|  |  |  |  |
| --- | --- | --- | --- |
|  |  | A/78/526 | |
|  | **Advance Unedited Version** | | Distr.: General  12 October 2023  Original: English |

**Seventy-eighth session**

Item 73(c) of the provisional agenda[[1]](#footnote-2)\*

**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

Note by the Secretary-General[[2]](#footnote-3)\*\*

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea, Elizabeth Salmón, in accordance with Assembly resolution 77/226.

Report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea

|  |
| --- |
| *Summary* |
| The present report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea, Elizabeth Salmón, is submitted pursuant to General Assembly resolution 77/226. In her report to the General Assembly, she provides an update of the human rights situation and focusses on the impact of the prolonged state of conflict on human rights and the interlinkages between human rights, peace and security as well as women, peace and security. |
|  |

I. Introduction

1. In previous reports, the Special Rapporteur documented various human rights violations in the Democratic People’s Republic of Korea.[[3]](#footnote-4) These include enforced disappearances; international abductions; arbitrary arrest; torture; constraints in the exercise of freedom of religion, expression, assembly, and association; and the right to education, among many others. Additionally, people’s rights to privacy continue to be violated; a system of punishments exists for anyone attempting to exercise their basic rights; and prisons in the Democratic People’s Republic of Korea deny detainees decent food, drinking water, and medical care. While the Special Rapporteur has continued to highlight concerns about gross violations of human rights, she also has sought to direct the international community’s attention to widespread and severe violations of the rights of the child (i.e., forced labor, discrimination, malnutrition; and access to information from the outside world), and the rights of women (e.g., protection from gender-based violence; equality; labor rights; and reproductive rights), as grave concerns in the DPRK. Further, the Special Rapporteur has emphasized the importance of a victim-centric or victim-centered approach,[[4]](#footnote-5) as providing a more holistic view of the experiences of affected individuals.

2. In this report, the Special Rapporteur provides a brief overview of the human rights situation in the Democratic People’s Republic of Korea. She also analyses the interlinkages between human rights and the situation of conflict, peace and security on the Korean Peninsula and how the militarization of the Democratic People’s Republic of Korea has, directly and indirectly, impacted the realization of economic, social and cultural rights of the people, supported repression of fundamental freedoms and entrenched isolation of the country. She highlights the importance of active and broad-based women’s participation in any peace and security processes on the Peninsula and the need for the protection of the rights of women and girls in the country. She makes it clear that human rights are central to any peace and security initiatives on the Korean Peninsula and sustainable peace cannot be achieved without addressing the long-standing human rights concerns, some of which are the direct consequences of the Korean War.

II. Overview of the human rights situation

3. On 26 August 2023, the Democratic People’s Republic of Korea announced the partial opening of the international borders that have been closed since early 2020, allowing its citizens living abroad to return to the country. The Special Rapporteur welcomes the partial opening as a first step for the Government to review the restriction of movement and border closure that has been negatively impacting people’s access to work, food, health and other fundamental human rights. She urges the Government to allow the urgent return of the UN agencies who have been unable to provide humanitarian assistance except for limited life-saving activities. Taking the opportunity presented by the opening of the border, the Special Rapporteur also encourages the Government to reengage with the international community including the human rights mechanisms and assess the impact of the prolonged COVID-19 related restrictions on human rights.

4. At the same time, the Special Rapporteur is extremely concerned about the imminent risk of repatriation of individuals from the Democratic People’s Republic of Korea by other countries since there are long-standing and credible reports to believe that escapees from the Democratic People’s Republic of Korea that are forcefully returned to the country would be subjected to torture, cruel, inhuman or degrading treatment and punishment as well as other grave human rights violations. In particular, over 2,000 individuals from the Democratic People’s Republic of Korea, approximately 70 per cent of whom are women, are estimated to be detained in China as “illegal migrants”. In this regard, the Working Group on Arbitrary Detention, the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea, the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls sent a joint allegation letter to China on 18 July 2023.[[5]](#footnote-6) The Government of China replied on 13 September 2023.[[6]](#footnote-7) The Special Rapporteur wishes to reiterate that the principle of *non-refoulement* guarantees that no one should be returned to a country where they would face the risk of torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm, including the use of the death penalty, and enforced disappearance. This principle must be applied to all people at all times, regardless of migration status. The prohibition of *refoulement* is customary international law and explicitly included, among others, in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as well as the 1951 Convention on Refugees and its 1967 Protocol to which China is a State party.

5. Most recently, in March 2023, over 66 Member States of the United Nations have joined the call to retain the situation of human rights in the Democratic People’s Republic of Korea on the Security Council’s agenda for 2023.[[7]](#footnote-8) The Special Rapporteur briefed at the Arria-formula meeting on the situation of human rights in the Democratic People’s Republic of Korea. Reflecting the interest of the international community towards the human rights situation in the country, on 17 August, the Security Council held an open debate briefing on the situation of human rights in the Democratic People’s Republic of Korea for the first time since 22 December 2017.[[8]](#footnote-9) Many Council members expressed deep concern over the humanitarian situation facing the people of the Democratic People’s Republic of Korea and took note of the concerns raised by the Special Rapporteur over the detrimental impact of the ongoing security and human rights situation on the most vulnerable populations, including women and girls.[[9]](#footnote-10)

**III. Human Rights dimensions to peace and security**

Context

6. This year marked the 70th Anniversary of the Korean Armistice Agreement[[10]](#footnote-11) which ended hostilities of the Korean War. However, the conflict has not officially ended on the Korean Peninsula. The prolonged state of conflict impacts states’ perceptions of their security, leading them to focus intently on military expenditures, including arms development and proliferation. The United States of America and the Republic of Korea have carried out a number of regular and specialized land, sea and air military exercises. The Democratic People’s Republic of Korea has been pursuing its nuclear and missile programmes and fired a record high number of intercontinental and intermediate-range ballistic missile tests in 2022. The Democratic People’s Republic of Korea follows a military-first policy, *Songun*, which gives priority to the military in state affairs and in the allocation of resources. According to a source, an average military spending is estimated to be 23.5 percent of the gross domestic product between 2009-19,[[11]](#footnote-12) while official sources of the Democratic People’s Republic of Korea indicate around 16 percent of the State budget has been allocated to the military since 2012.[[12]](#footnote-13) The increased militarization and expenditure on the military explains the under-investment in socio-economic development in the country. In September 2023, the Democratic People’s Republic of Korea amended its law on nuclear forces and declared itself as a nuclear weapons state. The law states, “[t]he nuclear forces of the Democratic People’s Republic of Korea are a powerful means for defending the sovereignty, territorial integrity and fundamental interests of the state, preventing a war on the Korean Peninsula and in Northeast Asia and ensuring the strategic stability of the world”.[[13]](#footnote-14) It is evident from the messaging of the leadership in the Democratic People’s Republic of Korea that they are using the state of conflict to further expand its nuclear and missile programmes.[[14]](#footnote-15)[[15]](#footnote-16)

7. There have been several diplomatic efforts for peace on the Korean Peninsula and the denuclearization issue has been central to these diplomatic engagements with the Democratic People’s Republic of Korea. In 1994, the United States and the Democratic People’s Republic of Korea signed the “Agreed Framework” to freeze construction of nuclear reactors in exchange for economic support. Several key agreements were reached, including: 1) denuclearization of the Korean Peninsula, 2) normalization of relations between the Democratic People’s Republic of Korea, the United States, and Japan, 3) bilateral and/or multilateral economic cooperation in energy, trade, and investment, 4) energy assistance to the Democratic People’s Republic of Korea from China, Japan, the Republic of Korea, Russia, and the United States, and 5) the pursuit of lasting peace and stability in Northeast Asia at the Six-Party Talks,[[16]](#footnote-17) that began in 2003. These agreements, however, were short-lived. In 2003, the Democratic People’s Republic of Korea announced its withdrawal from the Non-Proliferation Treaty, in 2006 it conducted its first nuclear test and in 2009, it withdrew from the Six-Party Talks.

