

**Seventy-seventh session**

Agenda item 68 (c)

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**Resolution adopted by the General Assembly
on 15 December 2022***[on the report of the Third Committee (A/77/463/Add.3, para. 29)]***77/226. Situation of human rights in the Democratic People's Republic of Korea***The General Assembly,*

Reaffirming that all States have an obligation to respect, protect and fulfil human rights and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

Recalling all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, including Assembly resolution [76/177](#) of 16 December 2021 and Council resolution [49/22](#) of 1 April 2022,¹ and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

Deeply concerned at the grave human rights situation, the pervasive culture of impunity and the lack of accountability for human rights violations and abuses in the Democratic People's Republic of Korea,

Reiterating the importance of following up on the recommendations contained in the report of the commission of inquiry on human rights in the Democratic People's Republic of Korea,² and reiterating also its grave concern at the detailed findings contained therein,

Recalling the responsibility of the Democratic People's Republic of Korea to protect its population from crimes against humanity, and recalling also that the

¹ See *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. V, sect. A.

² [A/HRC/25/63](#).



commission of inquiry urged the leadership of the Democratic People's Republic of Korea to prevent and suppress crimes against humanity and to ensure that perpetrators are prosecuted and brought to justice,

Taking note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea,³ regretting that the previous Special Rapporteur was not allowed to visit the country and that he received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 76/177,⁴

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,⁵ the International Covenant on Economic, Social and Cultural Rights,⁶ the Convention on the Rights of the Child,⁷ the Convention on the Elimination of All Forms of Discrimination against Women⁸ and the Convention on the Rights of Persons with Disabilities,⁹ and urging full implementation of these Conventions and of the recommendations contained in the concluding observations from treaty body reviews and the submission of all overdue periodic reports to the respective treaty bodies,

Encouraging the Democratic People's Republic of Korea to implement the recommendations contained in the report of the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities on her visit to the Democratic People's Republic of Korea in May 2017, submitted to the Council at its thirty-seventh session,¹⁰

Stressing the importance of extending the cooperation of the Government of the Democratic People's Republic of Korea to other United Nations special procedures and human rights mechanisms, in particular to use the opportunity to engage with the new Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, in accordance with their terms of reference,

Recalling the participation of the Democratic People's Republic of Korea in the third universal periodic review process, noting the acceptance by the Government of the Democratic People's Republic of Korea of 132 of the 262 recommendations,¹¹ and encouraging the Government to implement these recommendations in good faith,

Noting with regret that independent civil society organizations cannot operate in the Democratic People's Republic of Korea and that, as a result, no civil society organization based in the Democratic People's Republic of Korea is able to independently monitor, document and report on human rights violations in the country,

Recalling the collaboration established between the Government of the Democratic People's Republic of Korea and the Office of the United Nations High Commissioner for Human Rights in providing human rights education to a small number of government officials in Geneva in May 2019, and urging that such technical cooperation be broadened, including through virtual meetings,

³ [A/77/522](#).

⁴ [A/77/247](#).

⁵ See resolution [2200 A \(XXI\)](#), annex.

⁶ *Ibid.*

⁷ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁸ *Ibid.*, vol. 1249, No. 20378.

⁹ *Ibid.*, vol. 2515, No. 44910.

¹⁰ [A/HRC/37/56/Add.1](#).

¹¹ [A/HRC/42/10](#).

Stressing the importance of extending the cooperation of the Government of the Democratic People's Republic of Korea to the field-based structure of the Office of the United Nations High Commissioner for Human Rights in the region,

Noting the cooperation between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, including communication with the World Health Organization on addressing the coronavirus disease (COVID-19) pandemic and the delivery of COVID-19 vaccines to the Democratic People's Republic of Korea,

Noting also the activities undertaken by the United Nations Development Programme, on a modest scale, in the Democratic People's Republic of Korea prior to the withdrawal of international staff, and encouraging the engagement of the Government of the Democratic People's Republic of Korea with the international community to ensure that the programmes benefit persons in need of assistance and continue to be implemented even within the context of measures to prevent the spread of COVID-19,

