with education being used by the State as a means of indoctrination, rather than as a means to "the development of the child's personality, talents and mental and physical abilities to their fullest potential".⁴³ In its 2017 review of the Democratic People's Republic of Korea, the Committee on the Rights of the Child noted that the Committee was concerned about the extensive politicization of teaching materials and the curriculum, with a strong focus on ideological indoctrination (CRC/C/PRK/CO/5, para. 47). Such concerns relate to indoctrination of children through the country's schools and the Korean Children's Union, to which all children are required to belong as a prerequisite for entry into the Workers' Party of Korea. The indoctrination of children forms part of the systematic denial of the right to freedom of thought, conscience and religion in the Democratic People's Republic of Korea.

Enforced disappearance

34. During the reporting period, OHCHR continued to gather information and to interview victims of enforced disappearance and abductions carried out by the Democratic People's Republic of Korea, including relatives of forcibly disappeared persons and abductees. OHCHR published a report on its findings in March 2023.⁴⁴

⁴¹ Group 109 is an interdepartmental censorship body that was established in 2004 to assist with the surveillance of people's access to foreign media content, particularly through unannounced house searches.

⁴² Interview conducted by OHCHR.

⁴³ Convention on the Rights of the Child, art. 29 (1) (a).

⁴⁴ OHCHR, "These wounds do not heal: enforced disappearance and abductions by the Democratic People's Republic of Korea", March 2023.

Extensive use of enforced disappearance by the Democratic People's Republic of Korea, both domestically and abroad, has been well documented by United Nations human rights bodies.⁴⁵

35. OHCHR is concerned about the numerous cases of individuals who remain disappeared, some of them for decades. A large number of enforced disappearances by the Democratic People's Republic of Korea comprises enforced disappearance, inside the country, of its own nationals, including following their forcible repatriation from neighbouring countries. Once detained, the fate and whereabouts of the forcibly disappeared persons are concealed.

36. A second pattern of enforced disappearance involved abductions of nationals from other countries, mostly from 1950 to the mid-1980s. The Democratic People's Republic of Korea abducted nationals of the Republic of Korea during and after the Korean War, failed to repatriate prisoners of war and abducted nationals of Japan and other States. The abductions of Japanese nationals are the only cases of enforced disappearance for which the Democratic People's Republic of Korea has officially admitted its responsibility and apologized.⁴⁶ However, only five victims have been returned to Japan and the Democratic People's Republic of Korea has failed to clarify the fate or whereabouts of the others. The Government of Japan officially identifies 17 Japanese nationals as having been abducted by the Democratic People's Republic of Korea, including four Japanese nationals whom the Democratic People's Republic of Korea denies entered its territory. In addition, as of January 2023, the Government of Japan has been investigating 871 cases of missing persons where the possibility of abduction by the Democratic People's Republic of Korea cannot be ruled out.⁴⁷ OHCHR has also examined possible enforced disappearances in the context of the "Paradise on Earth" campaign of the Government of the Democratic People's Republic of Korea from 1959 to 1984, whereby more than 93,000 people (mostly ethnic Koreans living in Japan, and some of their spouses who were Japanese nationals) moved to the Democratic People's Republic of Korea based on false promises of a better life.⁴⁸

37. Information gathered by OHCHR during the reporting period highlights the advanced age of victims and the profound psychological suffering faced by families of forcibly disappeared persons who have searched for decades for information about their loved ones.⁴⁹ They also recounted the impact of enforced disappearance on the enjoyment of their economic, social and cultural rights.

38. Most of the people forcibly disappeared by the Democratic People's Republic of Korea from the Republic of Korea are men.⁵⁰ Without the support of the traditional main income earner in the family, women in those families have had to shoulder the entire burden of family life themselves. The resulting economic hardship and discrimination has had a lasting effect on the children of forcibly disappeared persons, especially older daughters who were compelled to give up their education and work to support the family.⁵¹

39. Victims also mentioned the challenges they face in searching for their loved ones. In the Democratic People's Republic of Korea, families could be subjected to intimidation, reprisals and disappearance because of their association with a

⁴⁵ [A/HRC/25/CRP.1](#), para. 698, [A/HRC/51/31](#), para. 53, and [A/HRC/52/65](#), para. 8.

⁴⁶ Japan-DPRK Pyongyang Declaration, 17 September 2002.

⁴⁷ See www.rachi.go.jp/en/p-en2020.pdf.

⁴⁸ OHCHR, "These wounds do not heal", para. 22.

⁴⁹ *Ibid.*, paras. 50–55.