8. Rapprochement between the Democratic People’s Republic of Korea and the Republic of Korea started in 2018 with a series of Inter-Korean summits. In April 2018, the two countries agreed to Panmunjom Declaration for Peace, Prosperity and Reunification of the Korean Peninsula, which included a commitment to work towards a nuclear free Korean Peninsula and to formally end the 1950-53 Korean War with a peace treaty. In September 2018, the two countries signed the Pyongyang Joint Declaration, in which the Democratic People’s Republic of Korea committed to permanently dismantle the Dongchang-ri missile engine test site and launch platform under international observation, and expressed a “willingness” to permanently dismantle the nuclear facilities in Yeongbyeon as the United States takes “corresponding measures”.[[17]](#footnote-18) A Democratic People’s Republic of Korea-United States Summit was held in Singapore in June 2018, with a subsequent summit in Hanoi, Vietnam, in February 2019. The Hanoi Summit ended without any agreement.

9. Political developments have jeopardized other engagement efforts, including humanitarian assistance and people-to-people engagement such as academic, cultural and sports exchanges. For instance, tours of Mt. Geumgang, which began in 1998, were suspended by the Republic of Korea in 2008, following the shooting of a tourist from the Republic of Korea at the Mount Geumgang Special Tourist Zone. The Gaeseong Industrial Complex, which allowed business cooperation and some form of social, cultural, and humanitarian exchanges between the Democratic People’s Republic of Korea and the Republic of Korea was temporarily closed in 2013 after heightened military tensions on the Peninsula. Following missile and nuclear tests by the Democratic People’s Republic of Korea in early 2016, the Republic of Korea temporarily suspended inter-Korean projects to pressure the North into denuclearization, including a complete shutdown of the Gaeseong Industrial Complex, and coordinated sanctions with the international community.

Militarization and its impact on human rights

10. The Democratic People’s Republic of Korea’s prioritization of militarization is concerning from a human rights perspective. In States impacted by conflict, “the more government is occupied with national security, the less its citizens—especially women—experience physical security.”[[18]](#footnote-19) Relatedly, when States “sustain huge military budgets at the same time social spending is being cut; this, too, can be a form of violence.”[[19]](#footnote-20) The militarization places a high “military burden” on the people, and it disproportionately impacts those most vulnerable, including children and women. Resources are reduced, exploitation of labour to finance militarization becomes rampant, and as a result, the protection of fundamental freedoms and human rights is often overlooked.

11. Although all States that are parties to the conflict on the Korean Peninsula are impacted due to the ongoing and long-lasting nature of the conflict, the Democratic People’s Republic of Korea’s continuation of its nuclear weapons development and ballistic missile programs, and the sanctions imposed by the international community as a consequence of these measures, have further deteriorated the situation of human rights in that country.

Reduced available resources for realizing human rights

12. The Democratic People’s Republic of Korea’s prioritization of military, missiles and nuclear programmes leaves limited resources for socioeconomic and development programmes, which directly impacts the economic, social and cultural rights of the people. The socio-economic indicators in the Democratic People’s Republic of Korea reveal a significant number of people deprived of food, of essential health care, access to water and sanitation and an adequate standard of living, all of which provides a clear picture that the country is not adequately investing in its own people. It also has limited international, multilateral, and bilateral efforts to strengthen human rights.

13. The Special Rapporteur would like to remind the Government that States have an obligation to use their maximum available resources, which includes international cooperation, for the progressive realization of economic, social, and cultural rights,[[20]](#footnote-21) in accordance with the International Covenant on Economic, Social and Cultural Rights (1981). The Democratic People’s Republic of Korea is a party to the Covenant. According to the Committee on Economic, Social and Cultural Rights, each State party has “a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights”; when any significant number of individuals is deprived of essential foodstuffs, essential primary health care, basic shelter and housing, or the most basic forms of education, the State party “must demonstrate that every effort has been made to use all resources that are at its disposition in an effort to satisfy, as a matter or priority, those minimum obligations.”[[21]](#footnote-22) An escapee’s statement to the Office of the High Commissioner for Human Rights poignantly illustrates the suffering: "The Government says it has a military-first policy. However, if the military-first policy harms people, what is the use of it? Even the military themselves are suffering; they are starving to death due to malnutrition."[[22]](#footnote-23) The Special Rapporteur expresses grave concerns over this system of militarization based on the sacrifice of people’s human rights.

Increased repression on human rights

14. Furthermore, extreme militarization as seen in the Democratic People’s Republic of Korea, is not possible without politics of repression resulting in violations of fundamental freedoms and other human rights. The surveillance and close monitoring of citizens and other severe restrictions on basic freedoms continue to be widespread. Extreme militarization provides a reason for the Government to control every aspect of the life of its citizens and to use national security as a pretext to criminalize dissent. Those who seek to leave the country, watch or listen to foreign media or criticize the Government’s actions are viewed as criminals or traitors with serious repercussions. Those measures have been further strengthened during the border shutdown related to the COVID-19 response. For instance, the law on the elimination of reactionary thought and culture, enacted in December 2020, prohibits the distribution and viewing of songs, drawings, photos and designs from the Republic of Korea and other “hostile nations” and prescribes the death penalty for the importation and distribution of such contents. In 2021, the Government reportedly enacted the “Youth Education Guarantee Act” to stop young people from copying foreign culture and reorienting them towards a socialist lifestyle.

15. As noted in the Special Rapporteur’s report to the Human Rights Council in 2023, repatriated individuals are considered “criminals” and “traitors” if they seek to escape to the Republic of Korea, and they may suffer severe punishments upon repatriation.[[23]](#footnote-24) Escapees, the majority of whom are women, face harsh treatments and punishment often without judicial procedures if they are considered “traitors” including being sent to *kwanliso* (political prison camps). Article 2 of the 2012 Criminal Procedure Law of the Democratic People’s Republic of Korea emphasizes that the State should distinguish allies and enemies in combat against anti-State and anti-national crimes. However, the law itself does not define what constitutes “state crimes”.

16. The Law on the Protection and Promotion of Women’s Rights (2010) requires state institutions to take steps to prevent and sanction the trafficking of women and girls. However, the State appears to have taken no steps to protect victim survivors or address harms endured by them.[[24]](#footnote-25) In its most recent report to the Committee of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), covering the period of 2002-2015, the Democratic People’s Republic of Korea discussed some aspects of conflict-related human trafficking. It stated that “[h]uman trafficking is inconceivable in the DPRK," “abduction and trafficking of our citizens were persistently committed under the manipulation of the South Korean authorities hell-bent on tarnishing the image of the DPRK,” and that returnees who crossed the border illegally were provided with “necessary conditions for a happy life with their families.”[[25]](#footnote-26) Despite the government’s declaration, reports suggest that numerous women continue to fall victim to trafficking, forced marriage, or involvement in the sex trade.

