United Nations A/81/370

General Assembly

Distr.: General
14 September 2026

Original: English

Eighty-first session
Agenda item 70 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Democratic People's Republic of Korea

Note by the Secretary-General*

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Elizabeth Salmón, in accordance with Assembly resolution 80/220.

* The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.

Please recycle

Report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Elizabeth Salmón

Summary

The present report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Elizabeth Salmón, is submitted pursuant to General Assembly resolution 80/220. In the report, the Special Rapporteur provides an update on the political and human rights situation and raises human rights concerns about the violations of the right to life, in particular the arbitrary deprivation of life by the imposition of the death penalty and failure to protect life in State-controlled settings in the Democratic People's Republic of Korea.

Contents

		Page
I.	Introduction	4
II.	Current political and human rights situation	4
III.	The right to life	7
	A. Prohibition of arbitrary deprivation of life	8
	B. Imposition of the death penalty	9
	1. International legal framework	9
	2. Imposition of the death penalty in the Democratic People's Republic of Korea	9
	3. New laws or amendments containing crimes punishable by the death penalty	10
	4. Executions under newly adopted laws	12
	C. Death penalty as arbitrary deprivation of life	12
	1. The "most serious crimes" threshold	12
	2. Fair trial and due process guarantees	13
	3. Transparency in the imposition and application of the death penalty	14
	4. Gender dimensions of the death penalty	15
	5. Inherent incompatibility with human rights	16
	D. Protection of the right to life in State-controlled settings	17
	1. International legal framework	17
	2. Deaths in detention	17
	3. Deployment of soldiers	18
IV.	Conclusion	19
V.	Recommendations	20

I. Introduction

1. Despite ongoing limitations on independent monitoring, including the lack of access to the country, the Special Rapporteur continued to receive information indicating persistent concerns relating to arbitrary deprivation of life in the Democratic People's Republic of Korea. These concerns include the imposition and application of the death penalty, deaths occurring in detention and other State-controlled settings, and other State practices that may expose individuals to a serious risk of death.

2. Against the global trend towards abolition, the State retains the use of the death penalty and in recent years has expanded the range and scope of crimes punishable by the death penalty. The United Nations High Commissioner for Human Rights reported in 2025, based on accounts from escapees, that "from 2020, executions increased for the distribution of unauthorized media, drug-related crimes, economic crimes, prostitution, pornography, trafficking in persons and murder" in the Democratic People's Republic of Korea.[1] However, the overall application of the death penalty in the State has not been comprehensively analysed by the international community due to the limited available information. Recent legislative developments expanding the range and scope of offences punishable by death further underscore the need to examine the compatibility of these measures with the State's international human rights obligations.

3. From 30 June to 2 July 2026, the ninth World Congress against the Death Penalty took place in Paris, where over 1,000 politicians, activists and experts participated and advocated for advancing the universal abolition of capital punishment. During the Congress, the Special Rapporteur discussed with escapees and experts the expansive use of the death penalty in the Democratic People's Republic of Korea. The Special Rapporteur also sought and received information from victims, escapees, civil society organizations, academic institutions, the United Nations and other relevant stakeholders. She appreciates all valuable contributions received.

II. Current political and human rights situation

4. In the Democratic People's Republic of Korea, the Ninth Congress of the Workers' Party of Korea was held from 19 to 25 February 2026, with approximately 5,000 delegates in attendance, including 413 women. The General Secretary of the Workers' Party of Korea, Kim Jong Un, who was reappointed by the Congress, stated that the State's position as a nuclear-weapon State is "irreversible and permanent".[2] In April 2026, the Director General of the International Atomic Energy Agency stated that its assessments indicate a "very serious increase" in the capability of producing nuclear weapons of the Democratic People's Republic of Korea.[3] Throughout the reporting period, the Democratic People's Republic of Korea continued to conduct ballistic missile launches and developed different types of weapon systems. These included launches of short-range ballistic missiles, multiple-launch rocket systems and long-range strategic cruise missiles. The Republic of Korea continued joint military exercises with the United States of America; however, it maintained certain

[1] A/HRC/60/58, para. 24.

[2] See https://kcnawatch.de/newstream/1772102005-918205235/let-us-make-great-victory-and-glory-gained-through-indomitable-pioneering-struggle-lead-onto-steady-prosperity-and-leaps-forward-in-new-struggle-report-on-ninth-congress-of-workers%E2%80%99-party-of-k/.

[3] See Agence France-Presse, "North Korea boosting ability to manufacture nuclear arms, IAEA chief warns", Al Jazeera, 15 April 2026.

measures aimed at reducing tensions, including the suspension of loudspeaker broadcasts in border areas since June 2025. The Democratic People's Republic of Korea has also suspended cross-border loudspeaker broadcasts.

5. During the Ninth Congress, the leadership emphasized the need for strict ideological conformity, reinforcing discipline and strengthened prosecutorial, security and law enforcement bodies in the application of the law for the purposes of State security, public order and political stability. Such consolidation of ideological and law enforcement mechanisms may suggest a further tightening of civic space and personal freedom. With regard to economic policy, the Congress outlined priorities including regional development, continuing large-scale housing construction projects and investing in the light industry sector. Additional priorities included strengthening school and health infrastructure, addressing disparities in educational attainment between urban and rural areas, expanding hospital infrastructure in provinces and district hospitals in cities, and agricultural reforms. According to the State media, the Government rapidly completed the construction of a number of hospitals in late 2025, including Pyongyang General Hospital, Kangdong County Hospital, Kusong City Hospital and Ryonggang County Hospital.

6. Notwithstanding the State's stated commitment to improving the living standards of its people, reports indicate that the population continues to experience severe restrictions on the enjoyment of human rights. Freedom of movement, both within and outside the country, remains highly restricted, and leaving the country without permission is nearly impossible. In 2025, a total of 223 escapees (198 women and 25 men) arrived in the Republic of Korea, the vast majority of whom had left the Democratic People's Republic of Korea before the coronavirus disease (COVID-19) pandemic-related border shutdown in early 2020. In the first half of 2026 also, the number of escapee arrivals in the Republic of Korea remained significantly lower than pre-COVID-19 pandemic levels, when annual arrivals exceeded 1,000 persons.[4]

7. Surveillance and control over the population reportedly continued to intensify, including through the increased use of technologies such as newer closed-circuit television systems and mandatory electronic payment mechanisms, alongside traditional forms of surveillance through the *inminban* (neighbourhood watch) system. Reportedly, the price of daily essentials has significantly increased since 2024 and inflation has further accelerated.[5] As of March 2026, the price of rice had increased by 176 per cent and that of corn by 36 per cent compared with March 2025.[6] While the Food and Agriculture Organization of the United Nations reported a favourable start to the 2025/26 winter harvest season,[7] in late April 2026, national media reported an unusually severe drought, raising concerns for food production. Food insecurity disproportionately affected vulnerable populations during the spring "lean season" between harvests.[8] Reports indicate that some individuals in urban areas have adopted survival strategies such as relocating to mountainous areas and engaging in shifting cultivation. These measures have reportedly been driven by

[4] See Republic of Korea, Ministry of Unification, "Policy on North Korean Defectors", Data & Statistics. Available at https://unikorea.go.kr/web/eng_unikorea/contents/statistics_defectors.