⁵⁰ *Ibid.*, para. 56; and [A/HRC/25/CRP.1](#), para. 1,004.

⁵¹ OHCHR, "These wounds do not heal", paras. 56–58.

disappeared person. Spouses of forcibly disappeared men were reportedly forced to get divorced or risked being punished for “guilt by association”.⁵²

40. The Democratic People’s Republic of Korea is not a party to the International Convention for the Protection of All Persons from Enforced Disappearance. However, it is a party to the International Covenant on Civil and Political Rights, under which the Human Rights Committee has observed, in its general comment No. 36 (2018), that enforced disappearance is a grave violation of many human rights protected by the Convention (CCPR/C/GC/36, para. 58). In the opinion of the Working Group on Enforced or Involuntary Disappearances, the suffering inflicted on families of forcibly disappeared persons can amount to torture (A/HRC/16/48, para. 39). These violations continue until the forcibly disappeared person is accounted for (ibid.).

41. Victims of enforced disappearance, including families of forcibly disappeared persons, have rights to remedy and redress under international human rights law.⁵³ In particular, victims of enforced disappearance (and other serious violations) have the right to equal and effective access to justice, adequate, effective and prompt reparations and access to information concerning violations and reparation mechanisms.⁵⁴

42. Interviews and consultations during the reporting period have provided useful new information as to victims’ perspectives on truth and justice, including accountability and reparations. Their priorities included clarifying the fate and whereabouts of the forcibly disappeared;⁵⁵ securing their return (or the return of the remains of those who have died) and the restoration of contacts between separated families;⁵⁶ and apologies from the Governments concerned, recognition of their victimhood, and memorialization of their suffering.⁵⁷ They also expressed the importance of guarantees of non-recurrence,⁵⁸ prosecution of those responsible,⁵⁹ and comprehensive reparation programmes, including adequate compensation.⁶⁰ This information underlines afresh the importance of a victim-centred approach to justice for all serious human rights violations.

43. Owing to the long-running nature of enforced disappearances by the Democratic People’s Republic of Korea, many victims, including family members of forcibly disappeared persons, are now of advanced age. Many family members of forcibly disappeared persons have died in recent years, having searched for decades for information about their missing loved ones. Many of those responsible for enforced disappearances would also be ageing, limiting the time left for them to be brought to justice. For this reason, the need to resolve these cases of enforced disappearance, and prevent their recurrence, grows more urgent.⁶¹

⁵² Ibid., para. 59.

⁵³ International Covenant on Civil and Political Rights, art. 2 (3) (a).

⁵⁴ Ibid. See also Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (General Assembly resolution 60/147, annex, para. 11).

⁵⁵ OHCHR, “These wounds do not heal”, paras. 67–68.

⁵⁶ Ibid., paras. 69–71.

⁵⁷ Ibid., paras. 73–75.

⁵⁸ Ibid., para. 76.

⁵⁹ Ibid., paras. 77–79.

⁶⁰ Ibid., paras. 80–87.

⁶¹ Ibid., paras. 5, 28, 65, 69 and 97.

Cooperation between the Government of the Democratic People's Republic of Korea and the United Nations on the human rights situation and on humanitarian assistance

44. The Democratic People's Republic of Korea continued to reject cooperation sought pursuant to Human Rights Council resolution [25/25](#), including with the OHCHR field-based structure in Seoul and with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. No visits by thematic special procedures mandate holders were conducted during the reporting period and the Government did not accept any requests for visits. No standing invitation has been issued to special procedures mandate holders.

45. The General Assembly, in its resolution [77/226](#), called upon Member States to engage with OHCHR in the development of strategies for future accountability processes and to undertake, where possible, the investigation and prosecution of persons suspected of committing international crimes in the Democratic People's Republic of Korea. The Human Rights Council, in its resolution [52/28](#), encouraged all States, civil society organizations and other stakeholders to cooperate with accountability efforts, especially the efforts made by OHCHR. It requested the Office to continue to organize a series of consultations and outreach activities with victims, affected communities and other relevant stakeholders with a view to ensuring a victim-centred approach to accountability and to including their views in avenues for accountability.

46. During the reporting period, owing to COVID-19 restrictions, all international humanitarian staff, including United Nations staff, remained outside the Democratic People's Republic of Korea. There remains no indication of the border being reopened to readmit international staff. Limited humanitarian assistance was delivered by UNICEF and the World Health Organization (WHO).