Enforced disappearances

17. Enforced disappearances include those who were abducted from the Republic of Korea during and after the Korean War as well as Japanese and other foreign nationals who were abducted in the 1970s and 1980s. Since 1950, the Democratic People’s Republic of Korea has engaged in the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons from other countries on a large scale and as a matter of State policy. The prolonged state of conflict has resulted in thousands of separated families between the Democratic People’s Republic of Korea and the Republic of Korea and other countries. In the Panmunjom Declaration signed in 2018, the Republic of Korea and the Democratic People’s Republic of Korea agreed to endeavor to swiftly resolve the humanitarian issues that resulted from the division of the nation, and to convene the Inter-Korean Red Cross Meeting to discuss and solve various issues including the reunion of separated families. In this vein, both sides agreed to proceed with reunion programs for the separated families on the occasion of the National Liberation Day of August 15 in that year. The reunions took place from August 20 to 26 in Mount Geumgang. However, since August 2018, reunion programs for the separated families have been halted. Family members of separated families told the Special Rapporteur that they feel forgotten. There are also escapees from the Democratic People’s Republic of Korea who have settled in the Republic of Korea and other countries and are unable to communicate with their families remaining in the Democratic People’s Republic of Korea, due to the Government’s restrictions and fear of retaliation on their families.

Effect of militarization on labour rights

18. The Democratic People’s Republic of Korea operates a state-controlled labour system rooted in the principles of state ownership, central planning, and the *Juche* ideology of self-reliance.[[26]](#footnote-27) This system is a significant revenue-generating mechanism for the State, particularly in foreign currency including through the use of overseas workers. It relies heavily on the “use of slavery and compulsory labour and extortion of goods,”[[27]](#footnote-28) enabling rapid military investments since the 1980s. One civil society organization has described this as a "pyramid scheme,"[[28]](#footnote-29) characterized by forced labour in an extensive network of detention and *kwanliso* (political prison camps). The controlled labour and quota system designed to support militarization of the Democratic People’s Republic of Korea, coupled with harsh punishments, further exacerbates the rights of the people.

19. Upon completing their education or military service (8 years for men and 5 years for women in 2023), citizens are assigned to state-controlled workplaces. The exception to this rule is married women, who are not obligated to take state-assigned jobs. Since the mid-1990s, people are not paid any salary, and the rations provided for these jobs are insufficient to meet even basic living expenses. Consequently, income generated from the informal markets, known as "*jangmadang*," has become a vital source of livelihood for most families.[[29]](#footnote-30) However, the market operates within an uncertain legal environment allowing authorities to capitalize on these markets for corruption and control of the population. Women who constitute a majority of traders in *jangmadang*, becoming the main breadwinners of their families, are susceptible to corruption, abuse, and sexual exploitation from authorities in a legally uncertain environment.[[30]](#footnote-31)

20. The Democratic People’s Republic of Korea also mandates unpaid compulsory labour for state projects, organized through various entities such as the Workers’ Party of Korea and the Women's Union. Research indicates that a coercive quota system is in place, requiring citizens to contribute exportable goods like minerals, agricultural products, and construction materials. This system disproportionately affects women, who are obligated to meet these quotas at various stages of their lives—be it as students, mothers, wives, or detainees. An escapee interviewed by the Office of the High Commissioner for Human Rights shared: "We are mobilized for labour every day. To avoid this work, one must pay a fee ranging from five to 10 yuan per day, depending on the work's nature."[[31]](#footnote-32)

21. The controlled labour system also includes overseas workers who are sent overseas to earn foreign currencies. The Office of the High Commissioner for Human Rights has raised concerns about the harsh labour conditions they face, particularly under the stringent control of the Ministry of State Security.[[32]](#footnote-33) These conditions may "amount to forced labour."[[33]](#footnote-34) Such a controlled labour and quota system is coupled with harsh punishments on accessing contents from “hostile” states and on repatriated individuals including imprisonment in *kwanliso* (political prison camps), hard labour and ill treatment in detention, and enforced disappearances. In her previous report to the Human Rights Council in 2023, the Special Rapporteur highlighted that women detainees are often engaged in the production of export goods such as cosmetics, textiles, and beauty products. They are also subjected to hard labour in detention facilities.[[34]](#footnote-35)

22. The Special Rapporteur would like to remind the Government that article 23 of Universal Declaration on Human Rights provides “[e]veryone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”. Everyone, without any discrimination, has the right to equal pay for equal work. The right to work is guaranteed by the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities.[[35]](#footnote-36)

Sanctions imposed on the development of the nuclear weapons and ballistic missiles

23. The Security Council imposed a series of sanctions on the Democratic People’s Republic of Korea after it conducted nuclear tests in 2005, 2009, 2013, 2016, and 2017. The sanctions amount to an almost total ban on trade, investment, and financial transactions related to the Democratic People’s Republic of Korea. The comprehensiveness of the sanctions covering multiple areas is likely to have had a serious impact on living conditions and human rights of the people in the Democratic People’s Republic of Korea. Once such area is direct and indirect effect of restrictions on the importation of certain items that are necessary for agricultural production.[[36]](#footnote-37) The Panel of Experts, pursuant to Security Council resolution 1874 (2009),[[37]](#footnote-38) considered that the newly imposed sanctions adopted in 2017 “could exacerbate an already difficult situation in the country for those employed in sectors directly or indirectly affected by sanctions,” including through the loss of employment and increased restrictions on commercial activities.[[38]](#footnote-39) Civil society organizations have raised similar concerns.[[39]](#footnote-40)

24. The UN Committee on the Elimination of Discrimination against Women has stated in 2017 that economic sanctions imposed by the international community in response to a State party’s policies disproportionately impact women.[[40]](#footnote-41) Such concerns were reiterated in the 2019 UN Special Rapporteur’s report, noting the potentially detrimental impact of sanctions on women who dominated the textile sector.[[41]](#footnote-42) In the Democratic People’s Republic of Korea, for instance, 82 percent of those involved in the manufacture of textiles are women, and 89 percent in retail trade are women.[[42]](#footnote-43) Furthermore, the Committee on the Rights of the Child noted in 2017 that economic sanctions had “repercussions on children’s enjoyment of their rights. A UNICEF report in 2022 pointed out that sanctions also affect children’s ability “to lead healthy lives.”[[43]](#footnote-44) In 2022, 1 in 6 children under age five living in the Democratic People’s Republic of Korea – 285,000 children – suffered from stunted growth.[[44]](#footnote-45) Children suffering from stunting caused by malnutrition in utero and early childhood, “may never attain their full possible height and their brains may never develop to their full potential”.[[45]](#footnote-46) While humanitarian assistance are exempt from sanctions, humanitarian organizations have reported constraints such as the need for alternative banking channels, the delay in procurement, [and] diminished funding[[46]](#footnote-47) impacting their operations in the Democratic People’s Republic of Korea.

Strengthened stereotypes regarding women’s roles

25. In the Democratic People’s Republic of Korea, patriarchal attitudes and stereotypes persist regarding the roles and responsibilities of women and men in the family and in the society. The Workers’ Party of Korea is a “revolutionary party that upholds *juche* ideology”. The nature of the military forces is defined in the party rules as the “revolutionary armed power of the Workers Party of Korea which inherited revolutionary traditions”.[[47]](#footnote-48) Women are considered to be “the drive behind the wheels of the revolution”, which further strengthens stereotypes regarding women’s roles. Despite women’s economic engagement in *jangmadang*, women have to continue their traditional roles as housewives as a result of patriarchal norms.[[48]](#footnote-49) The Committee on the Elimination of Discrimination against Women has expressed its concern that the Democratic People’s Republic of Korea’s approach to women reflects a protectionist attitude that reinforces cultural and social values ascribing a particular role to women as caregivers and subservient to men. It calls on the attention of the Democratic People’s Republic of Korea that the elimination of patriarchal attitudes and discriminatory stereotypes must be led by its high-level public officials.[[49]](#footnote-50)

IV. The Women, Peace, and Security Agenda

26. There is a clear nexus between the state of conflict, the Democratic People’s Republic of Korea’s prioritization of a military-oriented approach to security (including nuclear weapons development) that results in sanctions from the UN Security Council, and the worsening conditions of human rights including the rights of women and girls. In a country under extreme militarization and where patriarchal attitudes persist, the State becomes more likely to violate and less likely to protect human rights, including women’s human rights, despite its legal obligations to do so. For example, as women’s socioeconomic status deteriorates or remains undervalued, women are less able to protect their physical security and participate in public life. Consequently, women’s political participation at the decision-making level remains low, and therefore, their views are not reflected in policymaking, including in peace negotiations. The Special Rapporteur regards that it is critical to emphasize the deep connection between human rights and peace, including the Democratic People’s Republic of Korea’s obligations in relation to women’s human rights and peace.

