Statement by

Tomás Ojea Quintana
United Nations Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea

76th session of the General Assembly
Third Committee
Item 74 (a-d)

NEW YORK
22 October 2021
Mr. Chair,
Excellencies,
Distinguished Delegates,
Ladies and Gentlemen,

The Democratic People’s Republic of Korea has never been more isolated from the international community than at this point in time. This is having a dramatic impact on the human rights of the people inside of the country, and dampens hopes of achieving sustainable peace and security on the Korean Peninsula. I today urge the Government of the Democratic People’s Republic of Korea, the international community and its individual members to reverse this trajectory by reviving the spirit of multilateral cooperation that enabled the foundation of the United Nations in the first place.

Since the onset of the Covid-19 pandemic, the Government has taken drastic steps to prevent the virus from entering into the country. Any spread of the pandemic within the country would have a devastating impact on the right to health of the people, due to pre-existing vulnerabilities caused by underlying human rights issues.

Even prior to the pandemic, over 40 per cent of people were food insecure, with many suffering from malnutrition and stunted growth. The country’s health infrastructure suffers from underinvestment, with critical shortages of essential medical supplies, and the absence of equipment and adequately trained staff. The lack of access to clean and safe water, sanitation and hygiene services at home, schools and in hospitals also underpins many health and nutrition issues.

The draconian steps the Government of the DPR Korea has taken to prevent Covid-19 from entering reportedly include a policy of shooting individuals who attempt to enter or leave the country. Increased restrictions on freedom of movement and the shutting of national borders has choked market activity that has become essential for people’s access to basic necessities, including food. The food situation is a priority concern. President Kim Jong Un himself acknowledged the dire food situation earlier this year. The most vulnerable members of the population, including children and the elderly and persons in detention, face the risk of starvation. The lifesaving humanitarian work of the United Nations and other international actors has also ground to a halt, with no United Nations international staff currently in the country.

I must reiterate here the words in my report presented today: The people of the DPR Korea should not have to choose between the fear of hunger and the fear of Covid-19.
In addition to the departure of international humanitarian staff, diplomatic staff also continue to leave the country. This pandemic has demonstrated that the only way to tackle a virus that has no respect for national borders is to engage in international cooperation. However, the dark irony is that the absence of international personnel can buttress those within the country seeking permanent isolation. And it is also leading to a creeping apathy within the international community towards the deteriorating humanitarian and human rights situation, as information from within dries up. This cannot continue. International attention is one of the only means of recognition and acknowledgement of the plight of the victims of human rights violations. The Government and the international community should prioritize efforts to ensure the prompt return of United Nations Country Team members to the country, with the necessary freedom for them to undertake their life-saving work.

While the people are facing food shortages and a collapse in their livelihoods, the State continues with its missile launches, and the wider region veers towards an arms race. This captures the paradox of the sanctions regime.

Excellencies,

This is my final report to the General Assembly. I regret that the Government of the DPR Korea continues to oppose my mandate and does not respond to my requests to visit the country. I believe engagement holds the key to progress. Efforts towards engagement requires both sides to listen intently and sincerely to each other’s perspectives, concerns and aspirations. To demonize the other prevents the process of dialogue and cements the status quo.

I am of the view that there is no reason to escalate into a new cycle of military tension on the Korean Peninsula. This is the time to send clear signals, take concrete action and find creative ways to give momentum to the stalled diplomatic process for securing a peaceful resolution to the conflict. Prioritizing pressure has further isolated the Democratic People’s Republic of Korea and had humanitarian and human rights consequences. It is by no means certain that the country will emerge from this isolation as the world emerges from Covid-19. If steps are not taken now, the country’s extreme isolation could crystalize and become the new norm.

I urge the Democratic People’s Republic of Korea to take up the offer by the OHCHR for technical assistance, and to invite the High Commissioner and her staff to visit the country. While stressing their duty to cooperate with the country mandate holder, I recommend that the Government builds upon the experience of the country visit of the Special Rapporteur on the rights of persons with disabilities in 2017 and engage with other relevant thematic mandate holders.
Expanded engagement on the implementation of Universal Periodic Review and Treaty Bodies recommendations is also essential.

Distinguished delegates.

I would like to highlight that adopting a determined approach to engagement does not require the neglect of human rights violations, including the issues I have highlighted in my final report to the General Assembly before you: kwanliso (political prison camps), the worst forms of child labour, oppression of exercise of freedom of religion and access to information. Some of the most serious human rights violations also qualify as crimes against humanity. These crimes are likely ongoing, epitomized by the continued operation of large political prison camps. In this report, I reiterate that the existence of kwanliso (political prison camps) represents the worst excesses of a system of governance that systematically violates the human rights of its people.

I renew my calls for referral of the situation in the Democratic People’s Republic of Korea to the International Criminal Court, or the establishment of an ad hoc tribunal or other comparable mechanism. In the interim, it is imperative to ensure that information continues to be collected and preserved to support accountability strategies at all levels, for now and in the future. I also wish to highlight the crucial role that civil society organizations have been and will be playing in efforts to ensure accountability, improve the human rights situation and move towards a future of sustainable peace.

Ladies and Gentlemen,

To conclude, I maintain my call on the Democratic People’s Republic of Korea, as the primary duty bearer, to take urgent steps to address the human rights situations I have highlighted throughout the course of my six years on this mandate.

I urge all the Member States here to take a moment to think what more the United Nations can do for human rights in the DPR Korea and peace on the Korean Peninsula. The General Assembly must continue to recognize, by consensus, the situation of human rights in the country. Although the Government does not accept or recognize this mandate, that does not change the reality that the human rights situation in the country continues to be serious. Their denial of this mandate does nothing to change the widespread and systematic patterns of human rights violations that are ongoing. As long as this human rights situation exists, the General Assembly must remain seized of the matter.
The United Nations must exhaust every avenue and explore every opportunity to help address the suffering of the people of the DPR Korea. The Government cannot ignore that it is by the consensus of the members states of the global community that the call is made to take decisions and actions to change the course of history of human rights violations that has dominated for far too long.

I have sought to play my role in this General Assembly and others will follow suit until the situation of human rights in the Democratic People’s Republic of Korea is justly addressed.

Thank you for your attention.