47. OHCHR continues to invite the Democratic People's Republic of Korea to participate in relevant global and regional events, including an Asia-Pacific regional seminar in February 2023 on the topic "The contribution of development to the enjoyment of all human rights", in accordance with Human Rights Council resolution [47/11](#). The Democratic People's Republic of Korea has not participated in these events. OHCHR and the Department of Political and Peacebuilding Affairs of the Secretariat continue to engage with the Permanent Missions of the Democratic People's Republic of Korea to the United Nations in Geneva and New York on possible areas of human rights cooperation.

48. On the subject of the impact of sanctions against the Democratic People's Republic of Korea, the Panel of Experts established pursuant to Security Council resolution [1874 \(2009\)](#) concluded in its report of April 2023 that there was "little doubt" that United Nations sanctions had unintentionally affected the humanitarian situation in the Democratic People's Republic of Korea. The Panel recommended that the Security Council sanctions committee and other stakeholders consider exempting selected exports currently under sanctions, the proceeds from which the Democratic People's Republic of Korea could use to finance humanitarian supplies ([S/2023/171](#), enclosure, paras. 179 and 188). One of the problems highlighted by humanitarian organizations was the ongoing absence of a banking channel along with the unwillingness of banks and suppliers to fund programmes in the country (*ibid.*, annex 90, paras. 3 and 5).

49. A number of reports from the Democratic People's Republic of Korea to the human rights treaty bodies remain outstanding, namely: its third periodic report to the Committee on Economic, Social and Cultural Rights (overdue since 2008); its reply to the Human Rights Committee's list of issues (overdue since 22 April 2022), which

will constitute its third periodic report to the Committee (overdue since 2004); its report to the Committee on the Elimination of Discrimination against Women under the follow-up procedure (overdue since 2019) and its fifth periodic report (overdue since November 2021); its combined sixth and seventh periodic report to the Committee on the Rights of the Child (since October 2022); and 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 (overdue since 2016). Over the reporting period, the country has not submitted any new reports or additional information due under the treaties.

50. On 10 October 2022, the Committee on the Rights of Persons with Disabilities published a list of issues in relation to the initial report of the Democratic People's Republic of Korea under the Convention on the Rights of Persons with Disabilities (CRPD/C/PRK/Q/1). A response to the list of issues is overdue since 23 April 2023.

51. The Democratic People's Republic of Korea has not accepted any of the treaty-based individual or inter-State complaints procedures or inquiry procedures. Despite supporting the universal periodic review recommendations to do so, it has yet to ratify the international human rights treaties against racial discrimination, torture, and enforced disappearances, or for the protection of the rights of migrant workers.

52. The Democratic People's Republic of Korea did not submit a voluntary mid-term report under its third cycle of the universal periodic review. The next report, for the fourth cycle, will be due in July 2024.

IV. Conclusion

53. The present report recounts an ongoing situation of serious human rights violations, some of which may also amount to international crimes, in the Democratic People's Republic of Korea. While it has not been possible to analyse all aspects, those that have been prevalent in the reporting period have been highlighted. The first is the impact of the almost complete closure of the country on the human rights of people in the Democratic People's Republic of Korea. The closure has further restricted people's already limited right to freedom of movement both within the country and outside. This has had an impact on a wide range of human rights, particularly people's rights to food and health and to an adequate standard of living. Hunger is rising and availability of health care is dwindling. Secondly, there is now an explicit order allowing the use of lethal force against those attempting to cross the border. The closure of the border has been accompanied by an increase in the repression of civil and political rights, including heavy punishments for possessing information from outside the country.

54. There is an urgent need to secure more information on the current human rights situation in the Democratic People's Republic of Korea. This is crucial to be able to assess the situation and tailor solutions. The near-total absence of international humanitarian staff in the country (including United Nations staff), combined with a minimal inflow of humanitarian assistance, means the suffering of the people of the Democratic People's Republic of Korea is unlikely to change soon. The closure also highlights the plight of those from the Democratic People's Republic of Korea stranded outside the country, including those residing in neighbouring countries and overseas workers.

55. A longstanding issue affecting hundreds of thousands of people in the Democratic People's Republic of Korea and other countries is the issue of enforced disappearances perpetrated by the Democratic People's Republic of Korea over the past more than 70 years. These appalling violations have visited extreme suffering on

those forcibly disappeared as well as their families and, appearing to be widespread and systematic, also raise concerns of crimes against humanity. As all the victims are now reaching an advanced age, the Secretary-General joins the United Nations High Commissioner for Human Rights in calling for the Government of the Democratic People's Republic of Korea to reveal the fate and whereabouts of the missing, to return them to their loved ones or to return their remains, and to take other steps to recognize the rights of victims, including holding perpetrators accountable.

