

THE HUMAN COSTS AND GENDERED IMPACT OF SANCTIONS ON NORTH KOREA



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Korea Peace Now, a global movement of women mobilizing to end the Korean War, has commissioned the present report to assess the human cost of sanctions on North Korea, and particularly on North Korean women. The broader aim of the Korea Peace Now campaign is to open space for dialogue on building peace in the Koreas, to move away from the constraints of geopolitics and to view the situation from a human centric perspective.

The report was compiled and produced by an international and multidisciplinary panel of independent experts, including Henri Féron, Ph.D., Senior Fellow at the Center for International Policy; Ewa Eriksson Fortier, former Head of Country Delegation in the DPRK for the International Federation of Red Cross and Red Crescent Societies (retired); Kevin Gray, Ph.D., Professor of International Relations at the University of Sussex; Suzy Kim, Ph.D., Professor of Korean History at Rutgers University; Marie O'Reilly, Gender, Peace & Security Consultant; Kee B. Park, MD, MPH, Director of the DPRK Program at the Korean American Medical Association and Lecturer at Harvard Medical School; and Joy Yoon, Co-founder of Ignis Community and PYSRC Director of Educational Therapy.

The report is a consensus text agreed among the authors and does not necessarily represent each individual author's comprehensive position. Authors' affiliations are for identifying purposes only and do not represent the views of those institutions unless specified.

On the cover: A woman works at the Kim Jong Suk Pyongyang textile factory in Pyongyang, North Korea, on July 31, 2014. (AP Photo/Wong Maye-E, File)

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Executive Summary

North Korea is one of the most sanctioned countries in the world. While sanctions used to target mostly the country's military and elite, they have evolved in recent years into an almost total ban on North Korea-related trade, investments, and financial transactions. Several UN agencies have raised alarm at the impact on the population, with growing calls for humanitarian and human rights impact assessments.

To better assess this issue, the Korea Peace Now! campaign commissioned the present report from an international and multidisciplinary panel of independent experts, including some with extensive humanitarian field experience in North Korea. *The Human Costs and Gendered Impact of Sanctions on North Korea* represents the first comprehensive assessment of the adverse consequences of these sanctions, drawing on often neglected information from UN agencies on the ground as well as the authors' combined expertise in public health, law, economics, history, and gender studies. In particular, the report highlights the case of women as one of the vulnerable groups differentially affected by the sanctions.

The authors examined the humanitarian, developmental, and gendered impact of sanctions.

KEY FINDINGS:

- Sanctions are impeding the ability of the country and of international aid organizations to meet the urgent and long-standing humanitarian needs of the most vulnerable parts of the population. Although the UN Security Council has repeatedly stated that the sanctions are not intended to have adverse humanitarian consequences, its case-by-case exemptions mechanism is insufficient to prevent this outcome in practice. Life-saving aid is being fatally obstructed by delays, red tape, and overcompliance with financial sanctions.
- Sanctions are also impeding the economic development of the country. UN and unilateral sanctions have resulted in the collapse of the country's trade and engagement with the rest of the world, thereby undermining and reversing the progress that North Korea had made in overcoming the economic crisis and famine of the 1990s.
- Sanctions destabilize North Korean society in ways that have a disproportionate impact on women, resonating with patterns observed in other sanctioned countries. The resulting economic pressure tends to exacerbate rates of domestic violence, sexual violence, and the trafficking and prostitution of women. Sanctions also affect North Korean women differentially due to the dual social expectation that they be the primary caretakers of their families and communities, and workers fully integrated into the economy. Thus, sanctions doubly burden women through their adverse humanitarian and developmental consequences, especially when they impact their livelihood by targeting industries that have high ratios of female workers.

The report concludes by raising concerns that the sanctions in their current form may not be reconcilable with international law, especially humanitarian and human rights norms.

KEY RECOMMENDATIONS:

- Resolve the security crisis that led to the current situation in accordance with international law.
- Lift all sanctions that are in violation of international law, in particular of the UN Charter and of applicable human rights and humanitarian norms.
- Adopt urgently, in interim, all measures available to mitigate and eliminate the adverse consequences of sanctions on the humanitarian and human rights situation in North Korea.
- Conduct gender-sensitive humanitarian and human rights impact assessments of sanctions currently in place.
- Ensure women's equal and meaningful participation in peace and security negotiations and processes, in accordance with UNSC Resolution 1325 on Women, Peace, and Security. Take into account gender considerations and the rights of women in all deliberations concerning sanctions on the DPRK.

I. Introduction

A. OVERVIEW

The Democratic People’s Republic of Korea (DPRK, or North Korea) is one of the most sanctioned countries in the world. It is subject to a combination of unilateral and United Nations (UN) sanctions that amount to an almost total ban on DPRK-related trade, investment, and financial transactions.¹ Humanitarian groups working in the country have repeatedly warned of the negative consequences of sanctions on the population, and the UN Panel of Experts tasked with monitoring the implementation of the UN’s DPRK sanctions² has recommended that the UN Secretariat conduct an assessment of their humanitarian impact.³ Likewise, the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights has proposed human rights impact assessments for unilateral sanctions in general.⁴ However, neither of these recommendations has been implemented and no comprehensive analysis of the problem has been done to date.

There is increasing evidence that the sanctions regime on the DPRK is having adverse humanitarian consequences.

