



# UNITED NATIONS

## Press Release

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XXXXXXXXXX **Visit of the UN Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea (DPRK) , Professor Vitit Muntarbhorn, to the Republic of Korea (ROK): 10-16 January 2010.** XXXXXXXXXXXX

Professor Vitit Muntarbhorn, the UN Special Rapporteur on the Situation of Human Rights in the DPRK, carried out an official visit to the ROK in January 2010 to assess the impact of the human rights situation in the DPRK , pursuant to the UN mandate. He was accompanied by an official of the office of the UN High Commissioner for Human Rights. He met a broad range of government representatives, non-governmental organizations , UN agencies, and other concerned entities, and had full and free access to all that he sought to meet. This was his final official visit, given the six years' maximum term as a mandate-holder which he is on the verge of completing.

He wishes to thank warmly the ROK Government, and all institutions and persons that he met during his trip for their kind assistance. In particular, he is very grateful to the office of the UN High Commissioner for Refugees for coordinating the visit , and to the group of asylum-seekers from the DPRK that he interviewed.

This visit took place with the backdrop of recent developments in the DPRK as follows:

The suspension of the Six –Party Talks on the denuclearization of the DPRK and its impact on the space for humanitarian traction;

The inclusion of the term "human rights" in the DPRK Constitution, while the substantive challenge is to ensure that such stipulation is consonant with international standards, especially to guarantee the rights of individuals and groups rather than the protection of the State and the power-that-be;

The "military first" policy in the DPRK which contributes to the misallocation of national resources and an inequitable development process;

The continuing food shortage in the DPRK, coupled with other shortages such as electricity, medicines and fertilizers, and compounded by distorted food distribution channels benefiting the elite, to the detriment of the general population;

The suppression of the market system in the DPRK, such as closure of markets and clamp-down on trade and economic initiatives by the

population, in the face of the non-functioning rations offered by the State under the Public Distribution System;

The 150 day battle, followed by the 100 day battle, as national mobilization campaigns imposed by the DPRK, compelling many members of the population to undertake work against their will as part of the top-down push to develop the country;

The revaluation of the DPRK currency as part of the drive to suppress the market system and to control the circulation of money;

Pervasive threats to personal security posed by the State machinery against dissidents and their families;

Stricter punishment of persons trying to leave the country without official permission and of those who are sent back to the country in similar circumstances;

Appearance of the DPRK before the UN Universal Periodic Review (UPR) system and the wait for its response to the recommendations from the UPR.

In this light, the visit of the Special Rapporteur provided a key opportunity to assess the most recent information available from a variety of sources, so as to be able to give the most recent update to the world community.

On a related front, the current policy of the ROK Government towards the DPRK is based upon "mutual benefit and common prosperity"; this underscores the need for "reciprocity" between the two countries, oriented towards mutual engagement achieving concrete results. The policy encompasses these components:

The two Koreas should pursue a more substantive relationship targeted to peace and unification; abandonment of the DPRK's nuclear programme; flexible policies supported by national consensus; social and cultural exchanges; and responses to humanitarian issues;

The resolution of humanitarian issues is anchored on various human rights challenges, including resolution of the plight of families separated by the Korean War from the 1950s; resolution of the question of Prisoners of War(POWs)from that era and subsequent abductions of ROK nationals; emphasis on human rights in the DPRK as a matter of universal value; provision of aid to the DPRK on the basis of humanitarianism; and assistance for asylum-seekers from the DPRK.

Implementation of this policy has been effected on many fronts, while other challenges remain. In spite of the offer of 50,000 tons of corn by the ROK in May 2008 ( to which the DPRK did not respond), no food aid from the ROK has been provided to the DPRK since 2008. Multilateral aid from the ROK has been channeled through UN agencies , particularly the World Health Organization and the UN Children's Fund, on medicines and child-related necessities. Family reunion between the two countries resumed in the middle of 2009 after a two year hiatus. The ROK authorities also supports

UN resolutions concerning the DPRK, while the country has responded constructively to settle people from the DPRK in search of shelter and protection. There is a variety of opinions concerning the extent to which non-governmental organizations should be able to deliver aid directly to the DPRK and how much regulation of this process is required.

The Special Rapporteur notes the generous help offered by the ROK authorities to persons seeking shelter from the DPRK. To date, some 18,000 have been settled in the country in recent years, and the assistance given has expanded to include resident registration and housing support; financial subsidy; educational, employment, medical and minimum living support. On this matter, he paid a visit again to the Hanawon Centre, a centre to assist newcomers adapt to ROK society. The centre offers three month programmes to help persons fleeing from the DPRK adjust to the new environment, with a range of excellent facilities. In recent years, there has been expansion of programmes to open up job opportunities, to offer more psychological support, and to build networks with local communities to help those who leave Hanawon upon completion of the programmes. The Hanawon Centre was expanded most recently, with the addition of a school – Hanadul.

Not far from Hanawon, there is the Hangyeore Middle and High School, an exemplary open facility for adolescents from the DPRK, with education adapted to their special needs. Given that the young people come from a politically claustrophobic background, the school emphasises learning in a liberal, child-responsive manner, with extensive child participation in regulating their own lives and interlinking closely with volunteers from the community around and beyond the school. The adolescents are also encouraged to undertake activities as volunteers to help others in less fortunate positions. The philosophy of the school – to nurture adolescents with a caring spirit, helps to regenerate self-confidence and self-esteem, and merits attention. The Special Rapporteur also visited another school in Seoul – a child-sensitive educational facility.

He was very pleased to have access to interview directly persons who had sought asylum from the DPRK. Recent arrivals varied from those who had spent "several years on the road" prior to accessing the ROK, to those who had left the country of origin and accessed a transit country "within a week", with possible resettlement in the ROK in a couple of months. Many were women who had been treated brutally in the country of origin and in transit, having undergone such violence as punishments for trying to leave the country of origin without permission, human trafficking and smuggling, forced marriage, prosecution as illegal immigrants, and detention in immigration jail pending exit to the ROK.

The testimonies from the interviews confirmed the Special Rapporteur's belief that the root causes of outflows in the country of origin should be addressed more effectively, in addition to the need to ensure humane treatment of asylum-seekers by all countries on the basis of international standards. This includes the principle that asylum-seekers should not be pushed back to dangers ("non-refoulement"). Family reunion should be maximized even where family members are dispersed between different

countries, and this invites creative inputs, such as bilateral channels facilitating contacts and reunion.

**In sum, the Special Rapporteur underlines the following orientations on the basis of lessons learned from this visit:**

**Resumption of the Six-Party Talks would be welcome, moving from the current state of dormancy to substantive discourse and convergent action, contributing to the space for human rights in the DPRK ;**

**Humanitarian policies on the part of the ROK towards the DPRK should be continued and strengthened - in particular the offer of humanitarian aid through appropriate channels, subject to adequate monitoring in keeping with the international principle of "no access (to the victims), no aid";**

**With the support of the international community, more efforts should be made to resolve satisfactorily the consequences of the Korean War, including the issue of POWs, separated families , and the issue of abducted persons; family reunions should become a sustained process moving beyond short-term meetings to life-long re-unification;**

**More open environments, linked with local communities, to help settle persons seeking asylum from the DPRK should be explored, attuned to social integration and inclusiveness; these can be complemented by programmes to bridge-build between different communities and by positive role models to improve the public's understanding of the new arrivals.**

**Implementation of human rights in the DPRK should be highlighted from the angle of prevention of abuses, protection of people's rights and provision of remedies, interlinked with graduated measures from the UN system to ensure responsibility on the part of the authorities and to propel constructive changes.**