56. The period under review also witnessed a major increase in military tensions on the Korean Peninsula. The Secretary-General again calls for de-escalation and peaceful resolution of the military tensions on the Peninsula. Advancing diplomacy on sustainable peace and stability in the region and addressing the human rights and humanitarian situation in the Democratic People's Republic of Korea are mutually reinforcing. The Secretary-General urges all States to integrate human rights considerations fully in their efforts to advance peace and security on the Peninsula.

V. Recommendations

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

(a) **Abolish the practice of domestic and overseas forced labour, including in the prison system and the military, as well as, inter alia, through "shock brigade" deployments and the mobilization of children and students for labour;**

(b) **End discrimination against citizens on the basis of their perceived political loyalty or the sociopolitical background of their families, in particular under the *songbun* system of categorization;**

(c) **Prosecute and bring to justice those accused of having committed human rights violations and ensure that victims and their families know the truth about the violations that have been committed;**

(d) **Dedicate the maximum resources available to fulfil core obligations under the International Covenant on Economic, Social and Cultural Rights, including the rights to adequate food and the highest attainable standard of physical and mental health;**

(e) **Undertake an assessment of the ongoing impact of the COVID-19 response on the rights to food and health, including the different impact on children under five, older persons, persons with disabilities, and women, men, boys and girls;**

(f) **Facilitate the return of international humanitarian staff with free and unimpeded access to all populations in need, including for the purposes of effectively monitoring the distribution of aid;**

(g) **Declare an immediate moratorium on the use of the death penalty followed, without undue delay, by its abolition, and ensure that, pending its abolition, the death penalty is imposed only for the most serious crimes and carried out pursuant to a final judgment issued by a competent court;**

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

(i) **Ensure that any surveillance systems in place fully comply with the human rights standards of legality, necessity, proportionality and legitimacy of**

objectives pursued, avoid their use as instruments of political oppression and ensure that they are subject to judicial review;

(j) Reform the system of education to ensure it is directed to ensuring the development of the child's personality, talents and mental and physical abilities to the child's fullest potential;

(k) Immediately cease the use of torture and other cruel, inhuman and degrading treatment in places of detention;

(l) Immediately enable separated family members to communicate with each another, including via videoconference technology and the exchange of letters;

(m) Provide the families of all persons who have been abducted, or forcibly disappeared, with full information on their fate and whereabouts if they have survived, allow those who remain alive, and their descendants, to return immediately to their countries of origin and, in close cooperation with their families and nations of origin, identify and repatriate the physical remains of those who have died;

(n) Undertake political and institutional reforms without delay to introduce genuine checks and balances upon the executive power as a means of ensuring the implementation of the State's international human rights obligations;

(o) Take steps towards establishing the rule of law and an independent judiciary to uphold fair trial and due process rights, in accordance with the International Covenant on Civil and Political Rights;

(p) Increase engagement with OHCHR to develop a programme of capacity-development and technical assistance activities to help to implement the present recommendations and recommendations made by all the human rights mechanisms, and to keep Member States informed of its implementation efforts;

(q) Engage constructively with international interlocutors with a view to promoting concrete improvements in the human rights situation on the ground, including through human rights dialogues, official visits to the country that include adequate access to fully assess human rights conditions, cooperation initiatives and more people-to-people contact as a matter of priority;

(r) Ratify all the core human rights treaties not already ratified, as well as their optional protocols and complaints and inquiry procedures, and submit all reports due to the treaty bodies.

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

(a) Pursue principled, consistent and sustained engagement with the Democratic People's Republic of Korea on the situation of human rights;

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

(c) Take further steps to ensure accountability for those responsible for serious human rights violations in the Democratic People's Republic of Korea, including by extending support to the OHCHR field-based presence in Seoul to engage in outreach and consultation with the diaspora, with a view to improving understanding of victims' perspectives;

(d) **Extend protection to citizens of the Democratic People's Republic of Korea who have crossed international borders irregularly as well as people who have escaped from overseas labour deployments, and ensure that they are not forcibly repatriated, in accordance with the absolute prohibition on refoulement under international human rights law;**

(e) **Take steps to minimize the unintended adverse humanitarian consequences of sanctions imposed on the Democratic People's Republic of Korea by enabling development and humanitarian actors to engage in programmes that improve resilience and reduce humanitarian need in relation to food crises and disasters and that facilitate the national provision of food, medicine and health care at the national level.**