[5] See www.kdi.re.kr/file/download?atch_no=HsTcDWhXdH5YKgjaJ7%2F2AQ%3D%3D (Korean).

[6] Rimjin Gang, "＜Inside N. Korea＞ Prices surging! Gasoline up more than 40% week-on-week: accelerating inflation deepens hardship", 18 March 2026.

[7] See Food and Agriculture Organization of the United Nations (FAO), Global Information and Early Warning System, "Country briefs: Democratic People's Republic of Korea", 4 September 2026.

[8] Ibid.; and Rimjin Gang, "＜Inside N. Korea＞ Mother and daughter die after eating wild greens: people collapsing in the streets – inflation deepens the 'spring lean season', widening hunger among the vulnerable", 12 May 2026.

inflation, currency devaluation and reduced access to cash resulting from restrictions on small-scale private commercial activities.

8. In May 2026, families of individuals from the Republic of Korea detained in the Democratic People's Republic of Korea established an association, with which the Special Rapporteur met. The Special Rapporteur commends their continued determination and efforts to seek the return of their loved ones. The Working Group on Enforced or Involuntary Disappearances has 477 outstanding cases transmitted to the Democratic People's Republic of Korea. No progress has been reported regarding family reunifications or establishing communication between separated families.

9. In her most recent report to the Human Rights Council,[9] the Special Rapporteur proposed practical measures to facilitate the implementation of recommendations supported by the Democratic People's Republic of Korea during the fourth cycle of the universal periodic review in 2024, as well as approaches to monitor and report on progress. The report primarily focused on recommendations relating to the right to life, freedom of movement, the right to food, the right to work and the rights of persons with disabilities. As a follow-up, the Special Rapporteur transmitted letters to Member States, encouraging their engagement with the State in monitoring implementation of the supported recommendations.

10. From 2 to 6 February 2026, the Special Rapporteur conducted an official visit to the Republic of Korea. During the visit, she discussed the Government's policy for peaceful coexistence on the Korean Peninsula and encouraged the integration of human rights considerations into all future engagement with the Democratic People's Republic of Korea. The Special Rapporteur reiterated her view that human rights should be regarded not as an obstacle to but as an opportunity for dialogue and engagement. The Special Rapporteur met with civil society organizations and victims' groups, who continue to play a crucial role in advancing human rights, particularly in the absence of independent civil society within the country. She further emphasized the interlinkages between human rights, peace and security, and development, and called upon the international community and the Government of the Republic of Korea to strengthen support to civil society organizations, many of which are facing significant funding constraints. The Special Rapporteur also met with escapees from diverse backgrounds, who expressed their expectations and challenges regarding their integration into the Republic of Korea. She welcomes the Government's efforts to strengthen support for their social integration. Given the fact that many escapees have experienced serious human rights violations and trauma, the provision of comprehensive psychosocial support remains essential. The Special Rapporteur further encourages the Government of the Republic of Korea to ensure the meaningful participation of escapees in discussions related to peacebuilding and reintegration and in the development of policies affecting their identity and welfare.

11. The issue of forcible repatriation of escapees remains of serious concern, and the Special Rapporteur reiterates that Member States should refrain from repatriating citizens of the Democratic People's Republic of Korea due to risk of serious human rights violations upon return. On 25 March 2026, the Special Rapporteur transmitted an urgent appeal to China[10] regarding the risk of forcible repatriation of an individual from the Democratic People's Republic of Korea, which could expose her to serious human rights violations upon repatriation.

12. While the country has gradually reopened, including the return of foreign diplomatic personnel from several embassies to Pyongyang, international staff of the

[9] A/HRC/61/55.

[10] See communication CHN 4/2026. All communications mentioned in the present report are available at https://spcommreports.ohchr.org/Tmsearch/TMDocuments.

United Nations country team have not yet been permitted to return to resume their duties on a permanent basis. Despite the lack of access, United Nations entities continue to provide support and engage in cooperation with the Government. For example, in 2025, the United Nations Children's Fund arranged chartered flights to deliver 3.3 million doses of vaccines,[11] enabling the Ministry of Public Health to conduct national multi-antigen catch-up campaigns that resorted vaccination coverage for 2022–2025 birth cohorts to pre-COVID-19 pandemic levels. In August 2025, the Office of the United Nations High Commissioner for Human Rights, with the support of the Department of Political and Peacebuilding Affairs of the Secretariat, organized an information session for the government delegation participating in the review by the Committee on the Rights of Persons with Disabilities. Government officials have also participated in several capacity-building activities abroad, including training on agricultural statistics and data collection in May 2026 co-organized by the Food and Agriculture Organization of the United Nations and the Asian Institute of Technology.[12]

13. The Government of the Republic of Korea and the Government of Ukraine have held consultations regarding the transfer to the Republic of Korea of two prisoners of war from the Democratic People's Republic of Korea captured in January 2025 who have since been detained in Ukraine. On 8 July 2026, the President of the Republic of Korea, Lee Jae Myung, and the President of Ukraine, Volodymyr Zelenskyy, agreed to resolve the fate of prisoners of war from the Democratic People's Republic of Korea "in accordance with international law and humanitarian principles" and their personal wishes.[13] The identities and images of these individuals have been widely disseminated in the media, raising concerns regarding the protection of prisoners of war from public exposure, as required under international humanitarian law. The Special Rapporteur reiterates international legal standards regarding the safety and privacy of the individuals concerned, as well as potential risks of reprisals against their families in the Democratic People's Republic of Korea.