Human Rights, Peace, and Security

27. Human rights and sustainable peace are inextricably linked, and they are founded on shared principles and values that are mutually reinforcing and interdependent.[[50]](#footnote-51) This nexus is embedded in the Universal Declaration of Human Rights, which affirms "the inherent dignity and the equal and inalienable rights of all members of the human family", which lays the foundation for global freedom, justice, and peace.[[51]](#footnote-52) The UN Charter similarly recognizes the interplay between peace, development, and human rights, obliging Member States to uphold these interconnected principles.[[52]](#footnote-53) In dual resolutions passed by the UN General Assembly and Security Council in April 2016, “sustaining peace” was understood as a goal and a process to build a common vision of a society, ensuring that the needs of all segments of the population are taken into account, and it encompasses numerous activities, such as preventing the outbreak, escalation, continuation, and recurrence of conflict, assisting parties to end hostilities, ensuring national reconciliation and moving towards recovery, reconstruction, and development.[[53]](#footnote-54)

28. The UN’s approach to peace transcends conflict avoidance to encompass the positive realization of social, economic, and political rights.[[54]](#footnote-55) As articulated by the Office of the High Commissioner for Human Rights, the human rights framework can serve multiple functions in peacebuilding and mediation. It provides common language, upholds universally accepted norms, and guides states in the protection and fulfilment of rights. Moreover, human rights monitoring fosters trust, and human rights actors are often among the first to engage in conflict zones. Their presence facilitates collaboration between human rights advocates and peacemakers, contributes to the crafting of sustainable peace agreements, and acts as a stabilizing force during transitional phases.[[55]](#footnote-56) These principles apply to all parties to conflict.

29. The General Assembly’s Declaration on the Right to Peace underscores that peace is not merely the absence of conflict, but rather, it “necessitates a positive, dynamic, participatory process where dialogue is fostered and conflicts are resolved through mutual understanding and cooperation, alongside the assurance of socioeconomic development.”[[56]](#footnote-57) Today, peace is increasingly understood to involve an inclusive political process, a post-war commitment to human rights, and a concerted effort to address issues of justice and reconciliation.[[57]](#footnote-58)

Peace, Security, and Women’s Human Rights

30. The Women, Peace and Security Agenda has further clarified how the international community understands peace and it recognizes peace as a multi-dimensional concept, one that must fully integrate gender. An inclusive framework for sustainable peace “must be firmly rooted in a gender-responsive approach, aligning with the commitments of the Women Peace and Security agenda. Peace can only be sustainable if it results from the efforts of government and all segments of society – reflecting their priorities”.[[58]](#footnote-59) The 2015 UN Global Study on implementation of UN Security Council resolution 1325 cites research establishing that when women’s groups exercised stronger influence on negotiations processes, the probability that an agreement would be reached and implemented increased.[[59]](#footnote-60) Gender equality is not, however, merely a social aspiration, or possibly conducive to peace-building, but rather, a fundamental human right and a cornerstone for a peaceful, prosperous, and sustainable world. Women's full and effective participation, equal opportunities for leadership at all levels of decision-making, and the protection of women and girls in conflict situations are paramount.

31. In adopting resolution 1325 (2000), the Security Council recognized that men and women are impacted in different ways by armed conflict, acknowledged the relationship between gender equality and peace and security, and emphasized the need for women’s participation in prevention of conflict, peaceful resolution of conflict, and peace-keeping.[[60]](#footnote-61) This agenda and women’s human rights norms and institutions are deeply intertwined. The Women, Peace and Security agenda reflects many state obligations that can be found in human rights instruments. The nine resolutions that followed resolution 1325 contain several references to human rights and international legal rules.[[61]](#footnote-62) The Security Council resolution 2467 noted that “States bear the primary responsibility to respect and ensure the human rights of all persons within their territory and subject to their jurisdiction as provided for by international law, [and reaffirms] that parties to armed conflict bear the primary responsibility to ensure the protection of civilians.”[[62]](#footnote-63) The resolution recalls “the responsibilities of States to end impunity and to prosecute” those responsible for international crimes. Security Council resolutions on Women, Peace and Security has placed special emphasis on the CEDAW. It highlighted the importance of the CEDAW Convention and its Protocol to the Women, Peace and Security agenda in Security Council resolution 2122, when it recalled States’ obligations under these instruments and urged states to ratify or accede to them. General Recommendation No. 30 (2010), on women in conflict prevention, conflict and post-conflict situation,[[63]](#footnote-64) provides a comprehensive legal framework for human rights obligations in all peace-building processes. It serves as a guide for States parties to ensure legislative, policy, and other measures that fully comply with their obligations under the Convention, particularly concerning women's human rights during times of conflict and in all peace-building processes.[[64]](#footnote-65)

32. General Recommendation No. 30 of the Committee on the Elimination of Discrimination against Women calls on the international community to ensure the inclusion of women in international negotiations, peacekeeping activities, all levels of preventive diplomacy, mediation, humanitarian assistance, social reconciliation, peace negotiations at the national, regional, and international levels, as well as in the criminal justice system. It also reinforces provisions of Women, Peace and Security resolutions noting that “all the areas of concern” addressed in United Nations Security Council Resolution 1325 (2000) and the seven subsequent resolutions adopted by that time, “find expression in the substantive provisions of the Convention… and cover all the rights enshrined in the Convention…”[[65]](#footnote-66) These include rights to be free from discrimination in the contexts of violence against women and trafficking; the right to participate equally in the prevention of conflict, and in post-conflict and transition periods and recovery processes; and the right to access education, employment, and health, including as it relates to rural women. Additional rights include those that arise in relation to displacement, refugees, and asylum seekers, as well as nationality and statelessness; marriage and family relations; security sector reform and disarmament, demobilization and reintegration; constitutional and electoral reform; and access to justice.

33. As a member of the United Nations and as a State party to various international human rights treaties, including CEDAW, the Democratic People’s Republic of Korea has voluntarily consented to binding legal obligations under the UN Charter and various UN human rights treaties. Consequently, the Democratic People’s Republic of Korea has an obligation to implement Security Council Resolution 1325 (2000) and all subsequent resolutions laying out the women, peace and security agenda. This includes the integration of gender-sensitive policies and strategies into all aspects of peace and security policymaking, including Disarmament, Demobilization, and Reintegration processes, humanitarian response, and development programs. It also has a duty to support women's economic empowerment, including access to education, job opportunities, and financial resources; emphasizing the collection and analysis of gender-disaggregated data to inform responsive policies and interventions; and the proactive establishment of conditions for equity and social justice that involve women and their rights and interests in peacemaking and peacebuilding processes.

Status of Women’s participation in Peacemaking and Peacebuilding

34. Women’s participation in peacemaking and peacebuilding is essential to the women, peace and security agenda but has received insufficient attention globally. In the Democratic People’s Republic of Korea, women's political participation remains low, and therefore, neither shared nor diverse life experiences and perspectives of women are reflected in policymaking, including in peace negotiations.