There is increasing evidence that the sanctions regime on the DPRK is having adverse humanitarian consequences, even as the relevant UN resolutions explicitly state this is not the intention.⁵ The UN Panel of Experts has determined that the “[UN] sectoral sanctions are affecting the delivery of humanitarian-sensitive items” and that their implementation “has had an impact on the activities of international humanitarian agencies working to address chronic humanitarian needs in the country.”⁶ The UN Panel detailed a non-comprehensive list of items prohibited under Resolution 2397 of the UN Security Council (UNSC), including agricultural material, such as irrigation equipment and prefabricated greenhouses; medical appliances, such as ultrasound machines and orthopaedic appliances for persons with disabilities; and any item with a metallic component, including “screws, bolts, nails, staples” that “are often components of humanitarian-sensitive goods.”⁷ While the relevant UN resolutions have enabled the 1718 Sanctions Committee to grant case-by-case humanitarian

1 The DPRK has been subject to unilateral sanctions by the United States since at least 1950 during the Korean War, and to UN sanctions since 2006. For U.S. sanctions, see Congressional Research Service, *North Korea: Legislative Basis for U.S. Economic Sanctions*, R41438 (updated Jun. 6, 2019) p. 14, f. 51. For UN sanctions, see UNSC Resolution 1718, S/RES/1718, Oct. 14, 2006; UNSC Resolution 1874, S/RES/1874, Jun. 12, 2009; UNSC Resolution 2087, S/RES/2087, Jan. 22, 2013; UNSC Resolution 2094, S/RES/2094, Mar. 7, 2013; UNSC Resolution 2270, S/RES/2270, Mar. 2, 2016; UNSC Resolution 2321, S/RES/2321, Nov. 30, 2016; UNSC Resolution 2371, S/RES/2371, Aug. 5, 2017; UNSC Resolution 2375, S/RES/2375, Sep. 11, 2017; UNSC Resolution 2397, S/RES/2397, Dec. 22, 2017. See also subsection I.C., “Background.”

2 Two UN bodies specifically address DPRK sanctions. The Committee established pursuant to Resolution 1718 (“the 1718 Committee”) ensures implementation of the sanctions by seeking information on Member State implementation, designating sanction targets, and granting exemptions, among other things. Meanwhile, the UN Panel of Experts established pursuant to Resolution 1874 (“the UN Panel of Experts”) assists the 1718 Committee by analyzing Member State submissions and making recommendations to improve implementation. Neither is explicitly tasked with monitoring the impact on the North Korean population. UNSC Resolution 1718, S/RES/1718 (2006), Oct. 14, 2006, para. 12; UNSC Resolution 1874, S/RES/1874 (2009), para. 26.

3 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, p. 67, para. 180.

4 Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Annex II, para. 13(a); Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/39/54, Aug. 30, 2018, paras. 14–19.

5 UNSC Resolution 1874, S/RES/1874, Jun. 12, 2009, preamble; UNSC Resolution 2087, S/RES/2087, Jan. 22, 2013, para. 18; UNSC Resolution 2094, S/RES/2094, Mar. 7, 2013, para. 31; UNSC Resolution 2270, S/RES/2270, Mar. 2, 2016, para. 48; UNSC Resolution 2321, S/RES/2321, Nov. 30, 2016, para. 46; UNSC Resolution 2371, S/RES/2371, Aug. 5, 2017, para. 26; UNSC Resolution 2375, S/RES/2375, Sep. 11, 2017, para. 26; UNSC Resolution 2397, S/RES/2397, Dec. 22, 2017, para. 25.

6 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, p. 67, para. 176.

7 *Ibid.*, Annex 87, pp. 369–372.

exemptions, the UN Panel has noted that there have been significant delays.⁸ One such delay involved exempting medical equipment for maternal and neonatal emergencies, and was predicted to “result in increased mortality.”⁹

Sanctions also negatively impact human rights, including the rights to life, food, health, and development. The UN Special Rapporteur on the human rights situation in the DPRK, Tomás Ojea Quintana, has called for a “comprehensive assessment of the [Security Council sanctions’] unintended negative impact on the enjoyment of human rights, in particular economic, social and cultural rights.”¹⁰ The Commission of Inquiry on human rights in the DPRK only addressed sanctions peripherally, but nevertheless stated in 2014: “In light of the dire social and economic situation of the general population, the commission does not support sanctions imposed by the Security Council or introduced bilaterally that are targeted against the population or the economy as a whole.”¹¹ The UN Human Rights Council has also stated that the use of such measures “necessarily runs counter to some provisions of the International Bill of Human Rights or peremptory norms and other provisions of customary law, and entails adverse consequences for the enjoyment of human rights by innocent people.”¹²

The UN General Assembly has in dozens of resolutions rejected or condemned the use of unilateral sanctions.

As repeatedly reported by in-country humanitarian organizations and UN agencies in the DPRK, sanctions disproportionately impact the most vulnerable populations, who do not have alternative sources of fuel and goods, or means to deal with rising prices. In the most recent 2017 periodic review of the DPRK as signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the UN Committee on the Elimination of Discrimination against Women concluded that “the economic sanctions imposed by the international community as a consequence of the State party’s policies have a disproportionate impact on women.”¹³ The UN General Assembly has in dozens of resolutions rejected or condemned the use of unilateral sanctions because of their negative effect on the realization of all the human rights of vast sectors of the population, in particular children, women, the elderly, and persons with disabilities.¹⁴ The UN Human Rights Council has also repeatedly condemned their continued use and application as tools of political or economic pressure.¹⁵

8 Ibid., Annex 86, pp. 363–368.

9 Ibid., p. 365.

10 Report of the Special Rapporteur on the situation of human rights in the DPRK, A/72/394, Sep. 18, 2017, para. 6; see also id., A/73/386, Sep. 19, 2018, paras. 20, 21.

11 Report of the Commission of Inquiry on human rights in the DPRK, A/HRC/25/63, Feb. 7, 2014, para. 94(a).

12 UNHRC Resolution A/HRC/RES/34/13, Apr. 7, 2017, para. 5; UNHRC Resolution A/HRC/RES/30/2, Oct. 12, 2015, para. 4.

13 UN Committee on the Elimination of All Forms of Discrimination against Women [CEDAW], *Concluding Observations on the Combined Second to Fourth Periodic Reports of the Democratic People’s Republic of Korea*, Nov. 22, 2017 (CEDAW/C/PRK/CO/2-4), p. 2.