III. The right to life

14. Under international human rights law, the right to life is the supreme right from which no derogation is permitted, even in situations of armed conflict or public emergency.[14] Article 6 (1) of the International Covenant on Civil and Political Rights provides that every human being has the inherent right to life and that no one shall be arbitrarily deprived of life. Comparable protections are enshrined in other international human rights instruments, including the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. The Democratic

[11] United Nations Children's Fund (UNICEF), "UNICEF DP Republic of Korea annual report 2025", February 2026, p. 6.

[12] Danielle Duan, "AIT and FAO conclude capacity-building programme on statistical systems for officials of the Central Bureau of Statistics, DPR Korea", Asian Institute of Technology, 13 May 2026.

[13] Park Boram, "(2nd LD) Lee, Zelenskyy agree to handle N. Korean POWs in Ukraine on humanitarian grounds", Yonhap News Agency, 8 July 2026.

[14] Human Rights Committee, general comment No. 36 (2018), para. 2. Article 6 (2)–(6) of the International Covenant on Civil and Political Rights strictly regulates the application of the death penalty as a narrowly permitted exception to the non-derogable right to life.

People's Republic of Korea is a Party to these instruments[15] and is therefore under an obligation to respect, protect and ensure the right to life.

15. The right to life further entails positive obligations to address conditions that could threaten the right to life or prevent the enjoyment of life.[16] Civil society submissions received by the Special Rapporteur[17] highlighted persistent concerns regarding food insecurity, restrictions on access to livelihoods, deficiencies in the health system, including shortages of medicine and the lack of "HIV prevention and treatment services", and the absence of comprehensive harm reduction measures,[18] including for gender-based vulnerabilities, all of which may place individuals at risk of violations of the right to life. As discussed in the previous report of the Special Rapporteur to the Human Rights Council,[19] maternal and child mortality rates in the Democratic People's Republic of Korea, for instance, remain a serious concern.

A. Prohibition of arbitrary deprivation of life

16. A deprivation of life by State authorities is considered arbitrary when it is inconsistent with domestic or international law, including where it fails to meet the requirements of legality, legitimacy, necessity and proportionality.[20] Compliance with domestic law alone is insufficient to render a deprivation of life lawful under international law. Arbitrary deprivation of life may occur in a variety of forms, commonly through killings carried out by State agents or by private actors acting with the acquiescence of the State, excessive or unlawful use of force by law enforcement officials, death in places of detention due to neglect, excessive force or inhumane and inadequate detention conditions, and application of the death penalty in violation of international standards.

17. In the Democratic People's Republic of Korea, all such forms of arbitrary deprivation of life have been reported over the past few years. For example, killings carried out by State agents, particularly in the context of political purges, have been regularly reported. During the COVID-19 pandemic, authorities reportedly implemented a "shoot-on-sight" order establishing a one-to-two-kilometre buffer zone along its international border, authorizing lethal force against individuals crossing the border without permission. Such measures fail to meet the requirements governing the use of lethal force, which permits the use of lethal force only when strictly necessary to prevent imminent threats to life or prevent serious injury. This policy resulted in incidents such as the killing of an official of the Ministry of Oceans and Fisheries of the Republic of Korea in September 2020.[21] These practices are reportedly authorized by decrees or orders issued by the leadership, bypassing judicial and other administrative safeguards. The present report will further examine other

[15] The Democratic People's Republic of Korea ratified the International Covenant on Civil and Political Rights on 14 September 1981, the Convention on the Rights of the Child on 21 September 1990 and the Convention on the Rights of Persons with Disabilities on 6 December 2016.

[16] Human Rights Committee, general comment No. 36 (2018), para. 26.

[17] The submissions are available at www.ohchr.org/en/calls-for-input/2026/call-input-sr-dprks-2026-ga-report-right-life.

[18] Submission from Harm Reduction International.

[19] A/HRC/61/55.

[20] Human Rights Committee, general comment No. 36 (2018), para. 12.

[21] On 17 November 2020, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and the Special Rapporteur on extrajudicial, summary or arbitrary executions sent a joint allegation letter to the Democratic People's Republic of Korea (see communication PRK 3/2020).

forms of arbitrary deprivation of life, particularly the expansive implementation of the death penalty and deaths in places of detention.

B. Imposition of the death penalty

1. International legal framework

18. Article 6 (2), (4) and (6) of the International Covenant on Civil and Political Rights strictly regulates the application of the death penalty as a narrowly permitted exception to the non-derogable right to life. In States that retain the death penalty, including the Democratic People's Republic of Korea, it may only be imposed for the "most serious crimes" and under stringent conditions.[22] It is absolutely prohibited to impose the death penalty on persons who were under 18 years of age at the time of committing the offence[23] or on pregnant women.[24] In addition, States should refrain from imposing the death penalty on "individuals who face special barriers in defending themselves", including persons with serious psychosocial or intellectual disabilities. States should also refrain from executing "persons who have a diminished ability to understand the reasons for their sentence" and "persons whose execution would lead to exceptionally harsh results for them and their families" such as persons of advanced age, parents of very young or dependent children, and individuals who have suffered serious human rights violations in the past.[25]

19. The United Nations takes a position that it "opposes the use of the death penalty everywhere and in all circumstances"[26] as it is incompatible with human dignity and the right to life. Some 170 States have abolished or suspended the death penalty in law or practice.[27] Since 2007, the General Assembly has regularly adopted resolutions on the use of the death penalty and called upon all States to establish a moratorium on executions, "with a view to abolishing the death penalty".[28] The most recent resolution, in 2024, was adopted with the highest level of support, with 130 in favour, 32 against and 22 abstentions. This indicates a global growing consensus on the abolition of the death penalty, as the death penalty is considered incompatible with international human rights law. However, the Democratic People's Republic of Korea has voted against the General Assembly resolutions since 2007.

2. Imposition of the death penalty in the Democratic People's Republic of Korea

20. During the fourth cycle of the universal periodic review, the Democratic People's Republic of Korea stated in its national report that the death penalty is applied only to those who have gravely violated a person's right to life with extremely malicious intent[29] but it does not impose the death penalty on persons who were under 18 years of age at the time of committing the offence or on pregnant women. The State, however, does not publish official data on the imposition of the death penalty, such as the number of individuals sentenced to death, the number of executions and their breakdown by gender or age. International or regional civil society organizations documenting and advocating against the death penalty also do not report on the Democratic People's Republic of Korea as they cannot access reliable information.