35. In its national report submitted to the third Universal Periodic Review of the Human Rights Council, the Democratic People’s Republic of Korea noted that “[m]easures were undertaken to appoint able women to the leading posts and give wide publicity to their achievements. As a result, in 2018 alone the proportion of women leaders at or above the departments of ministries and ministry-level institutions significantly increased.”[[66]](#footnote-67) These were noted in the Democratic People’s Republic of Korea’s Voluntary National Review report for the implementation of the 2030 Agenda, which explained that women accounted for “20.2% of the deputies elected for the 13th Supreme People’s Assembly (SPA) in 2015 and 17.6% for the 14th in 2019, and more than 25% for the local people’s assemblies.”[[67]](#footnote-68) In 2022, the country appointed the first female Foreign Minister, Choe Son Hui. A civil society organization acknowledges that the Government has made some lower-executive positions in the party available to women and assigned more female executives in State-run companies.[[68]](#footnote-69) However, the roles that are open to women are understood to be relatively less influential and underpaid.

36. While there has been some increase in the female representation in government bodies as claimed by the Government, female representation in highest decision-making bodies remains extremely low, including the Central Committee of the Workers’ Party, the Politburo and the Cabinet.” [[69]](#footnote-70) There is currently no female member of the Political Bureau orPresidium, the body that undertakes core State functions when the Supreme People’s Assembly is not in session. After the 8th Central Committee in January 2021, only six out of 250 members and alternates of the Central Committee of the Worker’s Party of Korea, the main governing body of the Party, were women (2.4 percent).[[70]](#footnote-71) Since the 1970s, the representation of women in the Supreme People’s Assembly has been between 15 and 20 per cent.[[71]](#footnote-72) Out of the current 687 deputies representing country’s constituencies for the term of 2019-2024, 121 are women (17.61%).[[72]](#footnote-73) Lack of women in leadership positions prevents women from elevating their social status or increasing political participation.

37. Additionally, among the nine most high-profile women in political positions[[73]](#footnote-74)—four are related to President Kim Jong Un’s family while the rest are family members of the elite.[[74]](#footnote-75) The appointment of women with ties to President Kim Jong Un and privileged families cannot reflect the broad array of experiences and challenges faced by ordinary women in the Democratic People’s Republic of Korea such as those living in rural areas, women who have been detained after being trafficked or having attempted migration, women who have experienced forced labour or detention, women of low *songbun*,and those who suffer from malnutrition, inadequate or inaccessible medical care, and harassment working in *jangmadang*, among others. As an escapee from the Democratic People’s Republic of Korea has noted, “it is difficult to argue that [women in high-profile positions from privileged family] represent DPRK women.”[[75]](#footnote-76) An irreconcilable gap exists between elite and average woman’s experiences and lives, needs, and interests in the Democratic People’s Republic of Korea.

38. Women’s participation in official inter-Korean talks or the inclusion of women’s issues in peace and security engagement with the Democratic People’s Republic of Korea has been close to non-existent. In the 36 inter-Korean talks that took place in 2018, there were only eight women among the 286 delegates from both the Republic of Korea and the Democratic People’s Republic of Korea. However, informal meetings between women from the Democratic People’s Republic of Korea and the Republic of Korea have taken place on several occasions. The first meeting of women took place in Tokyo, Japan in 1991, with over 100 women from the Democratic People’s Republic of Korea, the Republic of Korea, and Japan participating in the meeting. Since the first meeting, 31 such meetings were held until 2015. Issues such as compensation for comfort women, the creation of a denuclearized zone on the Korean Peninsula, the normalization of diplomatic relations between the Democratic People’s Republic of Korea and Japan, peace and reunification, and the implementation of the 2000 June 15 Joint Declaration made by the Democratic People’s Republic of Korea and the Republic of Korea[[76]](#footnote-77) were discussed at the meeting. However, it was not possible to raise the issue of North Korean women’s human rights because the Democratic People’s Republic of Korea took the position that the topic is a matter of national sovereignty. In addition, a wide range of women’s views were not included because the participants were drawn mostly from a few organizations and the Government of the Democratic People’s Republic of Korea. Nevertheless, these informal meetings have contributed to a mutual understanding of women’s issues, easing tensions,[[77]](#footnote-78) and promoting cooperation between the two countries.

39. Women in the Democratic People’s Republic of Korea have much to contribute to peace on the Korean Peninsula. In interviews conducted by the Office of the High Commissioner for Human Rights during the peace talks of 2018 and 2019,[[78]](#footnote-79) 63 escapees—primarily women—articulated a nuanced perspective on peace agreements and reunification. While some were initially unaware of the ongoing peace talks, their views coalesced around the imperative for the Democratic People’s Republic of Korea to undertake democratic, social, and economic reforms as a precondition for reunification. These escapees argued that the social and economic integration of the two Koreas would not only catalyze economic development but also fortify the rule of law, good governance, and human rights, thereby laying the groundwork for future political integration. Importantly, they contended that their aspirations for the rule of law, human rights, fundamental freedoms, non-discrimination, gender equality, and economic prosperity could only be realized through comprehensive reforms. The interviewees further emphasized that a lasting peace could only be secured through an inclusive peace process that is centered on human rights. Their insights underscore the critical need for peace talks to incorporate human rights considerations and to give voice to the broad range of individuals affected by the conflict, particularly women’s.

40. Women’s participation and inclusion in peace processes or their physical presence at formal talks alone is not enough to guarantee a vision of security that centers the interests and rights of women in the Democratic People’s Republic of Korea, “especially when there are norms and strategies used to marginalize their activities and ideas.”[[79]](#footnote-80) Participation must include the voices of women at “all levels of decision-making, including in national, regional, and international institutions,” from civil society organizations, and from diverse positions and elements of society. In other words, a broad representation and incorporation of women as decision makers in major peace processes and in day-to-day functions of a state in peacebuilding is needed. This entails the articulation of a broad range of women’s interests, needs, and security in peace agreements—a “meaningful participation” of women in peace processes.[[80]](#footnote-81) Additionally, the physical presence of women (and active involvement) in peacemaking and peacebuilding needs to be complemented by a socio-political context of high levels of gender equality, where women have “increased opportunities” to express their opinions and voices.[[81]](#footnote-82) Only in a context of gender equality, women’s involvement in peacemaking and peacemaking reduces prolonged violence, helps in the durability of peace, and as a result has a positive impact on security.

V. Conclusions

41. The situation of human rights in the Democratic People’s Republic of Korea is closely tied to the state of conflict that has existed on the Korean Peninsula for the last seventy years. Since the failure to reach an agreement at the Hanoi Summit 2019, using the COVID-19 pandemic as a trigger, the Democratic People’s Republic of Korea has isolated the country from the outside world on an unprecedent scale. Due to a prolonged border shutdown, the majority of people who had relied their living on *jangmadang* have lost income sources and an increasing number of people are running out of cash and suffering from inability to buy food. Information suggests that the country is strengthening control over market activities calling them “anti-socialistic behaviour” and tightening the control of access to information. The last three and half years of the border shutdown demonstrated that the isolation of the Democratic People’s Republic of Korea, in another word, a prolonged state of conflict, is certainly not an answer to the people in the country but also not to peace and security.