14 UNGA Resolution A/RES/71/193, Dec. 19, 2016, para. 6; UNGA Resolution A/RES/70/151, Dec. 17, 2015, para. 6; UNGA Resolution A/RES/69/180, Jan. 30, 2015, para. 6; UNGA Resolution A/RES/68/162, Dec. 18, 2013, para. 5; UNGA Resolution A/RES/67/170, Dec. 20, 2012, para. 5; UNGA Resolution A/RES/66/156, Mar. 20, 2012, para. 4; UNGA Resolution A/RES/65/217, Apr. 6, 2011, para. 4; UNGA Resolution A/RES/64/170, Mar. 24, 2010, para. 4; UNGA Resolution A/RES/63/179, Mar. 26, 2009, para. 4; UNGA Resolution, A/RES/62/162, Dec. 18, 2007, para. 4; UNGA Resolution, A/RES/61/170, Feb. 27, 2007, para. 4; UNGA Resolution A/RES/60/155, Feb. 23, 2006, para. 4; UNGA Resolution, A/RES/59/188, Mar. 15, 2005, para. 4; UNGA Resolution A/RES/58/171, Mar. 9, 2004, para. 4; UNGA Resolution A/RES/57/222, Feb. 27, 2003, para. 4; UNGA Resolution A/RES/56/148, Feb. 8, 2002, para. 3; UNGA Resolution A/RES/55/110, Mar. 13, 2001, para. 3; UNGA Resolution A/RES/54/172, Feb. 15, 2000, para. 2; UNGA Resolution A/RES/53/141, Mar. 8, 1999, para. 2; UNGA Resolution A/RES/52/120, Feb. 23, 1998, para. 2; UNGA Resolution A/RES/51/103, Mar. 3, 1997, para. 2.

15 UNHRC Resolution A/HRC/RES/34/13, para. 4; UNHRC Resolution A/HRC/RES/30/2, Oct. 12, 2015, para. 3; UNHRC Resolution A/HRC/RES/27/21, Oct. 3, 2014, para. 3; UNHRC Resolution A/HRC/RES/24/14, Oct. 8, 2013, para. 3; UNHRC Resolution A/HRC/RES/19/32, Apr. 18, 2012, para. 3; UNHRC Resolution A/HRC/RES/15/24, Oct. 6, 2010, para. 3; UNHRC Resolution A/HRC/RES/12/22, Oct. 12, 2009.

B. METHODOLOGY

The debate on the impact of sanctions in North Korea has long been hampered by challenges in obtaining data and by disagreements on how to solve the humanitarian and human rights crises. In its annual reports, the UN Panel of Experts has repeatedly cited the lack of access to the country and the difficulty of disaggregating the impact of UN and unilateral sanctions as key obstacles to investigating the effects of sanctions on the DPRK.¹⁶

Despite these empirical challenges, this report uses often neglected but relevant on-the-ground information, made available through partnerships among UN agencies, international organizations, international governmental organizations (IGOs), humanitarian non-governmental organizations (NGOs), and North Korean government bureaus. This includes the UNICEF Annual Reports and Multiple Indicator Cluster Surveys,¹⁷ the Food and Agriculture Organization (FAO) / World Food Programme (WFP) food security reports,¹⁸ the UN Resident Coordinator Reports on Needs and Priorities,¹⁹ and other reports produced in cooperation between the UN and the DPRK Central Bureau of Statistics.²⁰ This report also includes specific examples of the impact of sanctions on Ignis Community, a humanitarian organization that has been working in the country since April 2008.²¹ South Korean datasets are also used when relevant to sanctions' impact on the economic development of the DPRK, such as estimates by the Bank of Korea and the Korea International Trade Association (KITA).²²

The present report combines these datasets and relies on the authors' multidisciplinary expertise, operational experience, and research on North Korea to assess the impact of sanctions on the North Korean population with a focus on women. Women are often the most impacted in times of conflict and social stress, due notably to their roles as caretakers in many societies, including North Korea. As a result, the impact of sanctions on women reverberates throughout society, and a focus on the gendered impact enables a broader assessment at multiple levels from the most urgent and immediate humanitarian impact to the macro-level long-term developmental impact. The report also underscores the close connection between sanctions and the non-sanctioned obstacles that ensue from the broad sanctions regime, such as membership in international financial institutions and access to banking services, resulting in ripple effects far beyond the sanctions' specific targets to ultimately impact the

16 UN Panel of Experts Report, S/2012/422, Jun. 14, 2012, para. 108; UN Panel of Experts Report, S/2013/337, Jun. 11, 2013, paras. 145, 146; UN Panel of Experts Report, S/2014/147, Mar. 6, 2014, paras. 181, 182; UN Panel of Experts Report, S/2015/131, Feb. 23, 2015, para. 208.

17 UNICEF, *DPR Korea Annual Report 2013*; *id.*, *DPR Korea Annual Report 2014*; *id.*, *DPR Korea Annual Report 2015*; *id.*, *DPR Korea Annual Report 2016*; *id.*, *DPR Korea Annual Report 2017*; *id.*, *DPR Korea Annual Report 2018*; Christopher Davids, Sylvie Morel-Seytoux, Laura Wicks, and David Solomon Bassiouni, *Situation Analysis of Children and Women in the Democratic People's Republic of Korea – 2017* (Pyongyang: UNICEF, 2016).

18 FAO/WFP, *DPRK Crop and Food Security Assessment Mission 2012*, Nov. 2012; *id.*, *DPRK Crop and Food Security Assessment Mission 2013*, Nov. 2013; FAO, *Enhancing Institutional Capacities in Disaster Risk Management for Food Security in the D.P.R. Korea*, 2014; FAO, *DPRK Food Security and Agriculture Situation Update January–April 2016*; FAO/WFP, *DPRK Joint Rapid Food Security Assessment* May 2019.

19 UN Resident Coordinator for the DPRK, *Overview of Needs and Assistance in DPRK 2012*, May 2012; *id.*, *DPR Korea: Needs and Priorities Report 2016*, Apr. 2016; *id.*, *DPR Korea: Needs and Priorities Report 2017*, Mar. 2017; *id.*, *DPR Korea: Needs and Priorities Report 2018*, Mar. 2018; *id.*, *DPR Korea: Needs and Priorities Report*, Mar. 2019.

20 DPRK Central Bureau of Statistics, *DPR Korea 2008 Population Census – National Report*, 2009; *id.*, *DPR Korea 2009 MICS (Multiple Indicator Cluster Survey)*, Dec. 2010, UNICEF; *id.*, *DPR Korea Final Report of the National Nutrition Survey 2012*, Mar. 2013; *id.*, *DPR Korea Socio-Economic, Demographic and Health Survey 2014*, Dec. 2015, UNFPA; *id.*, *DPR Korea 2017 MICS (Multiple Indicator Cluster Survey)*, Jun. 2018, UNICEF.