Noting further the cooperation between the Government of the Democratic People's Republic of Korea and the World Food Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations on a number of assessments, underscoring the importance of those assessments in analysing changes in the national, household and individual situations with regard to food security, nutrition, health, water and sanitation, thereby supporting confidence in the targeting and monitoring of aid programmes, and noting with appreciation the work of international aid operators,

Stressing the importance of granting immediate access to the country for humanitarian agencies, especially given the prevalence of malnutrition and the need to continue to respond to COVID-19 and the necessity for international humanitarian aid organizations to be able to carry out independent needs assessments and implement their humanitarian programmes consistent with international standards and humanitarian principles, including in areas with no operational presence, as well as the need for full, safe, rapid and unhindered access for humanitarian organizations to provide assistance to persons in the most vulnerable situations, including individuals in detention, and persons with disabilities, including through the entry of international staff and the prioritization of the shipment of life-saving humanitarian assistance, in accordance with guidance and best practice provided by the World Health Organization,

Noting with concern the findings of the United Nations in the humanitarian report entitled "Democratic People's Republic of Korea 2020: needs and priorities" and the joint rapid food security assessments conducted by the Food and Agriculture Organization of the United Nations and the World Food Programme and their calls to address the critical humanitarian needs in the Democratic People's Republic of Korea,

Condemning the Democratic People's Republic of Korea for diverting its resources into pursuing nuclear weapons and ballistic missiles over the welfare of its people, and emphasizing the necessity for the Democratic People's Republic of Korea to respect and ensure the welfare and inherent dignity of the people in the country, as referred to by the Security Council in its resolutions [2321 \(2016\)](#) of 30 November 2016, [2371 \(2017\)](#) of 5 August 2017, [2375 \(2017\)](#) of 11 September 2017 and [2397 \(2017\)](#) of 22 December 2017,

Noting with grave concern the exacerbation of the humanitarian situation and the adverse impact on the human rights situation in the Democratic People's Republic of Korea of measures taken following the global outbreak of the COVID-19

pandemic, and stressing that any restrictions to address the COVID-19 pandemic and the national outbreak announced in May 2022 must be necessary, proportionate, non-discriminatory, time-bound and strictly in line with international law, including international human rights law, and with relevant Security Council resolutions,

Noting with concern the government restrictions that have compelled the international staff of humanitarian agencies to leave the country and suspend assistance projects and the effect that these restrictions may have had on the levels of malnutrition and access to health services, water and sanitation,

Taking note of the ongoing strategic framework for cooperation between the United Nations and the Government of the Democratic People's Republic of Korea and the Government's commitment in accordance with the principles, goals and targets of the Sustainable Development Goals¹² and in line with its commitments to international agreements and conventions,

Stressing again with grave concern the urgency and importance of the issue of international abductions, which involves a serious violation of human rights, and of the immediate return of all abductees, as they and their family members age, expressing grave concern at the long years of severe suffering experienced by abductees and their families, and the lack of any concrete or positive action by the Democratic People's Republic of Korea, notably since the investigations on all the Japanese nationals commenced on the basis of the government-level consultations held between the Democratic People's Republic of Korea and Japan in May 2014 and the identical and non-substantive replies by the Democratic People's Republic of Korea to the numerous communications transmitted by the Working Group on Enforced or Involuntary Disappearances, and strongly demanding again that the Democratic People's Republic of Korea sincerely listen to the voices of the victims and their families to address all allegations of enforced disappearances, clarify the fate and whereabouts of disappeared persons and faithfully provide accurate and detailed information to the families of the victims, and resolve immediately all issues related to all abductees, in particular the realization of the immediate return of all abductees of Japan and the Republic of Korea,

Noting with concern the allegations of continued violations of the human rights of unrepatriated prisoners of war and their descendants,

Stressing the urgency and importance of the issue of separated families, including affected Koreans worldwide, and in this regard urging the resumption of the reunions of separated families across the border, including the implementation of the commitments made on this issue at the inter-Korean summit held on 19 September 2018 to strengthen humanitarian cooperation to fundamentally resolve the issue of separated families and allow permanent regular reunions and contact between separated families, including through meetings at an easily accessible location and regular facility, regular written correspondence, video reunions and the exchange of video messages, in accordance with relevant Security Council resolutions,