[22] Human Rights Committee, general comment No. 36 (2018), para. 10.
[23] International Covenant on Civil and Political Rights, art. 6 (5); and Convention on the Rights of the Child, art. 37 (a).
[24] International Covenant on Civil and Political Rights, art. 6 (5).
[25] Human Rights Committee, general comment No. 36 (2018), para. 49.
[26] A/HRC/42/25, para. 4.
[27] Ibid.
[28] General Assembly resolution 79/179, para. 2.
[29] A/HRC/WG.6/47/PRK/1, para. 18.

Yet, accounts of escapees on the imposition of the death penalty have been consistently recorded by the United Nations and civil society organizations. The present report raises fundamental issues concerning the imposition of the death penalty in the Democratic People's Republic of Korea from an international human rights law perspective, based on information received by the Special Rapporteur as well as positions provided by the State itself.

21. During the universal periodic review, the delegation further explained that under its Criminal Law, the death penalty is imposed for "crimes against the State" and "extremely serious crimes that is unpardonable in their socialist system".[30] However, the imposition of the death penalty for "crimes against the State" that do not involve intentional killing has been consistently reported. United Nations human rights mechanisms have repeatedly expressed concern regarding the vague and overly broad definition of such offences and have called for a comprehensive review of the scope of conduct classified as "crimes against the State". Nevertheless, offences classified as "crimes against the State" continue to be included among the principal crimes punishable by the most severe penalties, including the death penalty.

22. In addition, recent legislative developments further raise concern that the death penalty has been used not only as a criminal sanction but also as a means of social, political and ideological control. Amendments to the Criminal Law and the adoption of additional legislation have expanded the range of offences punishable by death. These laws appear to have been enacted in response to evolving political priorities, including the COVID-19 pandemic, the spread of narcotic drugs and cultural influences from foreign States, particularly music and video content from the Republic of Korea among young people.

3. New laws or amendments containing crimes punishable by the death penalty

(a) The Criminal Law

23. The Criminal Law of the Democratic People's Republic of Korea has been amended multiple times since 2015, with significant expansion of provisions relating to the death penalty. The number of offences punishable by death under the Criminal Law has increased from 8 to 16.

24. The Criminal Law, which has been amended several times up to December 2023, has provisions of the death penalty for 11 offences: (a) plotting to overthrow the State (article 61); (b) acts of terrorism (article 62); (c) treason against the State (article 63); (d) insulting the dignity of the Republic (article 64); (e) sabotage (article 65); (f) acts of hostility to a foreigner (article 69); (g) treason against the nation (article 70); (h) illegal harvesting of opium poppy (article 234); (i) illegal manufacturing of narcotics (article 235); (j) smuggling or selling narcotic drugs (article 237); and (k) deliberate aggravated murder (article 305).

25. On 24 December 2023, the Criminal Law was further amended to include five additional capital offences: (a) anti-State propaganda or agitation (article 66); (b) illegal manufacturing of weapons or ammunition (article 80); (c) illegal use of weapons or ammunition (article 81); (d) illegal manufacturing or storage of explosives (article 117); and (e) illegal use or transfer of explosives (article 118).

[30] UN Web TV, "Democratic People's Republic of Korea review: 47th session of universal periodic review", 7 November 2024.

(b) Stand-alone laws

26. In recent years, in addition to the Criminal Law, the Democratic People's Republic of Korea has enacted or amended seven laws to allow the death penalty for certain crimes.

(i) Prevention of Drug Crimes Act (enacted in 2021)

27. The Act provides that illegal harvesting, manufacturing and smuggling or trading of narcotics, as well as the illegal disposal of seized property related to narcotics crimes, may be punished by the death penalty.

(ii) Law on Emergency Anti-Epidemic Work (amended in 2021 and in 2022)

28. The Law provides that grave cases of negligence in implementing orders related to emergency anti-epidemic work, of negligence in duties related to the closure of borders and of disruption of emergency anti-epidemic work are punishable by the death penalty.

(iii) Law on Rejecting Reactionary Thought and Culture (enacted in 2020 and amended in 2022)

29. The Law prescribes that the introduction or distribution of materials from hostile countries to a large number of people and the production or distribution of pornographic content or advocating superstition to a large number of people may be punished by the death penalty.

(iv) Law on Disaster Prevention, Rescue and Recovery (amended in 2022)

30. The Law provides that extremely serious cases of acts of disobeying orders, decrees, decisions or instructions on disaster prevention, or extremely serious cases of acts of obstructing disaster rescue and recovery work, may be punished by the death penalty.

(v) Crisis Response Law (enacted in 2022)

31. The Law stipulates that the death penalty may be applied to failure to execute State orders, decisions or instructions related to crisis management; unlawful disposal and illegal trading of reserve supplies during a state of emergency; and dissemination of rumours that mislead the public or create disorder and confusion during a state of emergency.

(vi) Law on Protecting the Pyongyang Cultural Language (enacted in 2023)

32. The Law prescribes that serious cases of speaking or writing using the language or style of the "puppet regime", producing materials written in "puppet language" or "puppet script" and of teaching "puppet language" or distribution of materials using "puppet language" may be punished by the death penalty.

(vii) Law on the Handling of Enemy Objects (enacted in 2023)

33. The Law prescribes that the introduction of enemy objects resulting in serious consequences may be punished by the death penalty.

34. This expanded legal framework contravenes the principle of non-regression. The Human Rights Committee has clarified that States Parties may not transform into a capital offence any offence that, upon ratification of the Covenant or at any time

thereafter, did not entail the death penalty.[31] Accordingly, the addition of new offences punishable by death following ratification of the Covenant, in 1981 in the case of the Democratic People's Republic of Korea, constitutes a violation of a State's international obligations.

4. Executions under newly adopted laws

35. Several organizations have reported accounts indicating that executions have been carried out under these newly adopted laws. A woman escapee who fled the Democratic People's Republic of Korea in 2023 shared at the high-level plenary meeting of the General Assembly to address the human rights abuses and violations committed in the Democratic People's Republic of Korea, held in May 2025, that three of her friends had been publicly executed, including two who were executed for distributing dramas from the Republic of Korea.[32] Organizations have also reported, based on escapees' testimonies, that individuals accused of violating quarantine measures during the COVID-19 pandemic, as well as of those involved in the large-scale distribution of content from the Republic of Korea, were executed.[33] Other research suggests that the severity of punishment may vary depending on the accused person's ability to pay bribes.[34] Such information suggests that the Democratic People's Republic of Korea uses executions as a means of generating fear and exercising control over the population, rather than solely as a form of punishment.