21 For more information about Ignis Community, see <https://igniscommunity.org/about>.

22 Bank of Korea, *Gross Domestic Product Estimates for North Korea in 2018*, Jul. 26, 2019, <https://www.bok.or.kr/eng/bbs/E0000634/view.do?nttId=10053001&menuNo=400069>; Korea International Trade Association, www.kita.org.

most vulnerable groups in unintended ways. Since the availability of gender-disaggregated data remains limited,²³ the report proceeds from a general assessment of the sanctions' impact on the humanitarian situation and on the country's development, before discussing the gendered impact on women. It concludes by discussing the implications of the wide-ranging impact from the perspective of humanitarian and human rights law, with a summary of key findings and a set of recommendations for the UN Security Council, UN Member States imposing unilateral sanctions on the DPRK, as well as the DPRK government to urgently address the impact of sanctions on the North Korean people.

Background

While some countries have been imposing unilateral sanctions on the DPRK since as far back as the Korean War (1950–1953), the UNSC has imposed increasingly stringent multilateral sanctions since 2006. UNSC measures are based on the determination that the North Korean nuclear weapons programme in particular constitutes a threat to international peace and security. Conceptually, UN sanctions can be divided into two generations. The first generation consists of so-called smart sanctions targeting the military and the elite, based on resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), and 2270 (2016). The second generation includes "sectoral" sanctions targeting entire spans of the North Korean economy, based on resolutions 2321 (2016), 2371 (2017), 2375 (2017), and 2397 (2017).

The first generation targets the military by prohibiting UN Member States from providing the DPRK with weapons or weapons of mass destruction (WMD)-related materials and technologies, and targets the elite by banning luxury goods. It also established a growing list of individuals and entities subject to asset freezes. These sanctions may affect the non-elite population, as the military ban includes items, materials, and technologies that could be used for either military or civilian purposes ("dual-use"), and the DPRK has been progressively cut off from international capital.²⁴

The nature of UN sanctions against the DPRK started to change fundamentally in November 2016, as the UNSC chose to respond to the fourth North Korean nuclear test with sanctions that indiscriminately targeted entire sectors of the North Korean economy, regardless of whether there was a proven direct link to the nuclear programme. The UNSC particularly targeted the top North Korean export industries, progressively cutting off every profitable source of external revenue for the country and its people.²⁵ Resolution 2321 (November 2016) targeted the mineral trade, one of the country's most important sources of revenue. Resolution 2371 (August 2017) completely banned any export of minerals, as well as of seafood. Resolution 2375 (September 2017) banned exports of textiles, an industry in which the overwhelming majority of workers are women.²⁶ Finally, Resolution 2397 (December 2017) targeted the remaining North Korean exports,

23 UNICEF noted in 2017 that "[t]here is an urgent need for the systematic collection of gender-disaggregated data in DPR Korea across all sectors (health, nutrition, WASH, education, humanitarian assistance, political participation, legal rights, income, sexual and gender-based violence, cultural norms and attitudes, household conditions and decision-making, employment) and at all levels to accurately analyze, evaluate, and monitor the well-being of women, their children, and their families." This has been partly addressed by UNICEF's 2017 MICS survey, but significant gaps remain. Davids et al., *Situation Analysis of Children and Women in the Democratic People's Republic of Korea – 2017*, p. 25.

24 For sources on the dual-use ban and UN financial sanctions, see subsection III.A.

25 KOTRA estimated that the top North Korean export industries in 2015 were minerals (50%), textiles (31%), animal products (4%), steel and iron (4%), machinery and electrical equipment (3%), and vegetal products (3%). KOTRA, 2015 Pukhan taeoe muyök tonghyang [2015 North Korea Foreign Trade Trends] (Seoul: KOTRA), p.4.

26 For female representation in DPRK industries, see subsection III.B.

including agricultural products, machinery, and electrical equipment. The last three resolutions also heavily limited the DPRK's import of energy; banned the importation of heavy machinery, industrial equipment, and transportation vehicles; prohibited joint ventures with North Korean entities (the main form of foreign investment in the country); and required all UN Member States to expel North Korean expatriate workers by December 2019.

The UNSC has increasingly cut off the DPRK from access to international capital, and has limited its access to the international banking system.²⁷ Additional unilateral U.S. financial sanctions against the DPRK, especially so-called secondary sanctions, have also had a wide extra-territorial ripple effect, given the dominance of the U.S. dollar in global finance.²⁸ In practice, non-U.S. banks are known to avoid DPRK-related transactions that involve the dollar, because this could result in their exclusion from the U.S. financial system.²⁹ Beyond the funding problems this has caused for the DPRK in general, these financial sanctions have negatively affected the work of humanitarian entities—including UN agencies—by interfering with the administration of funding, adding red tape, and discouraging banks from handling any transactions involving the DPRK under a phenomenon of “de-risking” or “over-compliance.”³⁰

The unresolved Korean War serves as the historical backdrop to the escalating cycle of sanctions in reaction to the DPRK's weapons programme. What began as a civil war became an international one, with the intervention of the United States supported by 15 other nations under the banner of the UN Command on the side of the Republic of Korea (South Korea), and China on the side of the DPRK. The fighting resulted in more than 4 million deaths, and millions of families have been torn apart by the continued division of the Korean Peninsula. The United States and the DPRK technically remain in a state of war, as fighting ended in a stalemate, with an armistice rather than a peace agreement.

Upon the collapse of its Soviet military ally, the DPRK focused in earnest on pursuing its own nuclear weapons programme. A first round of diplomacy culminated in the 1994 U.S.–DPRK Agreed Framework, which provided for denuclearization in exchange for normalization of diplomatic relations and energy aid. The agreement collapsed eight years later, with both sides accusing the other of violating the agreement. A second round of diplomacy, the Six-Party Talks, produced another agreement in 2005, based on a similar denuclearization-for-normalization logic. The DPRK soon withdrew, citing new U.S. sanctions as evidence of hostility, and tested its first nuclear device in 2006. Attempts at renegotiations have failed to produce another agreement on denuclearization, with new tests and ensuing rounds of sanctions in 2009, 2013, 2016, and 2017.

