

**RESPONSE TO QUESTIONNAIRE OF UN HUMAN RIGHTS SPECIAL PROCEDURES FROM
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(HRNK)**

1. What concrete measures have you (as an individual, an organization or a State) taken to advance accountability for serious human rights violations, including crimes against humanity, in the DPRK?

I am Co-Chair Emeritus of the Committee for Human Rights in North Korea (HRNK), an NGO in consultative status with the United Nations, and am responding to this questionnaire “as an individual.” I’m a specialist in human rights, humanitarian and displaced persons issues, my career having spanned the Brookings Institution, the United Nations, NGOs and the State Department.

Having researched and studied the North Korean human rights situation for a number of years, I testified before the UN Commission of Inquiry on human rights in the DPRK in 2013 with the goal of advancing accountability. My testimony focused on the treatment of women prisoners in political penal labor camps (kwan-li-so), long term prison labor facilities (kyo-hwa-so), and in police interrogation and detention centers on the North Korea-China border (<https://www.hrnk.org/uploads/files/HRNK%20-%20COI%20st%20women.pdf>). I also spoke to various audiences to raise their awareness to the treatment of women prisoners in the DPRK and to the findings of the COI on this question (see, for example, The Korea Society in 2014 -- https://www.youtube.com/watch?v=Z_k-R5haH4Q).

In addition, I published articles and opeds and delivered statements to emphasize the importance of accountability for the people of North Korea, and to point out that peace and security will not be served on the Korean peninsula without attention to justice and respect for human rights. In 2013, I addressed these points as luncheon speaker at the Conference on Transitional Justice of the Asan Institute for Policy Studies, <https://www.youtube.com/watch?v=xVSTa3gUbHA>. In 2015, I moderated an International Bar Association panel of leading experts on accountability and transitional justice, and in 2020 gave a presentation at a Stanford University program on The UN’s Role in Accountability for North Korean Human Rights Violations (https://www.youtube.com/watch?v=oH-icKR_xgQ). In 2022, I testified at the International Bar Association/HRNK Inquiry on Crimes against Humanity in North Korean Detention Centers before three eminent judges: Navanethem “Navi” Pillay (South Africa), Chair; Silvia Fernandez (Argentina); and Wolfgang Schomburg (Germany).

My testimony described the deliberate denial of adequate food to prisoners in short term detention facilities, in particular those held on political and religious grounds. The testimony was based on hundreds of statements by former detainees and also former guards, compiled by NGOs and the Office of the UN High Commissioner for Human Rights. The information covered a 20 year period; the detainees came from many different locations and were held up to a two year period, most if not all receiving a dangerously small fraction of the food required by adults. Those detained suffered physical illnesses, and unknown numbers died. A deliberate and

widespread effort by the State became evident of using food as a weapon to control, punish and even starve people to death on political and religious grounds. The inquiry report and these other events were examples of what civil society could do to disseminate the COI findings on crimes against humanity and accountability.

2. What steps are you (as an individual, an organization or a State) intending to take to further advance the accountability measures for serious human rights violations in the DPRK?

The tenth anniversary of the COI report will provide the opportunity to again highlight the findings of the COI report, evaluate the extent to which the DPRK has implemented the COI's recommendations, bring to world attention the need for accountability, and identify the options available for achieving this.

3. If some of the actions you (as an individual, an organization or a State) have been taking are guided by the recommendations made by the UN Commission of Inquiry (COI) on human rights in the DPRK issued in February 2014, please specify which recommendations and explain how they have influenced your work.

Over the past ten years, the near 400-page COI report has become the world's gold standard reference for the systematic, widespread and grave violations of human rights in the DPRK and an important historical record for the North Korean people: it will certainly feature heavily in any future trials.

In my own work, I have been guided by the COI's findings and recommendations and have widely promoted them in my statements and articles on human rights and humanitarian issues. Of the COI recommendations, I found particularly influential the call for a strategy that combines both accountability and efforts at engagement and have regularly called for access for the Special Rapporteur and High Commissioner for Human Rights to the DPRK as well as dialogue and interaction with the North Korean people. I also found valuable guidance in the COI recommendation to apply the Human Rights Up Front approach to the North Korean situation. This was intended to encourage the entire UN system, including humanitarian and development agencies on the ground, to come together to promote human rights on the ground. For example, I have regularly pointed out that humanitarian organizations should seek to work together with DPRK authorities to gain access to prisoners in need of food and medical care, especially since the DPRK in 2019 at the UN Universal Periodic Review accepted the recommendation to allow international humanitarian organizations access to the most vulnerable groups, "including prisoners." The COI recommendation that the UN apply the responsibility to protect (R2P) doctrine to North Korea strongly influenced my publishing "An R2P Framework for North Korea" in *Global R2P* in 2016 (<http://booksandjournals.brillonline.com/content/journals/10.1163/1875984x-00804006>). It is clear that the COI report has had considerable impact around the world in educating and encouraging States, intergovernmental organizations, civil society and individual experts to take steps to promote accountability.