C. Death penalty as arbitrary deprivation of life

1. The "most serious crimes" threshold

36. The Human Rights Committee has interpreted the term "most serious crimes" as applying only to crimes of extreme gravity involving intentional killing.[35] Crimes that do not result directly and intentionally in death – such as attempted murder, corruption and other economic and political crimes, armed robbery, piracy, abduction, and drug and sexual offences – although potentially serious in nature, can "never" serve as the basis for the imposition of the death penalty within the framework of article 6.[36] Under no circumstances may the death penalty be applied as a sanction for conduct whose criminalization itself violates the Covenant, such as the establishment of political opposition groups and offending a Head of State.[37]

37. Among the offences newly punishable by the death penalty in the Democratic People's Republic of Korea, none – except for deliberate aggravated murder (article 305 of the Criminal Law) – involve intentional killing. None of these additional offences appear to meet the "most serious crimes" threshold. Instead, many of these offences constitute political or economic crimes, which can never serve as a basis for the imposition of the death penalty. For example, under the recently adopted Law on Protecting the Pyongyang Cultural Language, serious cases of speaking in "puppet language" – referring to vocabulary, phrasing and grammar associated with the Republic of Korea – may be punished by death. The use of the death penalty as a tool

[31] Human Rights Committee, general comment No. 36 (2018), para. 34.

[32] UN Web TV, "Human rights abuses and violations in the Democratic People's Republic of Korea: high-level plenary, General Assembly, 79th session", 20 May 2025.

[33] For example, Moo Chul Kim Lee and others, *White Paper on Human Rights in North Korea 2025* (Seoul, Korea Institute for National Unification, 2026), pp. 77–80.

[34] An escapee witnessed the execution of an individual accused of distributing foreign media in 2017 and 2018. Amnesty International, "North Korea: people 'executed for watching South Korean TV', bribery to escape punishment widespread", 4 February 2026.

[35] Human Rights Committee, general comment No. 36 (2018), para. 35.

[36] Ibid.

[37] Ibid., para. 36.

for drug control is also inconsistent with international human rights law. Accordingly, executions carried out under these laws in the State constitute arbitrary deprivation of life. Even prior to the introduction of these new laws, civil society organizations reported that a majority of the recorded executions were imposed for offences other than intentional killing.[38]

2. Fair trial and due process guarantees

38. Even when implemented under domestic law that purports to comply with international standards, multiple factors may render the imposition of the death penalty arbitrary. First, a failure to observe fair trial and due process guarantees provided for in article 14 of the Covenant in proceedings leading to a death sentence renders such sentences inherently arbitrary. The right to fair trial includes the right to a fair and public hearing before a competent, independent and impartial tribunal established by law.[39] Every defendant has the right to be presumed innocent until proven guilty beyond reasonable doubt: a particularly stringent requirement in capital punishment cases.[40] In addition to obligations under article 14, the imposition of the death penalty also requires specific procedural guarantees under the right to life, including the right to seek pardon or commutation of sentence.[41]

39. During the universal periodic review, the delegation of the Democratic People's Republic of Korea stated that provincial courts impose death sentences, that such sentences are reviewed by the Central Court, the highest judicial authority, and that the Presidium of the Supreme People's Assembly approves their decision. However, there are serious concerns at several stages of the trial process. First, testimonies indicate that serious sentences, including death sentences, may be effectively determined prior to formal judicial proceedings and that proceedings are largely perfunctory, relying heavily on confessions reportedly obtained through coercion.[42] One civil society organization reported that "severe and potentially lethal outcomes may be determined before a court appears" and that a risk to the right to life arises once a person is identified, reported or classified as ideologically or politically dangerous.[43] Persistent concerns remain regarding the lack of fair trial guarantees, including political interference in judicial proceedings.[44] Accounts also consistently indicate that defendants are provided with only nominal legal representation or none at all. It is also well documented by United Nations human rights mechanisms that forcibly returned women are often sentenced to imprisonment by State officials without trial or after proceedings that do not meet international standards. If a connection to the Republic of Korea, particularly the intention to flee, as well as a connection with a religious group, is established, or if defendants are found to have assisted others in crossing the border to flee to the Republic of Korea, they can be charged with treason against the State and can be punished by the death penalty in the worst case.

40. In addition, it remains unclear how the procedural safeguards are applied in cases reportedly resulting in immediate executions following public trials. The right

[38] Submission from Database Centre for North Korean Human Rights.
[39] International Covenant on Civil and Political Rights, art. 14 (1).
[40] Human Rights Committee, general comment No. 36 (2018), para. 43.
[41] International Covenant on Civil and Political Rights, art. 6 (4); and Human Rights Committee, general comment No. 36 (2018), para. 47.
[42] See Office of the United Nations High Commissioner for Human Rights (OHCHR), '"I still feel the pain': human rights violations against women detained in the Democratic People's Republic of Korea", July 2020, p. 77; and Lee and others, *White Paper on Human Rights in North Korea*, pp. 158–162.
[43] Submission from Korea Future.
[44] See A/HRC/60/58, para. 19.

to appeal, guaranteed under article 14 (5) of the Covenant, appears to be rarely exercised. Immediate executions also violate the right to seek pardon or commutation of sentence, a safeguard that must be afforded in all cases involving death sentencing. In this regard, on 6 November 2025, the Special Rapporteur, together with four other mandate holders, sent a joint communication to the Democratic People's Republic of Korea concerning a decree granting amnesty to individuals convicted of "crimes against the State". While this could represent a positive development if implemented, the details and criteria for granting amnesty remain unclear.

3. Transparency in the imposition and application of the death penalty

41. The obligation of transparency in the imposition and application of the death penalty is not merely a procedural formality but a substantive requirement of international human rights law. The failure to comply with this obligation engages the most fundamental protections of the International Covenant on Civil and Political Rights.[45]

42. First, ensuring transparency in capital proceedings emerges from the right to life and the right to a fair trial, including the right to a public hearing and to the publication of judgments. A second dimension of the transparency obligation concerns information that the State owes to persons sentenced to death, as well as to their families and legal representatives. This obligation arises from article 7 of the Covenant and from due process guarantees under article 14. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment stated that secret executions – defined as executions carried out with little or no prior notice to the prisoner and their family – violate the rights of both the condemned person and their family to prepare for death and may amount to inhumane treatment.[46] The Human Rights Committee has similarly found that the failure to notify family members of the scheduled date of execution, as well as the failure to disclose the location of their burial, constitutes inhuman treatment in violation of the Covenant.[47] The Special Rapporteur on extrajudicial, summary or arbitrary executions has therefore emphasized that persons sentenced to death, their families and their representatives should be provided with timely and reliable information regarding appeals, clemency procedures and the timing of executions.[48]

43. The third dimension is the public's right to seek and receive information of public interest, as guaranteed under article 19 of the Covenant. Transparency facilitates informed public debate as well as independent scrutiny and verification of the use of the death penalty. As early as 1989, the Economic and Social Council established minimum requirements for transparency in its resolution 1989/64. In that resolution, the Council urged Member States to publish, for each category of offence for which the death penalty is authorized, and if possible on an annual basis, information on the use of the death penalty, including the number of persons sentenced to death, the number of executions carried out, the number of persons under sentence of death, the number of death sentences reversed or commuted on appeal and the number of instances in which clemency has been granted.