Welcoming efforts undertaken by Member States so far, encouraging further efforts to raise international awareness about the human rights situation in the Democratic People's Republic of Korea, and noting that human rights, including gender equality, are intrinsically linked to peace and security,

Encouraging diplomatic efforts, and stressing the importance of dialogue and engagement, including inter-Korean dialogue, to seek improvement of the human rights and the humanitarian situation in the country,

¹² See resolution 70/1.

Welcoming the efforts of the Secretary-General to contribute to improving inter-Korean relations and promoting reconciliation and stability on the Korean Peninsula and the well-being of the Korean people,

1. *Condemns in the strongest terms* the long-standing and ongoing systematic, widespread and gross violations of human rights in and by the Democratic People's Republic of Korea, including those that may amount to crimes against humanity according to the commission of inquiry on human rights in the Democratic People's Republic of Korea, established by the Human Rights Council in its resolution [22/13](#) of 21 March 2013,¹³ and those identified by the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea,¹⁴ established pursuant to Council resolution [31/18](#) of 23 March 2016,¹⁵ and by the Office of the United Nations High Commissioner for Human Rights during its ongoing monitoring and documentation work, and the continuing impunity for such violations;

2. *Expresses its very serious concern* about:

(a) The persistence of continuing reports of violations of human rights, including the detailed findings made by the commission of inquiry in its report, by the Office of the United Nations High Commissioner for Human Rights in its ongoing monitoring and documentation work and by the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, such as:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention; all forms of sexual and gender-based violence, including rape, in particular against women and girls; extrajudicial, summary and arbitrary executions; the imposition of the death penalty for political and religious reasons; public executions; extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; collective punishments extending up to three generations; and the extensive use of forced labour, including of children;

(ii) The existence of an extensive system of political prison camps, where a vast number of persons are deprived of their liberty and subjected to deplorable conditions, including forced labour, and where alarming violations of human rights are perpetrated;

(iii) Enforced and involuntary disappearances of persons by arrest, detention or abduction against their will; refusal to disclose the fate and whereabouts of the persons concerned; and refusal to acknowledge the deprivation of their liberty, which places such persons subjected thereto outside the protection of the law and which has had the effect of inflicting severe suffering on them and their families;

(iv) The forcible transfer of populations and the limitations imposed on persons wishing to move freely within the country and travel abroad, including harming or punishing those who leave or try to leave the country without permission, or their families, as well as punishment of persons who are returned;

(v) The situation of refugees and asylum-seekers expelled or returned to the Democratic People's Republic of Korea, including where the Government of the

¹³ See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. A.

¹⁴ See [A/HRC/34/66/Add.1](#).

¹⁵ See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. IV, sect. A.

Democratic People's Republic of Korea exerts pressure on returning States to effectuate such returns, and retaliations against citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, other cruel, inhuman or degrading treatment or punishment, sexual and gender-based violence or the death penalty, and in this regard strongly urges all States to respect the fundamental principle of non-refoulement, including where the Government of the Democratic People's Republic of Korea exerts pressure on returning States to effectuate such returns, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to protecting the human rights of those who seek refuge, and once again urges States parties to comply with their obligations under the 1951 Convention relating to the Status of Refugees¹⁶ and the 1967 Protocol thereto¹⁷ in relation to refugees from the Democratic People's Republic of Korea who are covered by those instruments;

(vi) All-pervasive and severe restrictions, further tightened by the COVID-19 prevention measures, both online and offline, on the freedoms of thought, conscience, religion or belief, opinion and expression, peaceful assembly and association, the right to privacy and equal access to information, by such means as the unlawful and arbitrary surveillance, persecution, torture and other cruel, inhuman or degrading treatment or punishment, imprisonment and, in some instances, summary executions of individuals exercising their freedom of opinion and expression, religion or belief, and their families, and the right of everyone, including women, to fully, equally and meaningfully take part in the conduct of public affairs, directly or through freely chosen representatives, of their country;