42. The Special Rapporteur calls upon the relevant States to recognize the mutual and interdependent relationship that exists between human rights and peace. The Special Rapporteur hopes that this report serves as an initial assessment and encourages the relevant stakeholders to further explore the issue of human rights, peace and security and to integrate and promote human rights during peace negotiations and vice versa. There will be no sustainable peace without human rights and human rights will not be realized until a sustainable peace is in place. However, no sustainable peace will be realized if women’s rights continue to be undermined. Furthermore, it is determinant that the responses to security challenges on the Korean Peninsula are aligned with the 2030 Agenda for Sustainable Development. This agenda explicitly links peacebuilding with justice enhancement, mainly through Goal 16, which emphasizes the need to attain just, peaceful, and inclusive societies, universal access, and the development of effective, accountable, and inclusive institutions at all levels.[[82]](#footnote-83)

43. Fulfilling women’s rights to accountability for the human rights violations they have suffered (which includes sexual and gender-based violence during conflict) is a core component of a gender-just peace.[[83]](#footnote-84) This may take the form of “appropriate gender-responsive procedures,” which can be in the form of “staging women’s testimonies about their experience of violence.”[[84]](#footnote-85) This includes listening to the voices of escapees and their human rights priorities: discrimination based on *songbun*; socio-economic status and gender; lack of employment and economic opportunities; lack of respect for the rule of law and fundamental freedoms; corruption and abuse of authority; the practices of torture and ill-treatment, sexual abuse, and inhumane conditions in prisons and detention facilities; the existence of political prisons; the issue of separated families and international abductions; and the need to ensure justice and accountability to address past and ongoing human rights violations. These voices constitute a guide to achieving a sustainable peace.

44. Peace on the Korean Peninsula cannot be achieved without addressing the long- standing human rights issues that have resulted as direct consequences of the Korean War. This includes the agreements of reunions of separated families, the return of abductees and detainees, the return of the remains of abductees and detainees, the protection of escapees crossing the international borders and the treatment of forcibly repatriated escapees. Given the advanced age of many of the families of these victim-survivors, the Special Rapporteur urges the Democratic People’s Republic of Korea to be open to addressing these long-standing issues which could help create an environment for peace and denuclearization talks. The relevant States are encouraged to develop and agree on clear human rights benchmarks as a preparation for any possible peacemaking process such as a set number of country visits each year by special procedures mandate holders, which include access to detention facilities, a set number of family reunions per year, and the implementation of the recommendations that the Democratic People’s Republic of Korea accepted during the Universal Periodic Review of the Human Rights Council.

VI. Recommendations

45. **The Special Rapporteur recommends that the Democratic People’s Republic of Korea:**

**(a) Recognize the fundamental right to leave and enter the country, both in law and in practice, and ensure that those who are repatriated are not subjected to punishment upon repatriation;**

**(b) Review the budget allocation to prioritize the realization of its people’s economic, social, and cultural rights, including rights to food, health care, including maternal and reproductive care, education, and labour rights, among others;**

**(c) Reengage with the international community and the international human rights mechanisms and conduct a comprehensive assessment, together with the international community, on the impact of COVID-19 related measures on human rights;**

**(d) Ensure the right to earn a living by work that is freely chosen or freely accepted;**

**(e) Carry out a reform on the penal system, including the review of what constitutes State crimes, and engage international independent human rights monitoring mechanisms to monitor the human rights situation in the country, including access to detention facilities and *kwanliso*;**

**(f) Urgently allow for the return of United Nations agencies, other international organizations and the diplomatic community and allow economic activity and the movement of people;**

**(g) Ensure that human rights are central to any peace and security talks;**

**(h) Develop and implement a National Action Plan to implement the Women, Peace and Security agenda on the Korean Peninsula;**

**(i) Provide sex-disaggregated statistics and trends over time, and inform on actions taken individually and as a member of international or intergovernmental organizations and coalitions in its reporting to CEDAW, as established in the CEDAW Committee’s General Recommendation No. 30;**

**(j) Cooperate with regional and international partners to implement the Women, Peace and Security agenda on the Korean Peninsula;**

**(k) Work to eliminate gender inequality by recognizing and dismantling gender stereotypes and fixed gendered roles in the country.**

46. **The Special Rapporteur recommends that the Republic of Korea:**

**(a) Strengthen its own engagement with the Women, Peace and Security agenda and consider utilizing the Women, Peace and Security agenda as an alternative framework** **for engaging in discussions about peace building with the Democratic People’s Republic of Korea;**

**(b) Ensure that it is complying with its own National Action Plan submitted to further the Women, Peace and Security agenda;**

**(c) Develop concrete plans to integrate human rights, including the human rights of women and girls, and ensure gender-sensitive policies into negotiations with the Democratic People’s Republic of Korea;**

**(d) Engage with civil society organizations, with a view to enabling victim-survivors, families, escapees and civil society organizations to continue their efforts on fighting impunity and supporting peacebuilding and access to information.**

47. **The Special Rapporteur recommends that Member States, in particular China and the Russian Federation where a large number of escapees from the Democratic People’s Republic of Korea reside, provide protection to the people from the Democratic People’s Republic of Korea as well as uphold the principle of *non-refoulement* to individuals from the Democratic People’s Republic of Korea, who are at risk of serious human rights violations upon their forced repatriation.**

48. **The Special Rapporteur recommends that Member States:**

**(a) Develop and agree on clear human rights benchmarks as a preparation for any possible peacemaking process such as a set number of country visits each year by special procedures mandate holders, which include access to detention facilities, a set number of family reunions per year, and the implementation of the recommendations that the Democratic People’s Republic of Korea accepted during the Universal Periodic Review of the Human Rights Council;**

**(b) Discuss and develop pathways for the accountability mechanisms for human rights violations and also support victims and civil society organizations in their both judicial and non-judicial accountability efforts;**

**(c) Take any opportunities to engage with the Democratic People’s Republic of Korea on human rights concerns, including women’s human rights issues, as part of their dialogue on ending the conflict on the Korean Peninsula;**

**(d) Engage with the Democratic People’s Republic of Korea on the Women, Peace and Security agenda, as part of their dialogue on human rights, including women’s rights, recognizing the inextricable link between the Women, Peace and Security agenda and human rights;**

**(e) Evaluate and 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 needs in relation to food crises and disasters and that facilitate the national provision of food, medicine and health care at the national level.**

49. **The Special Rapporteur makes the following recommendations to the United Nations Secretariat:**

**(a) The High Commissioner for Human Rights should continue to prioritise the human rights situation in the Democratic People’s Republic of Korea and build momentum to engage with the Democratic People’s Republic of Korea with creative approaches, including through the use of the Women, Peace and Security framework;**

**(b) The United Nations Secretary-General and the** **Office of the High Commissioner for Human Rights should continue to explore and support technical cooperation activities on human rights;**

**(c) The United Nations Secretary-General and the Office of the High Commissioner for Human Rights should bring the issue of the state of conflict on the Korean Peninsula to global discussions on human rights, peace and security, and the Women, Peace and Security agenda;**

**(d) The Secretary-General should revitalize the United Nations’ engagement efforts with the Democratic People’s Republic of Korea with the aim of facilitating diplomatic solutions to security concerns in the region.**