44. According to the Secretary-General of the United Nations, access to information on executions remains particularly restricted in several States, including the Democratic People's Republic of Korea.[49] As the Special Rapporteur recommended

[45] See, for example, A/HRC/48/29, paras. 6–9; and Human Rights Committee, general comment No. 36 (2018), paras. 52–54.
[46] A/67/279, paras. 40 and 80 (c).
[47] See CCPR/C/77/D/887/1999.
[48] E/CN.4/2006/53/Add.3, para. 37.
[49] See A/HRC/60/47.

in her previous report to the Human Rights Council, it is essential for the Democratic People's Republic of Korea to make publicly available data on the number of persons sentenced to death, disaggregated by age, sex and the nature of the offences, as well as disaggregated information on the number and method of executions. With regard to the rights of families, numerous accounts indicate that in the Democratic People's Republic of Korea, families of executed persons are often not provided with any detailed information beyond the fact that the person has been executed. Furthermore, while public executions are reported in some cases, other accounts suggest that a significant number of executions are carried out in secret.

4. Gender dimensions of the death penalty

45. The fundamental principle of non-discrimination applies to all criminal proceedings but is particularly significant in capital cases. The imposition of the death penalty in a discriminatory manner, including on the ground of gender, raises concerns over arbitrary deprivation of life. As the Secretary-General has observed, gender bias is frequently reflected in the application of the death penalty, and many judicial systems fail to take into account gender-related mitigating factors, such as experiences of gender-based violence, coercion and economic hardship affecting women sentenced to death.[50] According to a research institute,[51] women facing the death penalty in the world share common challenges. First, they are vulnerable to other human rights violations at the police facilities, during trial and in detention, partly because of higher levels of socioeconomic precarity or illiteracy. Second, mental illness and intellectual disability are common among women facing the death penalty. Third, many of them are victims of gender-based violence and of socioeconomic deprivation. Fourth, they are often seen as violating "gender behaviour". Lastly, women on death row face unique deprivation, such as access to menstrual hygiene and gynaecological care, substandard medical care and psychological torment.

46. There are no comprehensive data available on gender dimensions and discrimination in the imposition of the death penalty in the Democratic People's Republic of Korea. However, accounts from escapees indicate that women are vulnerable to sexual and gender-based violence in their daily life, particularly by men in positions of authority. Women are also reported to face heightened risks to the right to life while in detention, including exposure to torture and ill-treatment, forced labour and gender-based violence, including sexual violence, perpetrated by State officials.[52] These risks arise from the moment of arrest and detention, as "women's bodies, reproductive histories, family roles and cross-border experiences often is treated as evidence in during interrogation", as noted by a civil society organization.[53] Women also face discriminatory challenges in accessing due process guarantees. For example, according to the Democratic People's Republic of Korea, women accounted for only 11.9 per cent of judges and lawyers as of 2016.[54] This imbalance in representation constitutes a structural inequality that contributes to the insufficient recognition of gender-specific mitigating factors in legal processes, including in capital punishment cases.

47. A civil society organization has argued that in the Democratic People's Republic of Korea, "women are disproportionately affected" by the State's practice of executing individuals for border-related and economic crimes.[55] Owing to women's

[50] See A/79/276 and A/HRC/60/47.
[51] Submission from Cornell Centre on the Death Penalty Worldwide.
[52] See A/HRC/52/65.
[53] Submission from Korea Future.
[54] CEDAW/C/PRK/2-4, para. 254.
[55] Submission from Database Centre for North Korean Human Rights.

roles in financially supporting their families, combined with their heightened vulnerability to sexual exploitation and abuse, the majority of forcibly repatriated escapees are women. The Special Rapporteur received information and transmitted an allegation letter to the Democratic People's Republic of Korea, jointly with other mandate holders, regarding the execution of two forcibly repatriated women and the sentencing of nine other repatriated women to life imprisonment following a public trial held on 31 August 2024.[56] Allegedly, 2 of the 11 women – who were themselves victims of trafficking – were sentenced to death on charges including trafficking in persons, operating adult entertainment establishments, prostitution and "insulting the dignity of people". Both women were reportedly executed on the same day as sentencing. The mandate holders requested the Democratic People's Republic of Korea to provide information on the fate and whereabouts of these women, but no response has been received to date.

48. This case also raises serious concerns regarding the punishment of victims of trafficking for acts committed as a direct consequence of their victimization. A study conducted by the United Nations Office on Drugs and Crime indicates that victims of trafficking and sexual exploitation – most of whom are women and girls – often have "no alternative" but to engage in trafficking-related activities.[57] The Recommended Principles and Guidelines on Human Rights and Human Trafficking provide that States should consider "ensuring that legislation prevents trafficked persons from being prosecuted, detained or punished for the illegality of their entry or residence or for the activities they are involved in as a direct consequence of their situation as trafficked persons".[58] While several States have incorporated this principle into their legal frameworks, there is no information on the Democratic People's Republic of Korea.