(vii) Violations of economic, social and cultural rights, exacerbated by the negative impact of the COVID-19 pandemic and the continued closure by the Democratic People's Republic of Korea of its borders, which have led to food insecurity, severe hunger, malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for women, children, persons with disabilities, older persons and political prisoners;

(viii) Violations of the human rights and fundamental freedoms of women and girls, including unequal access to employment and discriminatory regulations; as well as, in particular, the creation of internal conditions that force women and girls to leave the country, making them extremely vulnerable to trafficking in persons for the purpose of sexual exploitation, forced labour, domestic servitude or forced marriage, and their subjection to sexual and gender-based discrimination, including in the political and social spheres, as well as in detention, including through forced abortions and other forms of sexual and gender-based violence;

(ix) Violations of the human rights and fundamental freedoms of children, in particular the continued lack of access to basic economic, social and cultural rights for many children, and in this regard notes the particularly vulnerable situation faced by, inter alia, returned or repatriated children, children without housing, children with disabilities, children whose parents are detained, deceased or otherwise absent, children living in detention or in institutions and children in conflict with the law;

¹⁶ United Nations, *Treaty Series*, vol. 189, No. 2545.

¹⁷ *Ibid.*, vol. 606, No. 8791.

(x) Violations of the human rights and fundamental freedoms of persons with disabilities, especially violations involving the use of collective camps and coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and allegations of the possible use of persons with disabilities in medical testing, forced relocation to rural areas and separation of children with disabilities from their parents;

(xi) Violations of workers' rights, including the right to freedom of association and effective recognition of the right to collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights, and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child, as well as the exploitation of workers sent abroad from the Democratic People's Republic of Korea to work under conditions that reportedly amount to forced labour, and emphasizing in this context the importance of the full implementation of the requirement that nationals of the Democratic People's Republic of Korea earning income overseas be repatriated, subject to applicable national and international law, as soon as possible pursuant to paragraph 8 of Security Council resolution 2397 (2017), the provision of final reports as soon as possible pursuant to the same and the prohibition on providing work authorizations pursuant to paragraph 17 of resolution 2375 (2017), and urges the Democratic People's Republic of Korea to promote, respect and protect the human rights of workers, including workers repatriated to the Democratic People's Republic of Korea;

(xii) Discrimination based on the *songbun* system, which classifies people on the basis of State-assigned social class and birth and also includes consideration of political opinions and religion;

(xiii) Violence and discrimination against women, including unequal access to employment and discriminatory laws and regulations;

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to extend an invitation to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to the Special Rapporteur and several other United Nations special procedures, in accordance with their terms of reference, as well as to other United Nations human rights mechanisms;

(c) The continued lack of acknowledgement by the Government of the Democratic People's Republic of Korea of the grave human rights situation in the country and its consequential lack of action to report on the state of implementation of the recommendations contained in the outcome of its first,¹⁸ second¹⁹ and third²⁰ universal periodic reviews and to give consideration to the concluding observations of the treaty bodies;

3. *Condemns* the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons, including those from other countries, on a large scale and as a matter of State policy, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea to engage in constructive dialogues with the parties concerned and to urgently resolve these issues of

¹⁸ A/HRC/13/13.

¹⁹ A/HRC/27/10.

²⁰ A/HRC/42/10.

international grave concern, in good faith and with transparency in a transparent manner, including by ensuring the realization of the immediate return of all abductees;

4. *Underscores its very serious concern* regarding reports of torture and other cruel, inhuman or degrading treatment or punishment, summary executions, arbitrary detention, abductions and other forms of human rights violations and abuses that the Democratic People's Republic of Korea commits against citizens of other countries within and outside of its territory, and urges the Democratic People's Republic of Korea to disclose all relevant information to bereaved families and relevant entities;