1. \* A/78/150. [↑](#footnote-ref-2)
2. \*\* The present document was submitted for processing after the deadline for reasons beyond the control of the submitting office. [↑](#footnote-ref-3)
3. A/77/522. [↑](#footnote-ref-4)
4. Ibid. [↑](#footnote-ref-5)
5. Available at <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=28210>. [↑](#footnote-ref-6)
6. Once officially translated, the response will become available at https://spcommreports.ohchr.org/TMResultsBase/DownLoadFile?gId=37710. [↑](#footnote-ref-7)
7. At UN Security Council Arria-Formula Meeting on DPRK Human Rights, 20 March 2023. Also *see* [DPRK (North Korea): Arria-formula Meeting on the Human Rights Situation : What's In Blue : Security Council Report](https://www.securitycouncilreport.org/whatsinblue/2023/03/dprk-north-korea-arria-formula-meeting-on-the-human-rights-situation.php) [↑](#footnote-ref-8)
8. <https://www.securitycouncilreport.org/whatsinblue/2023/08/dprk-north-korea-open-briefing-on-the-human-rights-situation.php>. [↑](#footnote-ref-9)
9. https://press.un.org/en/2023/sc15387.doc.htm. [↑](#footnote-ref-10)
10. The armistice agreement was signed on 27 July 1953 [KP+KR\_530727\_AgreementConcerningMilitaryArmistice.pdf (un.org)](https://peacemaker.un.org/sites/peacemaker.un.org/files/KP%2BKR_530727_AgreementConcerningMilitaryArmistice.pdf). [↑](#footnote-ref-11)
11. [World Military Expenditures and Arms Transfers 2021 Edition - United States Department of State](https://www.state.gov/world-military-expenditures-and-arms-transfers-2021-edition/). [↑](#footnote-ref-12)
12. [Report on fulfilment of state budget for 2022 and on state budget for 2023 | KCNA Watch](https://kcnawatch.xyz/newstream/1674209210-678378980/report-on-fulfilment-of-state-budget-for-2022-and-on-state-budget-for-2023/). [↑](#footnote-ref-13)
13. [Law on DPRK's Policy on Nuclear Forces Promulgated | KCNA Watch](https://kcnawatch.xyz/newstream/1662687258-950776986/law-on-dprks-policy-on-nuclear-forces-promulgated/). [↑](#footnote-ref-14)
14. Statement by Ambassador Ri Yong-Ho at the 72nd session of the UN General Assembly, September 23, 2017 “Our national nuclear force is, to all intents and purposes, a war deterrent for putting an end to nuclear threat of the U.S. and for preventing its military invasion.” [↑](#footnote-ref-15)
15. “[T]he adoption of a law related with the policy of the nation's nuclear forces in accordance with the unanimous will of all the Korean people is a noteworthy event that proclaimed at home and abroad that we have come to possess by law a war deterrent as a means for defending the state.” President Kim Jong Un’s policy speech at the Seventh Session of the 14th Supreme People's Assembly of the Democratic People's Republic of Korea on 8 September 2022, [kcnawatch.org](https://kcnawatch.org/newstream/1662790085-260921382/respected-comrade-kim-jong-un-makes-policy-speech-at-seventh-session-of-the-14th-spa-of-dprk/). [↑](#footnote-ref-16)
16. The Six Parties are China, the Democratic People’s Republic of Korea, Japan, the Republic of Korea, Russia, and the United States. [↑](#footnote-ref-17)
17. Panmunjom Declaration for Peace, Prosperity and Reunification of the Korean Peninsula, <http://www.mofa.go.kr/eng/brd/m_5478/view.do?seq=319130&srchFr=&amp;srchTo=&amp;srchWord=&amp;srchTp=&amp;multi_itm_seq=0&amp;itm_seq_1=0&amp;itm_seq_2=0&amp;company_cd=&amp;company_nm=&page=1&titleNm>. [↑](#footnote-ref-18)
18. Sharoni, Simona, 1993, “Gender and Middle East Politics,” *The Fletcher Forum of World Affairs* 17 (2): 65. [↑](#footnote-ref-19)
19. Tickner, *Gendering World Politics: Issues and Approaches in the Post-Cold War Era*, 62. [↑](#footnote-ref-20)
20. The General Comment No. 3 of the Committee on Economic, Social and Cultural Rights, para. 10. [↑](#footnote-ref-21)
21. Ibid. [↑](#footnote-ref-22)
22. Office of the High Commissioner for Human Rights, “Laying the Human Rights Foundations for Peace”, p. 12. [LayingHumanRightsFoundationForPeace\_EN.pdf (ohchr.org)](https://www.ohchr.org/sites/default/files/Documents/Countries/KP/LayingHumanRightsFoundationForPeace_EN.pdf) [↑](#footnote-ref-23)
23. A/HRC/52/65, para. 27. [↑](#footnote-ref-24)
24. *Id.* [↑](#footnote-ref-25)
25. CEDAW/C/PRK/2-4, paras. 73–74. [↑](#footnote-ref-26)
26. The State’s “self-reliance” ideology, established by Kim Il Sung, postulates that man is the master of his destiny and that the masses have to act as the masters of the revolution and construction under the leader. *Juche* ideology has adapted/evolved according to the socio-political conditions of the DPRK throughout time. Seo, J (2015) 주체사상의 형성과 변화에 대한 새로운 분석[*New Analysis on Juche Ideology Development and Change*](Seoul: KINU), pp. 1–6. [↑](#footnote-ref-27)
27. Citizens Alliance for North Korean Human Rights, Blood Coal Export From North Korea: Pyramid scheme of earnings maintaining structure of power, p.4. [↑](#footnote-ref-28)
28. Citizens Alliance, Blood Coal Mine. [↑](#footnote-ref-29)
29. A/HRC/52/65, para.54. [↑](#footnote-ref-30)
30. A/HRC/52/65, para.35. [↑](#footnote-ref-31)
31. Office of the High Commissioner for Human Rights, “Laying the Human Rights Foundations for Peace”, p.21. [LayingHumanRightsFoundationForPeace\_EN.pdf (ohchr.org)](https://www.ohchr.org/sites/default/files/Documents/Countries/KP/LayingHumanRightsFoundationForPeace_EN.pdf) [↑](#footnote-ref-32)
32. A/HRC/52/64, paras. 27–32. [↑](#footnote-ref-33)
33. Ibid., para. 27. [↑](#footnote-ref-34)
34. A/HRC/52/65, para.24. [↑](#footnote-ref-35)
35. The Democratic People’s Republic of Korea is not a member of the International Labour Organization. [↑](#footnote-ref-36)
36. FAO/WFP, DPR Korea Rapid Food Security Assessment May 2019, p. 14. [↑](#footnote-ref-37)
37. S/RES/1874 (2009). [↑](#footnote-ref-38)
38. [S/2020/151,](https://undocs.org/en/S/2020/151) para. 209. [↑](#footnote-ref-39)
39. Call for Submission, Korea Peace Now! “Current sanctions have the greatest impact not on the power elites who are the intended targets, but on the most vulnerable North Koreans.” [↑](#footnote-ref-40)
40. UN Committee on the Elimination of All Forms of Discrimination against Women [CEDAW], Concluding Observations on the Combined Second to Fourth Periodic Reports of the Democratic People’s Republic of Korea, Nov. 22, 2017 (CEDAW/C/PRK/CO/2-4), p. 2. [↑](#footnote-ref-41)
41. A/75/388, para. 5. [↑](#footnote-ref-42)
42. [human-costs-and-gendered-impact-of-sanctions-on-north-korea.pdf (koreapeacenow.org)](https://koreapeacenow.org/wp-content/uploads/2019/10/human-costs-and-gendered-impact-of-sanctions-on-north-korea.pdf), p.18. [↑](#footnote-ref-43)
43. Allen, S. H, Lektzian, D. ‘Economic Sanctions, A Blunt Instrument?’ Journal of Peace Research 50(1), January 2013, p. 133; [UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf](https://www.unicef.org/globalinsight/media/2531/file/%20UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf), p. 22. A time-series study of 66 states from 1990 to 2014 found that sanctions exacerbate hunger and cause malnutrition in children under five years of age. Afesorgbor, S.K. “The impact of economic sanctions on food security in targeted states,” In *Research Handbook on Economic Sanctions*, ed. Peter A.G. van Bergeijk (Edwar Elgar Publishing Ltd., 2021), p. 463. [↑](#footnote-ref-44)
44. [Levels and trends in child malnutrition: UNICEF/WHO/World Bank Group joint child malnutrition estimates: key findings of the 2023 edition](https://www.who.int/publications/i/item/9789240073791), p. 18. [↑](#footnote-ref-45)