5. Inherent incompatibility with human rights

49. A broader question arises as to whether the sentence, the time on death row and the implementation of the death penalty by various methods are inherently incompatible with fundamental human rights, including the right to life and the prohibition of torture and cruel, inhuman or degrading treatment or punishment.[59]

50. First, methods of execution that themselves constitute inhuman treatment in violation of article 7 of the Covenant render executions arbitrary.[60] The Human Rights Committee has found that practices such as stoning, public executions and other methods involving unnecessary suffering or humiliation are incompatible with article 7.[61] The Special Rapporteur on torture has further noted that public executions exacerbate the inherently cruel nature of capital punishment and have a brutalizing effect on those compelled to witness them.[62] In the Democratic People's Republic of Korea, both secret executions and the reintroduction of public executions have been reported. Public executions in the country are mostly carried out by firing squad. Students and local residents are compelled to attend such executions. These practices are per se incompatible with the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

[56] See communication PRK 3/2024.
[57] United Nations Office on Drugs and Crime, *Female Victims of Trafficking for Sexual Exploitation as Defendants* (2020).
[58] See E/2002/68/Add.1.
[59] Submission from Global Justice Academy.
[60] Human Rights Committee, general comment No. 36 (2018), para. 40.
[61] A/HRC/48/29, para. 46; and Human Rights Committee, general comment No. 36 (2018), para. 40.
[62] E/2015/49 and E/2015/49/Corr.1, para. 128.

51. Second, death threats are considered unlawful under international law and have been recognized as forms of cruel, inhuman or degrading treatment. The Human Rights Committee has emphasized that States Parties must establish legal frameworks that effectively prohibit all forms of violence, including death threats.[63]

52. Third, article 10 of the Covenant requires that all persons deprived of their liberty be treated with humanity and with respect for the inherent dignity of the human person. The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) also apply equally to persons sentenced to death. However, the psychological impact from sentencing to death, up until execution, may itself amount to cruel, inhuman or degrading treatment or punishment. The European Court of Human Rights, for example, has described the "death row phenomenon" as the prolonged experience of living under the constant threat of execution, accompanied by severe psychological distress.[64] Taken together, these considerations suggest the emergence of an evolving standard in international law that increasingly regards the death penalty as incompatible with the prohibition of torture. In this regard, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture stated in 2023 that, in practice, it is almost impossible for States to impose the death penalty while fully complying with their human rights obligations.[65]

D. Protection of the right to life in State-controlled settings

1. International legal framework

53. Under international human rights law, States have a heightened duty of care to prevent arbitrary deprivation of the lives of individuals who are deprived of their liberty by the State, such as those in detention facilities, military camps and mental health facilities. By depriving individuals of their liberty, States "assume the responsibility to care for their lives and bodily integrity" and "may not rely on lack of financial resources or other logistical problems to reduce this responsibility".[66] The custody of individuals triggers State obligations under multiple provisions of the Covenant, including article 9, on the deprivation of liberty, article 10, prescribing treatment with humanity and with respect for the inherent dignity of the human person, and the safeguards around the right to life under article 6.[67] Such presumption of State responsibility extends to the prohibition against recruiting prisoners to engage in risky or life-threatening activities, even if such recruitment appears to be voluntary on its face, as prisoners' capacity to act autonomously is severely curtailed in coercive environments under custody.[68]

2. Deaths in detention

54. Under international law, deaths in detention are considered as an arbitrary deprivation of life unless proven otherwise. States are presumed responsible for the deaths of prisoners and thus bear the burden of investigating such deaths. In addition

[63] Human Rights Committee, general comment No. 36 (2018), para. 20.
[64] Submission from Eleos Justice Anti-Death Penalty Clinic.
[65] OHCHR, "UN experts call for universal abolition of the death penalty", 9 October 2023.
[66] Human Rights Committee, general comment No. 36 (2018), para. 25.
[67] See also A/HRC/53/29, paras. 2 and 4.
[68] Ibid., para. 15.

to the general presumption of State responsibility, the death of a prisoner per se triggers another presumption: that it is unlawful.[69]

55. According to the United Nations High Commissioner for Human Rights, several escapees reported that "they had witnessed deaths in detention primarily as a result of torture and ill-treatment, overwork, malnutrition and suicide"[70] in the Democratic People's Republic of Korea. One civil society organization assessed, based on their cases of deaths in detention, that the right-to-life inquiry should be considered "through the full chain of State custody".[71] Another civil society organization also referred to a systematic pattern of the arbitrary deprivation of life in detention through torture, forced labour and denial of food and medical care.[72] Regarding the responsibility to investigate, there is no official information available regarding the investigation of deaths in detention. The High Commissioner for Human Rights reported that "officials regularly falsified documents to record deaths as natural or resulting from pre-existing medical conditions".[73]

3. Deployment of soldiers

56. States engaged in acts of aggression or the use of armed force against the sovereignty, territorial integrity or political independence of another State, resulting in deprivation of life, violate ipso facto the right to life under article 6 of the Covenant.

57. The Democratic People's Republic of Korea has deployed approximately 14,000 military personnel to participate in the armed conflict between the Russian Federation and Ukraine since late 2024.[74] Reportedly over 2,000 personnel have been killed and 4,000 personnel have been wounded. The armed forces of a State are required to take reasonable steps to protect the lives of its soldiers, including training and equipment. These high losses could be attributable to a short preparation for battlefields, the lack of training on certain forms of warfare, such as drones,[75] and the alleged instruction to commit suicide rather than be captured. As discussed in the previous report,[76] it is not clear whether there are reasonable safeguards in place to protect the lives of the military personnel by the Democratic People's Republic of Korea. Prior to deployment, malnutrition and health issues are widespread among conscripts, and they spend years in harsh conditions without communication with their families.

58. Reportedly, not only deceased soldiers but also soldiers who returned from the conflict are treated as heroes and families of deceased are given special treatment, such as government houses or apartments in Pyongyang. Returned soldiers make a tour and give lectures about their battlefield experiences to senior middle school students. One such event reportedly closed with chanting of the slogans: "Give our lives to defend the Party Central" and "Let us become bombs".[77] Such promotion is reportedly leading to an increased number of students volunteering to special forces

---

[69] Human Rights Committee, general comment No. 36 (2018), para. 29.
[70] A/HRC/60/58, para. 20.
[71] Submission from Korea Future.
[72] Submission from Database Centre for North Korean Human Rights.
[73] A/HRC/60/58, para. 20.
[74] Reuters, "Ukraine's Zelenskiy: Russia wants to bring in 30,000 North Korean troops to conflict", 25 July 2026.
[75] Reportedly, the training was changed significantly to adjust to modern warfare since the winter training of December 2025 to March 2026.
[76] A/80/149.
[77] Rimjin Gang, "＜Inside N. Korea＞ Soldiers returned from Russia deployed on tour to promote 'military spirit' and 'Heroism' (2) propaganda lectures delivered to high school students and parents: 'we fought with our lives as soldiers of the marshal'", 31 March 2026.

upon the completion of school at the age of 18.[78] State media reported in March 2026 that middle school graduates in Haeju city in South Hwanghae Province volunteered to "the forefront posts of national defence, hardening their will to defend the beloved country".[79] At a national conference marking the eightieth anniversary of the Socialist Patriotic Youth League, the President, Kim Jung Un, stated that young soldiers had defended "the dignity and honour" of the country "in the overseas special military operations" by demonstrating "self-sacrificing spirit".[80] The Special Rapporteur is concerned that young people, including children, appear to be encouraged to give their lives to "defend" the country without being provided with information on what they are committing to. She would like to recall that the Democratic People's Republic of Korea has an obligation to "ensure to the maximum extent possible the survival and development of the child" under the Convention on the Rights of the Child.