5. *Expresses its very deep concern* about the prevalence of chronic and acute malnutrition, in particular among persons in the most vulnerable situations, including pregnant and lactating women, children, persons with disabilities, older persons and prisoners, including political prisoners, which is exacerbated by a lack of access to basic services, including health care, clean water, sanitation and hygiene services, structural weaknesses in agricultural production that result in shortages of diversified food, limitations in the capacity of the Government to respond to natural disasters and government policies that limit access to and availability of adequate food, including through restrictions on the cultivation of and trade in foodstuffs and the closure of the border, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, including by cooperating with international donor and humanitarian agencies and allowing them access to people in vulnerable situations in order to implement humanitarian assistance programmes, monitored in a manner consistent with international standards;

6. *Welcomes* the latest report to the Human Rights Council of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,²¹ including the efforts to uphold a two-track approach of engagement and accountability, given the need for a comprehensive approach;

7. *Reiterates its appreciation* for the report of the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea,²² established pursuant to Human Rights Council resolution 31/18, including options to seek accountability and secure truth and justice for all victims;

8. *Welcomes* the latest report of the United Nations High Commissioner for Human Rights²³ on steps taken pursuant to Human Rights Council resolutions 34/24 of 24 March 2017²⁴ and 40/20 of 22 March 2019,²⁵ and also welcomes Council resolution 49/22, which continue to strengthen the capacity of the Office of the United Nations High Commissioner for Human Rights, including its field-based structure in Seoul, to allow the implementation of relevant recommendations made by the group of independent experts on accountability aimed at strengthening current monitoring and documentation efforts, establishing a central repository for information and evidence and having experts in legal accountability assess all information and testimonies with a view to developing possible strategies to be used in any future accountability process;

9. *Expresses strong support* for the work being undertaken by the Office of the United Nations High Commissioner for Human Rights in furtherance of Human Rights Council resolution 49/22, with the aim of ensuring accountability for suspected

²¹ [A/HRC/46/51](#).

²² [A/HRC/34/66/Add.1](#).

²³ [A/HRC/46/52](#).

²⁴ See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

²⁵ *Ibid.*, *Seventy-fourth Session, Supplement No. 53 (A/74/53)*, chap. IV, sect. A.

violations of international law committed in and by the Democratic People's Republic of Korea, and calls upon all States to support such efforts;

10. *Reiterates its appreciation* for the work of the commission of inquiry and acknowledges the importance of its report and the finding that the body of testimony gathered and the information received provide reasonable grounds to believe that crimes against humanity have been committed in the Democratic People's Republic of Korea, pursuant to policies established at the highest level of the State for decades and by institutions under the effective control of its leadership, which was confirmed by the United Nations High Commissioner for Human Rights in her report to the Human Rights Council submitted pursuant to resolutions [34/24](#) and [40/20](#);

11. *Expresses its concern* at the failure of the authorities of the Democratic People's Republic of Korea to hold accountable those responsible for human rights violations, including violations which the commission of inquiry has said may amount to crimes against humanity, and encourages the international community to cooperate with accountability efforts and to ensure that such crimes do not remain unpunished;

12. *Encourages* the Security Council to continue its consideration of the relevant conclusions and recommendations of the commission of inquiry and take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of further sanctions in order to target effectively those who appear to be most responsible for human rights violations that the commission has said may constitute crimes against humanity;

13. *Also encourages* the Security Council to immediately resume discussion on the situation in the Democratic People's Republic of Korea and invite the Office of the United Nations High Commissioner for Human Rights to give a briefing to the Council, including on the country's human rights situation, in the light of the serious concerns expressed in the present resolution, and looks forward to its continued and more active engagement on this matter;

14. *Encourages* the continuing endeavours of the Office of the United Nations High Commissioner for Human Rights, including through its field-based structure in Seoul, in developing a central repository to consolidate the information and evidence relating to suspected violations of international law, and assessing all such evidence and information in order to develop possible strategies to be used in any future accountability process, and also encourages the cooperation of the Office with a wide range of stakeholders in the procurement of evidence that could be used in future criminal proceedings;

15. *Calls upon* Member States to undertake to ensure that the field-based structure of the Office of the United Nations High Commissioner for Human Rights can function with independence, has sufficient resources and support to fulfil its mandate, enjoys full cooperation with relevant Member States and is not subjected to any reprisals or threats;