45. Ibid., p.2. [↑](#footnote-ref-46)
46. [UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf](https://www.unicef.org/globalinsight/media/2531/file/%20UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf), p. 27. [↑](#footnote-ref-47)
47. The Ministry of Unification (Republic of Korea) Institute for Unification Education, 2014 Understanding North Korea, p. 55. [↑](#footnote-ref-48)
48. A/HRC/52/65, para.38 [↑](#footnote-ref-49)
49. [tbinternet.ohchr.org/\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PRK/CO/2-4&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PRK/CO/2-4&Lang=En). [↑](#footnote-ref-50)
50. United Nations; World Bank. 2018. Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict. [↑](#footnote-ref-51)
51. Proclaimed by the General Assembly, resolution 217 A (III), A/RES/3/217 A, 10 December 1948. [↑](#footnote-ref-52)
52. As eloquently stated in the Secretary-General's report "In Larger Freedom": "In an increasingly interconnected world, progress in the areas of development, security, and human rights must go hand in hand. There will be no development without security and no security without development. Both are contingent upon respect for human rights and the rule of law." A/59/2005. [↑](#footnote-ref-53)
53. 2282 (2016) on post-conflict peacebuilding. [↑](#footnote-ref-54)
54. A/72/707–S/2018/43. [↑](#footnote-ref-55)
55. “The role of human rights in peace and mediation processes,” Speech delivered by the Assistant Secretary-General for Human Rights, Ilze Brands Kehris, at the Berghof Foundation, <https://www.ohchr.org/en/speeches/2022/06/role-human-rights-peace-and-mediation-processes#:~:text=Human%20rights%20are%20about%20engaging,well%20before%20mediators%20are%20involved>. [↑](#footnote-ref-56)
56. A/RES/71/189. [↑](#footnote-ref-57)
57. For instance, the Security Council stresses the importance of human rights in its resolutions 2669 (2022) and 2681 (2023). [↑](#footnote-ref-58)
58. Office of the High Commissioner of Human Rights, Thematic Paper: The Contribution of Human Rights to Peacebuilding and Sustaining Peace, *2020 Review of the Peacebuilding Architecture*, p.3. [↑](#footnote-ref-59)
59. [globalstudywps\_en\_web.pdf (un.org)](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps_en_web.pdf). [↑](#footnote-ref-60)
60. S/RES/1325 (Oct. 31, 2000); Christine Chinkin, *Women, Peace and Security and International Law* 4 (2022). [↑](#footnote-ref-61)
61. S/RES/1820 (June 19, 2008); S/RES/1888 (Sept. 30, 2009); S/RES/1889 (Oct. 5, 2009); S/RES/1960 (Dec. 16, 2010); S/RES/2106 (June 24, 2013); S/RES/2122 (Oct. 18, 2013); S/RES/2242 (Oct. 13, 2015); S/RES/2467 (Apr. 23, 2019); S/RES/2493 (Oct. 29, 2019). [↑](#footnote-ref-62)
62. UNSC Resolution 2467, Preamble. The same resolution emphasizes the critical importance of “advancing gender equality and women’s political, social, and economic empowerment” to prevent and respond to sexual violence in conflict and post-conflict situations, and the need for women and girls’ safety and empowerment to achieve meaningful participation in peace processes, preventing conflicts and rebuilding societies…” [↑](#footnote-ref-63)
63. UN Security Council resolution 2122 (2013), para. 2(e), Preamble; UN Security Council resolution 2242 (2015), Preamble. [↑](#footnote-ref-64)
64. There may be cases in which States parties also have extraterritorial obligations of international cooperation, as set out in international law, such as treaty law on women with disabilities (art. 32 of the Convention on the Rights of Persons with Disabilities), girls in armed conflict (art. 24 (4) of the Convention on the Rights of the Child and the first two optional protocols thereto) and the non-discriminatory enjoyment of economic, social, and cultural rights (arts. 2 (1), 11 (1), 22 and 23 of the International Covenant on Economic, Social and Cultural Rights). In such cases, the extraterritorial application of the Convention requires States to comply with the Convention in implementing those obligations. [↑](#footnote-ref-65)
65. GR30, Para. 26, (2013). [↑](#footnote-ref-66)
66. A/HRC/WG.6/33/PRK/1, para. 67. [↑](#footnote-ref-67)
67. <https://sustainabledevelopment.un.org/content/documents/282482021_VNR_Report_DPRK.pdf>, p. 27. [↑](#footnote-ref-68)
68. Submission by PSCORE. [↑](#footnote-ref-69)
69. A/76/242 (28 July 2021), para. 26. [↑](#footnote-ref-70)
70. Institute for National Security Strategy, [F20210930100234190.pdf](https://inss.re.kr/upload/bbs/BBSA05/202109/F20210930100234190.pdf) (inss.re.kr) p.4 (Korean) At the 6th Enlarged Plenary Meeting of 8th Central Committee of the Workers’ Party of Korea held in January 2023, there were some changes of members, but the details are not clear at the time of writing. [↑](#footnote-ref-71)
71. A/HRC/WG.6/33/PRK/1, para. 67. [↑](#footnote-ref-72)
72. [| Parline: the IPU’s Open Data Platform](https://data.ipu.org/node/46/elections?chamber_id=13505). [↑](#footnote-ref-73)
73. —Kim Yo Jung (sister of Chairman Kim Jong Un), Kim Kyunghee (aunt of Chairman Kim Jong Un), Ri Sol-Ju (first lady), Kim Song-hye (head of the Secretarial Bureau of the Committee for the Peaceful Reunification of the Fatherland), Kim Jung-soon (Socialist Women’s Union of Korea), Ri Hye Jong (Worker’s Party of Korea (WPK) Party History Institute Director), Pak Kum Hee (President of Pyongyang Teacher Training College), Choi Son-hui (Minister of Foreign Affairs), and Hyun Song-wol (vice director of the WPK propaganda and agitation department). [↑](#footnote-ref-74)
74. <https://www.joongang.co.kr/article/25140412>. [↑](#footnote-ref-75)
75. <https://www.bbc.com/korean/47301493>. [↑](#footnote-ref-76)
76. In 1991, the two governments signed the “Agreement on Reconciliation, Non-aggression and Exchanges and Cooperation”. [↑](#footnote-ref-77)
77. Kim Eun-Ju, Role of South Korean women to promote women’s rights in the DPRK (Roles of Women's NGO s in South Korea for Improvement of Human Rights of North Korean Women. 2016 International Symposium on North Korean Human Rights: Protecting and promoting women’s rights in North Korea with a focus on the UN human rights protection mechanisms. [↑](#footnote-ref-78)
78. Office of the High Commissioner for Human Rights, [Laying the human rights foundations for peace |](https://seoul.ohchr.org/en/node/135)[LayingHumanRightsFoundationForPeace\_EN.pdf (ohchr.org)](https://www.ohchr.org/sites/default/files/Documents/Countries/KP/LayingHumanRightsFoundationForPeace_EN.pdf) [↑](#footnote-ref-79)
79. Ellergby, Kara, 2013, “(En)gendered security? The Complexities of Women’s Inclusion in Peace Processes,” *International Interactions* 39: 456-457. [↑](#footnote-ref-80)
80. <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Proceedings-Womens-meaningful-participation-in-peace-processes-en.pdf>. [↑](#footnote-ref-81)
81. Gizelis, Theodora-Ismene, 2009, “Gender Empowerment and United Nations Peacebuilding,” *Journal of Peace Research* 46 (4): 505–23. https://doi.org/10.1177/0022343309334576. [↑](#footnote-ref-82)
82. A/RES/70/1 [↑](#footnote-ref-83)
83. Chinkin, Christine, and Mary Kaldor, “GENDER and NEW WARS.” [↑](#footnote-ref-84)
84. Denisa Kostovicova and Tom Paskhalis, “Gender, Justice and Deliberation: Why Women Don’t Influence Peacemaking,” 264–265. [↑](#footnote-ref-85)