27 UN sanctions have progressively prohibited public financial support for trade with the country that could be WMD-related, banned the country from getting international loans except for humanitarian and development purposes, limited the country's access to the international banking system, blocked bulk cash transfers, prohibited international banks from establishing a foothold in the country, and sanctioned North Korean banks. See subsection III.A. for sources.

28 See, e.g., David Lague and Donald Greenless, “Squeeze on Banco Delta Asia Hit North Korea Where It Hurt,” *The New York Times*, Jan. 18, 2007, <https://www.nytimes.com/2007/01/18/world/asia/18iht-north.4255039.html>. The United States has since prohibited U.S. persons in general from providing financial services to a person designated for sanctions or with the purpose of evading sanctions. Executive Order 13810, Sep. 20, 2017, 82 F.R. 44706. See, generally, Congressional Research Service, *North Korea: Legislative Basis for U.S. Economic Sanctions*, R41438 (updated Jun. 6, 2019).

29 Chad O'Carroll, “An Insider's View: How Banks Try to Avoid North Korea Sanctions Risks,” *NK News*, Jul. 11, 2019, <https://www.nknews.org/2019/07/an-insiders-view-how-banks-try-to-avoid-north-korea-sanctions-risks>.

30 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, p. 362.

II. Humanitarian Impact

There are urgent and long-standing unmet humanitarian needs in the DPRK, despite efforts to focus on domestic and international long-term sustainable programmes. According to the 2019 Needs and Priorities report compiled by the UN Resident Coordinator for the DPRK, “an estimated 11 million ordinary men, women and children lack sufficient nutritious food, clean drinking water or access to basic services like health and sanitation” —affecting over 40 per cent of the population.³¹

Although sanctions state that they are not intended to have adverse humanitarian consequences or interfere with the work of humanitarian agencies, evidence shows that they have such consequences in practice. The FAO and WFP reported, for instance, that sanctions directly and indirectly affected agricultural production, most obviously through “restrictions on the importation of certain items that are necessary for agricultural production, in particular fuel, machinery and spare parts for equipment.”³² Meanwhile, the UN Resident Coordinator found that “humanitarian agencies continue to face serious unintended consequences on their programmes, such as lack of funding, the absence of a banking channel for humanitarian transfers and challenges to the delivery of humanitarian supplies.”³³ This section provides an overview of humanitarian needs in the DPRK, analyzes the role of sanctions in exacerbating the situation, and details in a case study the impact of sanctions on a proposed charitable medical facility for children.

An estimated 11 million men, women, and children lack sufficient nutritious food, clean drinking water, or access to basic services like health and sanitation — affecting over 40 percent of the population.

A. HUMANITARIAN NEEDS

Some of the DPRK’s greatest humanitarian challenges include chronic food insecurity; lack of access to basic health services; declining conditions in water, sanitation, and hygiene (WaSH); and high vulnerability to natural disasters.

In the 2019 Rapid Food Security Assessment Report, the FAO/WFP estimate that “10 million people are food insecure and in need of urgent food assistance”³⁴ as “agriculture annually falls short of meeting the needs by approximately one million tonnes, due to shortages of arable land, lack of access to modern agricultural equipment and fertilizers, and recurrent natural disasters.”³⁵ Overall food production was only 4.95 million tons in 2018, 9 per cent lower than in 2017 and 16 per cent lower than in 2016.³⁶ This threatens earlier achievements such as the reduction of the child stunting rate

31 UN Resident Coordinator for the DPRK, *Needs and Priorities Report 2019*, p. 3.

32 FAO/WFP, *DPR Korea Rapid Food Security Assessment May 2019*, p. 14.

33 *Ibid.*, p. 9.

34 *Ibid.*, p. 4.

35 UN Resident Coordinator for the DPRK, *Needs and Priorities Report 2019*, p. 5. See also FAO/WFP, *DPR Korea Rapid Food Security Assessment May 2019*; DPRK Central Bureau of Statistics, *DPR Korea 2017 MICS (Multiple Indicator Cluster Survey)*, Jun. 2018, UNICEF.

36 UN Resident Coordinator for the DPRK, *Needs and Priorities Report 2019*, p. 5.



A farmer in Hwanghae Province, DPRK.

from 28 per cent in 2012 to 19 per cent in 2017.³⁷ The Rapid Food Security Assessment Report from the WFP in 2019 also states that the restrictions on fuel imports and challenges in obtaining parts for farm machinery have decreased mechanization and increased the need for manual labour.³⁸

According to the UN Resident Coordinator for the DPRK's 2019 Needs and Priorities Report, around 9 million people still have limited access to quality health services.³⁹ There are many health facilities and providers throughout the country at all levels, and notable achievements such as a 25 per cent reduction of infant and under-5 mortality compared to 10 years ago. Nonetheless, the shortage of fuel prevents the transport of patients to county hospitals, and health facilities in general "often do not have the essential medical equipment or life-saving medicines to provide quality health services." Many of the facilities "struggle to maintain consistent water and electricity supplies putting patients at increased risk of infection and death." The population also suffers from one of the highest tuberculosis burdens, affecting 513 per 100 000 people and resulting in an estimated 20 000 tuberculosis-related deaths each year.⁴⁰

37 Ibid., p. 6.

38 FAO/WFP, *DPR Korea Rapid Food Security Assessment May 2019*.

39 UN Resident Coordinator for the DPRK, *Needs and Priorities Report 2019*, p. 7. Other data and evaluations in this paragraph are sourced from the same page of the report.