16. *Also calls upon* Member States to continue to support the strengthening of the Office of the United Nations High Commissioner for Human Rights, including its field-based structure in Seoul, to allow the implementation of relevant recommendations made by the group of independent experts on accountability in its report and in accordance with Human Rights Council resolutions [34/24](#), [40/20](#), [46/17](#) of 23 March 2021²⁶ and [49/22](#) aimed at strengthening monitoring and documentation efforts, establishing a central information and evidence repository and having experts

²⁶ Ibid., *Seventy-sixth Session, Supplement No. 53 (A/76/53)*, chap. V, sect. A.

in legal accountability assess all information and testimonies with a view to developing possible strategies to be used in any future accountability process;

17. *Further calls upon* Member States to engage with the Office of the United Nations High Commissioner for Human Rights in the development of strategies for future accountability processes and undertake, where possible, the investigation and prosecution of persons suspected of committing international crimes in the Democratic People's Republic of Korea, in accordance with international law;

18. *Strongly urges* the Government of the Democratic People's Republic of Korea to respect, protect and fulfil all human rights and fundamental freedoms and, in this regard:

(a) To immediately put an end to the systematic, widespread and grave violations and abuses of human rights emphasized above, inter alia, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the Council in the context of the universal periodic review and by the commission of inquiry, the United Nations special procedures and treaty bodies;

(b) To immediately close the political prison camps and to release all political prisoners unconditionally and without any delay, and to immediately conduct a comprehensive review of conditions in detention facilities and take steps to ensure that conditions in those facilities are in compliance with relevant obligations and commitments relating to the humane treatment of persons in detention, as outlined in the relevant provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);²⁷

(c) To immediately cease the use of torture and other cruel, inhumane and degrading treatment or punishment, including in places of detention;

(d) To protect its inhabitants, address the issue of impunity and ensure that those responsible for crimes involving violations and abuses of human rights are brought to justice before an independent judiciary;

(e) To tackle the root causes leading to outflows of migrants and refugees and to prosecute, in trials that meet international human rights standards for fair trial, those involved in migrant smuggling, trafficking in human beings and extortion, while not criminalizing the victims of trafficking, and ensure that repatriated women who are victims of trafficking receive appropriate support and are not punished, sent to labour camps or prisons or otherwise deprived of their liberty;

(f) To ensure that everyone within the territory of the Democratic People's Republic of Korea enjoys the right to freedom of movement and is free to leave the country, including for the purpose of seeking asylum outside the Democratic People's Republic of Korea, without interference by the authorities of the Democratic People's Republic of Korea;

(g) To ensure that citizens of the Democratic People's Republic of Korea who are expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are treated humanely and are not subjected to any kind of human rights violations, including enforced disappearances, arbitrary executions, torture and ill-treatment and trials that do not conform with international fair trial guarantees, and to provide information on their status and treatment;

²⁷ Resolution [70/175](#), annex.

(h) To provide citizens of other countries detained in the Democratic People's Republic of Korea with protections, including freedom of communication with, and access to, consular officers in accordance with the Vienna Convention on Consular Relations,²⁸ to which the Democratic People's Republic of Korea is a party, and any other necessary arrangements to confirm their status and to communicate with their families;

(i) To extend its full cooperation to the new Special Rapporteur, including by granting her full, free and unimpeded access to the Democratic People's Republic of Korea, and to other special procedures of the Human Rights Council, as well as to other United Nations human rights mechanisms, so that a full assessment of the human rights situation may be made;

(j) To extend an invitation to the Office of the United Nations High Commissioner for Human Rights to visit the country;

(k) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and his Office, including the field-based structure in the region, as pursued by the previous High Commissioner in recent years, with a view to improving the situation of human rights in the country;

(l) To implement the accepted recommendations stemming from the universal periodic reviews and to submit a midterm voluntary report to detail progress on the implementation of recommendations accepted from the third cycle;

(m) To become a member of the International Labour Organization, to enact legislation and adopt practices to comply with international labour standards and to consider ratifying all the relevant conventions, in particular the core labour conventions of the International Labour Organization;

