



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Democratic People's Republic of Korea and welcome the constructive engagement of your Government during the 33<sup>rd</sup> session of the UPR Working Group in May 2019.

As the final outcome report on the review of the Democratic People's Republic of Korea has been recently adopted by the Human Rights Council at its 42<sup>nd</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Democratic People's Republic of Korea – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 88 delegations and the presentation made and responses provided by the delegation of the Democratic People's Republic of Korea. I have also considered the actions taken by the Government to implement the 113 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the establishment of the Institute of Human Rights with a mandate to raise public awareness about human rights. I appreciate the engagement of your Government with the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, through the submission of periodic reports in 2016 and subsequent reviews in 2017, as well as the submission of the initial report to the Committee on the Rights of Persons with Disabilities in 2018. I also commend the acceptance by your Government of a country visit by the Special Rapporteur on the rights of persons with disabilities, undertaken in 2017. I would like to further encourage your Government to continue this constructive engagement with United Nations human rights mechanisms. I note that your Government has accepted recommendations to consider ratification of additional human rights treaties, and my Office would be interested to support this through further technical cooperation.

I encourage the Democratic People's Republic of Korea to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for the Democratic People's Republic of Korea's fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H.E. Mr. Ri Yong-ho  
Minister of Foreign Affairs  
Democratic People's Republic of Korea



I also encourage the Democratic People's Republic of Korea to pursue further efforts to strengthen the National Committee for the Implementation of the International Human Rights Treaties, for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking this to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:  
[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Democratic People's Republic of Korea to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist the Democratic People's Republic of Korea in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet  
High Commissioner for Human Rights

cc: H.E. Mr. Tae Song Han  
Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office and other international organizations in Geneva  
Switzerland

## **Annex**

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Rights of Persons with Disabilities; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on a communications procedure.
- Acceding to the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.
- Ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- Considering joining the International Labour Organization.
- Submitting outstanding reports under ratified human rights instruments.
- Extending a standing invitation to all Special Procedures mandate holders.

### **National human rights framework**

- Establishing an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).
- Increasing efforts for human rights awareness-raising and training.
- Translating the ratified human rights treaties into Korean and raising awareness about them.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Combating discrimination, including based on social class.
- Ensuring adequate budgetary allocations for the health, education and social sectors and equitable distribution among urban and rural areas.



*Development, the environment, and business and human rights*

- Investigating and holding accountable public officials who accept bribes as the only way to provide people with access to essential public services.

**B. Civil and political rights**

*Right to life, liberty and security of person*

- Taking steps to restrict or abolish the death penalty.
- Adopting effective policy changes to stop the ill-treatment of persons in detention.
- Ensuring that conditions in detention conform to minimum standards for the treatment of persons in detention.
- Dismantling all political prison camps and releasing and rehabilitating all political prisoners.
- Addressing allegations of enforced disappearance and providing information to the families of the victims on the fates and whereabouts of their missing relatives.

*Administration of justice, including impunity, and the rule of law*

- Reforming criminal justice legislation and rule of law institutions, in line with international human rights norms and standards.
- Guaranteeing the functioning of an independent judiciary.
- Ensuring that trials uphold minimum standards for fair trial.

*Fundamental freedoms*

- Allowing the exercise of freedom of expression and access to information.
- Promoting religious tolerance and dialogue and preventing persecution on the grounds of religion or belief.
- Introducing a law on freedom of information.
- Ensuring independence of the media.
- Ensuring that civil society organizations can function independently, without fear of surveillance, arrest or other forms of punishment.
- Allowing the population the ability to travel within and outside the country.

*Prohibition of all forms of slavery*

- Criminalizing trafficking in persons and providing adequate protection and support for women who are victims of trafficking.
- Prohibiting in law the employment of children under 18 years of age in harmful or hazardous work.



*Right to family life*

- Addressing and resolving the issue of separated families.

**C. Economic, social and cultural rights**

*Right to work and to just and favourable conditions of work*

- Ending gender segregation at work.
- Criminalizing sexual harassment in the workplace.

*Right to social security*

- Reforming the public distribution system with a view to ensuring the right to social security for all.
- Extending the effective coverage of social protection benefits and services to all persons with disabilities.

*Right to an adequate standard of living*

- Combating food insecurity and malnutrition.
- Granting immediate, free and unimpeded access to international humanitarian organizations.

*Right to health*

- Improving public health services and achieving universal health care.
- Including sexual and reproductive health as part of the mandatory school curriculum.

*Right to education*

- Improving the quality of the education system and education conditions, in particular in rural schools.
- Ending discrimination against children based on their social status or their parents' political views in terms of access to schools, type of education and treatment by educational staff.
- Banning schools from requesting contributions in the form of fees, food and materials.
- Ensuring inclusive education for children with disabilities.
- Developing a national plan of action for human rights education.
- Incorporating human rights and children's rights into the school curriculum at all levels.



## **D. Rights of specific persons or groups**

### *Women*

- Ensuring that all forms of gender-based violence against women in all spheres are criminalized.
- Protecting women in detention from violence, in particular sexual violence.
- Amending laws that are discriminatory towards women, including regarding access to education and employment, social and labour rights.
- Eliminating discriminatory stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and in society.

### *Children*

- Prohibiting corporal punishment in all settings.
- Raising the minimum age of marriage to 18 years.
- Addressing the root causes of infant and child mortality.
- Ensuring that children are not required to perform labour tasks that interfere with their learning, their rights to rest and leisure and their physical and mental well-being.
- Establishing a specialized juvenile justice system and procedures.

### *Persons with disabilities*

- Increasing awareness-raising campaigns to eliminate stigma about persons with disabilities.
- Adopting a human rights-based approach to disability and setting up a comprehensive strategy for the inclusion of children with disabilities.
- Providing support to parents and families of children with disabilities to enable them to adequately care for these children.
- Providing persons with disabilities with equal access to health care and education.