40 World Health Organization, *Global Tuberculosis Report 2019*, p. 198.

The lack of safe water and sanitation facilities is directly linked to a high prevalence of diarrhea and other diseases, as well as undernutrition.⁴¹ An estimated 9.75 million people do not have access to a safely managed drinking water source.⁴² Overall, 36.6 per cent of the population are left with no alternative but to drink contaminated water.⁴³ Children under 5 years of age living in households that drink contaminated water are three times more likely to be wasted—where fat and tissue waste away—compared to children living in households with access to safe drinking water.⁴⁴ Moreover, around 16 per cent of the population do not have access to basic sanitation facilities, and 9 out of 10 North Koreans in rural areas live in dangerous environments due to the unsafe disposal of human waste.⁴⁵

International humanitarian programmes in the DPRK—which focus on improving life for civilians, mainly women and children, who are the most affected—remain chronically underfunded. The UN inter-agency Needs and Priorities 2018 initially appealed for \$US 111 million, but only 24 per cent was funded. UNICEF’s Humanitarian Action for Children 2018, which appealed for \$US 16.5 million, had a 69 per cent funding gap at year’s end, while the regular humanitarian programme for 2017–2021 remained underfunded by 60 per cent.⁴⁶ Programmes to meet the life-saving needs of 6 million of the most vulnerable people were met by “one of the lowest funding levels in 10 years and one of the lowest funded appeals in the world.”⁴⁷ Indeed, over the last decade there has been a major reduction in international support, due largely to donor fatigue, competing humanitarian crises globally, and political decisions not to fund DPRK-related programmes.⁴⁸

B. BARRIERS TO PROGRESS

Sectoral sanctions affect the importation of items needed to address the humanitarian crises affecting the North Korean population. The UN Panel of Experts highlighted the particular impact of paragraph 7 of Resolution 2397, which prohibits the transfer to the DPRK of all industrial machinery, transportation vehicles, and iron, steel, and other metals. It noted that this prohibition “covers several goods which are vital to agriculture or public health programs, including a variety of agricultural machinery and medical equipment.”⁴⁹ The UN Panel compiled a long list of humanitarian-sensitive items prohibited under paragraph 7, showing that the sanctions were interpreted to ban any item containing any amount of metal components (reproduced in Annex).⁵⁰ It also noted that other humanitarian-sensitive items may be prohibited under other sanctions provisions. There is as yet no comprehensive list of all such affected items.

41 Ibid., p. 8.

42 Ibid.

43 DPRK Central Bureau of Statistics, *DPR Korea 2017 MICS (Multiple Indicator Cluster Survey)*, Jun. 2018, UNICEF, Table WS 17, p. 148.

44 UNICEF, *DPR Korea Annual Report 2018*, May 2019, p. 2.

45 Ibid.

46 Ibid., p 16.

47 UN Resident Coordinator for the DPRK, *Needs and Priorities Report 2019*, p. 10.

48 Kee B. Park and Eliana E. Kim, “The Case for Funding the UN’s Request for Humanitarian Assistance to the DPRK,” *38 North*, Oct. 23, 2018, <https://www.38north.org/2018/10/kparkekim102318>; Edward White, “North Korea to Hold Census without UN Financial Support,” *Financial Times*, Jun. 17, 2019, <https://www.ft.com/content/9ec94514-90cc-11e9-aea1-2b1d33ac3271>; International Federation of Red Cross and Red Crescent Societies, *Emergency Appeal Final Report, DPRK North Hamgyong Province: Floods*, Mar. 2018.

49 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, p. 361.

50 Ibid., pp. 369–372.



Women make up 100 per cent of nursing positions in the health sector in the DPRK.

Thus far, there have been only a handful of evaluations of the consequences of sectoral sanctions on the North Korean government’s ability to address the humanitarian needs of its population, as well as on UN programmes targeting the most vulnerable groups in North Korea. One such evaluation is the 2019 FAO/WFP report, which highlighted the “unintended impact of sanctions on agricultural production.”⁵¹ It cited, in particular, sanction restrictions on fuel, machinery, and spare parts, noting that the country’s oil consumption fell from 3.8 million metric tons in 1991 to only 0.75 million in 2017. It highlighted that “shortages of fuel, electricity and pumping equipment limit the ability to irrigate, reducing yields and making crops susceptible to extreme weather shocks, such as droughts and heatwaves.” Indeed, the UN Panel of Experts’ list of banned humanitarian-sensitive items includes generators, electric transformers and inductors, electric storage batteries, electrical apparatus, and irrigation equipment.⁵² The FAO/WFP also explained that the resulting “starkly diminished level of agricultural mechanization” led to the use of manual labour and animals as substitutes, causing delays that limit the cropped area and increase post-harvest losses.⁵³ The FAO/WFP concluded that “the deterioration of infrastructure, reduction in electricity supply and wearing out of machinery and equipment undoubtedly results in the levels of post-harvest losses increasing year after year,” as they have repercussions at the stages of threshing, drying, storage, and, where applicable, food processing.⁵⁴

Similar dynamics undermine the provision of health care to the North Korean population, whether by North Korean domestic institutions or UN programmes focusing on the most vulnerable groups. As noted above, health facilities in the country—particularly in rural areas—often lack the necessary medical equipment and struggle to maintain consistent water and electricity supplies.⁵⁵ In this respect, it is particularly concerning that the list of banned humanitarian-sensitive items includes sterilizers, UV lamps for disinfection,

The list of banned humanitarian-sensitive items includes sterilizers, UV lamps for disinfection, ambulances, carriages and orthopaedic appliances for disabled persons, medical appliances such as ultrasound and cardiograph machines, syringes, needles, catheters, X-ray machines, and machinery for filtering or purifying water, among other things.

51 FAO/WFP, *DPR Korea Rapid Food Security Assessment May 2019*, p. 14.

52 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, pp. 369–372.

53 FAO/WFP, *DPR Korea Rapid Food Security Assessment May 2019*, p. 14.

54 Ibid.

55 UN Resident Coordinator for the DPRK, *Needs and Priorities Report 2019*, p. 7.

ambulances, carriages and orthopaedic appliances for disabled persons, medical appliances such as ultrasound and cardiograph machines, syringes, needles, catheters, dental and ophthalmic equipment, artificial respiration machines, X-ray machines, medical furniture, microscopes, pumps, water heaters, machinery for filtering or purifying water, and machinery for water well drilling.⁵⁶

The UN mechanism for case-by-case humanitarian exemptions is insufficient to prevent these negative impacts, given that it is of an ad hoc and corrective nature rather than a systematic and preventive one.⁵⁷ One key issue is that the mechanism appears to exclude exemptions applications from the North Korean government itself, referring instead to “international and non-governmental organizations carrying out assistance and relief activities in the DPRK for the civilian population.”⁵⁸ This is even though the paragraph laying out the exemption mechanism “stresses the DPRK’s primary responsibility and need to fully provide for the livelihood needs of people in the DPRK.”⁵⁹ In these circumstances, it does not appear possible, for example, for a North Korean cooperative farm to apply for a WaSH project exemption requiring imports from China. Any such goods would remain stuck at Chinese customs for lack of proper documentation.