(n) To continue and reinforce its cooperation with United Nations humanitarian agencies, including by allowing for the return of international and humanitarian staff;

(o) To ensure full, safe and unhindered access to persons in need of humanitarian aid, and take measures to allow humanitarian agencies to survey the needs of persons belonging to vulnerable groups, to obtain critical baseline data and to enable the unhindered and impartial delivery of such humanitarian aid to all parts of the country, on the basis of need in accordance with humanitarian principles, as it pledged to do, to furthermore ensure access to adequate basic services and implement more effective food security and nutrition policies, including through sustainable agriculture, sound food production and distribution measures and the allocation of more funds to the food sector, to allow adequate monitoring of humanitarian assistance and to allow humanitarian organizations to carry out their activities in the context of the COVID-19 pandemic;

(p) To cooperate with the Access to COVID-19 Tools (ACT) Accelerator initiative and its COVID-19 Vaccine Global Access (COVAX) Facility and relevant bodies and to respond constructively to offers of assistance to ensure the timely delivery and equitable distribution of sufficient vaccine doses, recognizing that access to vaccines is an essential dimension of everyone's right to the enjoyment of the highest attainable standard of physical and mental health, including as it relates to a Government taking requisite actions for the entry of international staff and the prioritization of the shipment of life-saving humanitarian assistance, in accordance

²⁸ United Nations, *Treaty Series*, vol. 596, No. 8638.

with relevant Security Council resolutions and in a manner consistent with guidance and best practice provided by the World Health Organization;

(q) To further improve cooperation with the United Nations country team members and development agencies so that they can directly contribute to improving the living conditions of the civilian population, including progress towards the achievement of the Sustainable Development Goals;

(r) To consider ratifying and acceding to the remaining international human rights treaties, which would enable a dialogue with the human rights treaty bodies, to resume reporting to monitoring bodies on treaties to which it is a party, to participate meaningfully in treaty body reviews, and to give consideration to the concluding observations of such bodies in order to improve the human rights situation in the country;

19. *Urges* the Government of the Democratic People's Republic of Korea to implement the recommendations of the commission of inquiry, the group of independent experts and the Office of the United Nations High Commissioner for Human Rights without delay;

20. *Reiterates* the importance of maintaining high on the international agenda the grave human rights situation in the Democratic People's Republic of Korea, including through sustained communications, advocacy and outreach initiatives, and requests the Office of the United Nations High Commissioner for Human Rights to strengthen those activities;

21. *Encourages* all Member States that engage in dialogue with the Democratic People's Republic of Korea to continue to advocate for the establishment of lasting peace and security in the Korean Peninsula and to address the human rights situation;

22. *Encourages* all Member States, the General Assembly, the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights, the United Nations Secretariat, relevant specialized agencies, regional intergovernmental organizations and forums, civil society organizations, foundations and engaged business enterprises and other stakeholders towards which the commission of inquiry has directed recommendations to implement or take forward those recommendations, and to also support efforts aimed at resuming and improving dialogue, including inter-Korean dialogue, on the humanitarian and human rights situation, including international abductions, in the Democratic People's Republic of Korea;

23. *Encourages* the United Nations system as a whole to continue to address the grave human rights situation in the Democratic People's Republic of Korea in a coordinated and unified manner;

24. *Encourages* the relevant United Nations programmes, funds, specialized agencies and other related organizations to assist the Government of the Democratic People's Republic of Korea in the implementation of recommendations stemming from the United Nations human rights mechanisms, including the universal periodic reviews, human rights treaty body reviews and the report of the commission of inquiry;

25. *Calls upon* the Democratic People's Republic of Korea to 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;

26. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its seventy-eighth session, and to this end requests the Secretary-General to submit a comprehensive report on the situation of human rights in the Democratic People's Republic of Korea, and requests the Special Rapporteur to continue to report her findings and recommendations, as well as to report on the follow-up to the implementation of the recommendations of the commission of inquiry.

*54th plenary meeting
15 December 2022*