IV. Conclusion

59. **People in the Democratic People's Republic of Korea continue to face severe restrictions on fundamental freedoms, intensified surveillance and strengthened mechanisms of ideological and social control. The Government has explicitly made commitments to improving people's standard of living. However, economic hardship, inflation, food insecurity and restrictions on livelihoods continue to affect large segments of the population. Intensified control of fundamental freedoms has limited the ability of people to exercise their rights and improve their standard of living.**

60. **The information received by the Special Rapporteur indicates that the enjoyment of the right to life continues to face grave challenges in the Democratic People's Republic of Korea. The prohibition of arbitrary deprivation of life is at the core of the right to life. Yet, reports suggest persistent patterns of arbitrary deprivation of life through the imposition of the death penalty for offences that do not meet the criteria, executions carried out without proper legal proceedings or after proceedings that fail to satisfy international fair trial standards, deaths in detention and other practices that place individuals under State control at serious risk of death. The reported arbitrary deprivation of life in the Democratic People's Republic of Korea, particularly its broad application to offences that do not qualify as the "most serious crimes" under international law and that may be discriminatory on political grounds, could constitute the crimes against humanity of murder and persecution where it is established that such conduct is carried out pursuant to State policy as part of a widespread or systematic attack against the civilian population.**

61. **Women face particular risks throughout the criminal justice and detention systems. Women, many of whom are exposed to sexual and gender-based violence and trafficking, are often disproportionately affected by heightened barriers in accessing due process guarantees, including on capital punishment offences. The reported execution of forcibly repatriated women who may themselves have been victims of trafficking illustrates the urgent need for a gender-responsive**

[78] Rimjin Gang, "＜Inside N. Korea＞more students volunteering for special forces: 'I will become a true hero' – propaganda using Russia veterans having major impact", 10 April 2026.

[79] See https://kcnawatch.org/newstream/1774345327-695644773/school-graduates-in-dprk-volunteer-for-military-service/.

[80] See https://kcnawatch.de/newstream/1768903848-681572835/respected-comrade-kim-jong-un-%E2%80%99s-speech-at-a-conference-in-celebration-of-the-80th-anniversary-of-the-founding-of-the-socialist-patriotic-youth-league/.

approach. Recent legislative developments are of particular concern. Rather than moving towards the restriction or abolition of the death penalty in line with global trends and international standards, the Democratic People's Republic of Korea has expanded the number of offences punishable by death, including for sociopolitical offences, for offences related to exercising freedom of expression and opinion and of movement and for drug-related offences. The almost complete lack of transparency regarding the implementation of the death penalty, including the absence of disaggregated data, prevents independent assessment of the scale of its use and undermines oversight and accountability.

62. **The Special Rapporteur is also concerned by consistent allegations of deaths resulting from conditions in detention.[81] The State has a heightened duty of care towards persons deprived of their liberty and must ensure that all deaths in custody are promptly, independently and effectively investigated. Concerns also remain regarding the protection of the lives of military personnel deployed abroad. During the fourth cycle of the universal periodic review, the Democratic People's Republic of Korea supported recommendations to reduce the scope of the death penalty and improve conditions of detention for the first time. The Special Rapporteur calls upon the State to translate its commitments made at the international forum into actions to protect the right to life of people.**

V. Recommendations

63. **The Special Rapporteur recommends that the Democratic People's Republic of Korea:**

(a) **Establish, as a first step, an official moratorium on executions with a view to the abolition of the death penalty;**

(b) **Amend the Criminal Law and all other relevant legislation to ensure that the death penalty, pending abolition, is restricted exclusively to the most serious crimes involving intentional killing, in accordance with article 6 of the International Covenant on Civil and Political Rights;**

(c) **Publish regular, disaggregated statistics on death sentences, executions, persons on death row, commutations and pardons, disaggregated by convicted offence, gender and age;**

(d) **Ensure that the families of sentenced persons are informed of their relatives' status, place of detention and, where applicable, the circumstances of death and burial;**

(e) **Provide information on individuals convicted of "crimes against the State", including individuals on death row who have been given pardon and its processes;**

(f) **Engage in a technical cooperation programme with the United Nations human rights system to bring the detention system into line with international standards, including the specific needs of female detainees;**

(g) **Take effective measures to prevent deaths in detention, including by providing training to all law enforcement officers, prohibiting torture and ill-treatment and forced labour, ensuring that conditions in cells meet minimum standards for humane treatment, ensuring access to adequate food and healthcare, and permitting independent monitoring of detention facilities;**

[81] See, for example, A/HRC/60/58; and OHCHR, "I still feel the pain".

(h) **Ensure that victims of trafficking are not subjected to criminal penalties, including the death penalty, for acts committed as a consequence of their victimization;**

(i) **Cooperate fully with the United Nations, including facilitating access to the country for international human rights mechanisms, including responding to the Working Group on Enforced or Involuntary Disappearances, and implementing supported recommendations during the universal periodic review.**

64. **The Special Rapporteur recommends that Member States and the international community:**

(a) **Follow up on the implementation of recommendations supported by the Democratic People's Republic of Korea during the fourth cycle of the universal periodic review, in particular related to the right to life and the condition of detention;**

(b) **Uphold the principle of non-refoulement and refrain from forcibly returning any person to the Democratic People's Republic of Korea where there are substantial grounds for believing that they would face persecution, torture, arbitrary detention or execution;**

(c) **Strengthen support for civil society organizations, victims' groups and escapee-led initiatives that contribute to the protection and promotion of human rights;**

(d) **Pursue dialogue and engagement with the Democratic People's Republic of Korea in a manner that consistently integrates human rights considerations;**

(e) **Uphold their obligations under international human rights and humanitarian law in any process for determining the fate of prisoners of war from the Democratic People's Republic of Korea.**