The UN mechanism for case-by-case humanitarian exemptions is insufficient to prevent negative impacts, given that it is of an ad hoc and corrective nature rather than a systematic and preventive one.

Moreover, even in the case of international organizations and NGOs, the UN Panel of Experts has assessed that applicants continue to face various challenges. This assessment came after and despite the publication of guidelines for obtaining exemptions to lessen the delays that most crippled the effectiveness of the mechanism.⁶⁰ In an analysis of 25 exemption requests before the 1718 Committee during the reporting period, the UN Panel still observed months of delays for cases such as water systems, ambulance vehicles, and medical equipment for maternal and neonatal emergencies.⁶¹ According to the UN Panel, further expediting the review and approval of exemption requests “will help to alleviate the suffering of hundreds of thousands of civilians.”⁶² Another key problem highlighted by the UN Panel is the long lead time forced upon applicants in planning humanitarian shipments, as the exemption may become invalid if there are “any changes to planned suppliers, shipping routes, item specifications, or quantities.”⁶³ This imposes a high initial barrier to humanitarian work that may lead NGOs to forgo engaging with the exemption process required by any humanitarian programme. A later midterm report of the UN Panel of Experts noted that the average time between the receipt and approval of exemption requests had been significantly reduced since the adoption of the guidelines, but also observed that other outstanding issues with the exemption mechanism had yet to be solved.⁶⁴

56 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, pp. 369–372.

57 Exemptions are granted by the 1718 Committee. Since Resolution 2321, a general purpose case-by-case humanitarian exemption is available to “international and non-governmental organizations carrying out assistance in the DPRK for the benefit of the civilian population of the DPRK,” a formulation that excludes DPRK governmental organizations. UNSC Resolution 1718, S/RES/1718, Oct. 14, 2006, para. 12(c); UNSC Resolution 2321, S/RES/2321, Nov. 30, 2016, para. 46; UNSC Resolution 2371, S/RES/2371, Aug. 5, 2017, para. 26; UNSC Resolution 2375, S/RES/2375, Sep. 11, 2017, para. 26; UNSC Resolution 2397, S/RES/2397, Dec. 22, 2017, para. 25.

58 UNSC Resolution 2397, S/RES/2397, Dec. 22, 2017, para. 25; UNSC 1718 Committee, “Implementation Assistance Notice No. 7: Guidelines for Obtaining Exemptions to Deliver Humanitarian Assistance to the DPRK,” Aug. 6, 2018 (specifying that while UN Member States can apply for exemption, this is intended to be on behalf of international and non-governmental organizations seeking to deliver humanitarian assistance to the DPRK).

59 UNSC Resolution 2397, S/RES/2397, Dec. 22, 2017, paras. 23, 24, 25.

60 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, p. 360.

61 *Ibid.*, pp. 360, 363–367.

62 *Ibid.*

63 *Ibid.*, p. 360. See also Avram Agov, “Facing the Tuberculosis Crisis in North Korea: The Humanitarian Work of the Eugene Bell Foundation,” *38 North*, Jul. 31, 2019, <https://www.38north.org/2019/07/aagov073119/>.

64 UN Panel of Experts Midterm Report, S/2019/691, Aug. 30, 2019, para. 83.



While the maternal mortality ratio in the DPRK has dropped in recent years, sanctions slow this progress by obstructing the provision of emergency reproductive health kits.

Operational experience fully confirms the problems highlighted by the UN Panel. There are indications that the exemption guidelines have been slow to be implemented, inadequately communicated even to Member States, and with rules and a time frame that are inappropriate for the DPRK context.⁶⁵ The UN exemption approval time frame is too short: it is valid for only 6 months, while the programme cycle in the DPRK—securing resources, international procurement, production of the goods/medicines, quality testing, and transport and distribution for most programme components—takes at least 9 to 12 months. Furthermore, for exempt approval, items are requested to be shipped together once or in a consolidated manner, with a view to increasing efficiency of shipping and customs clearance.⁶⁶ This requirement is unrealistic, as goods needed in different sectors can be procured only from a range of suppliers, in compliance with effective international procurement competition.⁶⁷

Financial sanctions are particularly problematic for humanitarian programmes directed at the DPRK. The UN Panel of Experts report for March 2019 noted that the banking channel UN agencies used for activities in the DPRK had collapsed as early as September 2017.⁶⁸ Consequently,

In an analysis of 25 exemption requests before the 1718 Committee, the UN Panel observed months of delays for cases such as water systems, ambulance vehicles, and medical equipment for maternal and neonatal emergencies.

65 UNSC 1718 Committee, "Implementation Assistance Notice No. 7: Guidelines for Obtaining Exemptions to Deliver Humanitarian Assistance to the Democratic People's Republic of Korea," Aug. 6, 2018.

66 UNSC 1718 Committee, "Humanitarian Exemption Requests," 2019, <https://www.un.org/securitycouncil/sanctions/1718/exemptions-measures/humanitarian-exemption-requests>.

67 UNDP in DPR Korea, "Jobs and Procurement," <http://www.kp.undp.org/content/dprk/en/home/jobs---procurement.html>.

68 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, p. 360.

humanitarian organizations have increasingly had to find internal solutions to maintain their activities.⁶⁹ Part of the problem has been a phenomenon of “over-compliance” or “de-risking,” by which “financial institutions and other private-sector actors categorically reject all transactions tied to a high-risk jurisdiction” given “the threat of secondary sanctions by various [UN] Member States.”⁷⁰ The Finnish NGO Fida, for instance, attributed the end of its humanitarian programme to the financial sanctions, which it said made humanitarian projects “impossible.”⁷¹ Meanwhile, there is no accounting of the adverse impact of financial and other sanctions on North Korea’s own capacities to address its humanitarian issues.

The full extent of the humanitarian impact of sanctions on the DPRK is unknown, but there is already evidence of irreparable damage. It is possible to estimate with reasonable certainty that there may have been more than 3 968 deaths in 2018 (with 3 193 of those being children under age 5, and 72 of them pregnant women⁷²) as a result of sanctions-related delays and funding shortfalls impacting specific UN humanitarian programmes, notably those addressing severe acute malnutrition, vitamin A deficiency, WaSH issues, and the need for emergency reproductive health kits.⁷³ This estimate does not include the undoubtedly much higher numbers of the impact on North Korean domestic capabilities to address humanitarian issues. There are also likely excess deaths linked to aid organizations withdrawing their aid or not intervening due to administrative hurdles.

Preventable deaths attributable to delays and funding shortfalls

UN agencies had to reduce their 2018 programming due to delays and funding shortfalls, resulting in an estimated 3968 deaths.

	Targeted Population	Unreached Population	Preventable Deaths			Deaths Due to delays*		
				M	F		M	F
Severe Acute Malnutrition	60,000	5000 (8%)	1650	825	825	223	112	112
Vitamin A	1,600,000	83,565 (5%)	343	172	172	46	23	23
WASH	356,891	91,891 (26%)	703	352	352	95	48	48
Emergency Reproductive Health Kits	341,500	337,750 (99%)	1272	600	672	172	81	91
TOTAL	2,358,391	518,206	3968	1948	2020	535	264	271

*Deaths due to delays are a subset of all preventable deaths. Calculated by applying the average proportion of the year spent waiting for exemption (99.365) to the total amount of preventable deaths, assuming a 50% reduction in operating capacity.

69 Ibid.

70 Ibid.

71 Yonhap News Agency, “Finnish NGO Decides to Quit Operations in N. Korea amid Sanctions,” Jun. 13, 2019, <https://en.yna.co.kr/view/AEN20190613008800325>.

72 North Korea has excellent antenatal and delivery care, and has already reached the 2030 target of less than 70 deaths for 100 000 live deliveries. However, in 2018, 99 per cent of pregnant women in North Korea did not have access to emergency reproductive kits to assist with life-threatening complications during pregnancy, such as post-partum haemorrhages and eclampsia, due to sanctions and funding shortfalls. The UNFPA had intended to reach 341 500 pregnant women last year, but reached only 1 per cent (3 750) of those targeted. As many as 72 pregnant women may have died as a result of not having these kits available.

73 The UN’s DPRK *Needs and Priorities 2018* report provided the number of people intended to be reached by these UN programmes. The *DPRK Needs and Priorities 2019* report gave the actual number of people reached in 2018. Using published reductions in mortality rates of the intended interventions, the number of lives that may have been lost was calculated based on the difference between mortality rates with and without the interventions in the unreached population. See Kee B. Park, Miles Kim, and Jessup Jong, “The Human Costs of UN Sanctions and Funding Shortfalls for Humanitarian Aid in North Korea,” *38 North*, Aug. 22, 2019, <https://www.38north.org/2019/08/parkkimjong082219>.

Case Study: Pyongyang Spine Rehabilitation Center (PYSRC): Pyongyang, DPRK

Ignis Community is a humanitarian organization that has been working in the DPRK since April 2008. As of April 2013, Ignis' main focus has been on medical care, treatment, and training through the development of the Pyongyang Spine Rehabilitation Center (PYSRC) to treat children with developmental disabilities such as cerebral palsy and autism.

Prior to the development of the PYSRC's programme, no official specialization existed for treating cerebral palsy or autism in the DPRK. Developmental disabilities were considered to be untreatable or were treated with lack of expertise, similar to the approach in other developing nations. Mothers with children who have mild to severe developmental disabilities lacked adequate medical care, education, and opportunities for their children. Now, children with cerebral palsy and autism are, for the first time in their lives, receiving medical treatment through physical therapy and occupational therapy in the Pyongyang Medical School Hospital, as doctors are being trained in paediatric rehabilitation. Doctors who once told mothers who have children with disabilities that there was little to be done for them are now learning how to treat developmental disabilities appropriately. As a result, children who once could not stand or walk are gaining independence and mobility and walking out of the hospital as they are discharged.

As a new ward of the Pyongyang Medical School Hospital, the PYSRC's construction is now complete. It has the capacity to treat 450 outpatients a day and house 40 inpatients. However, since UN Resolution 2397, banning the import of all metal to the DPRK, including metal in medical and rehabilitation equipment, Ignis Community must apply for and receive a UN Sanctions Exemption to ship the necessary medical equipment to treat children with developmental disabilities. As a result, the opening of the PYSRC and the treatment of thousands of children with developmental disabilities in the DPRK have been delayed since 2016.

In the DPRK, where treatment for children with special needs is a new area of medicine, the longer mothers have to wait for necessary expertise and equipment to treat their children, the higher the risk of losing their child. Mothers in the DPRK do not have the resources to care for their children with developmental disabilities. Without immediate and timely medical intervention, many North Korean children with cerebral palsy and other developmental disabilities do not survive. Even with exemptions, UN sanctions impede the delivery and efficacy of medical treatment to the neediest in the country.

UN sanctions have also indirectly affected Ignis' humanitarian operation. In February 2017, Ignis' bank requested the closure of its accounts. Like many banks, it was reluctant to do business with a not-for-profit organization working in the DPRK. Vendors and customs along the border are unwilling to transport humanitarian goods into the DPRK, which delays the delivery of aid and puts those in need of humanitarian relief at even greater risk. Although exemptions are allowed for humanitarian assistance to the country, the current UN sanctions discourage all entities from any interaction with North Korea-related relief efforts.

III. Development Impact

Beyond their adverse humanitarian consequences, sanctions have also negatively impacted the country's economic development. In a sense, this impact is self-evident from the increasingly punitive nature of the sanctions. UN sanctions against the DPRK were at first essentially obstructive, designed simply to deny the country any support in the pursuit of its nuclear, missile, and WMD programmes. In 2006, UN resolutions 1695 and 1718 required UN Member States to prevent the transfer to the DPRK of any related items, materials, goods, and technology. Since then, however, the UNSC has increased pressure on the DPRK by widening the scope of the sanctions. As detailed in the background section of the Introduction above, a first generation of UN sanctions running from 2006 to 2016 sought to punish in particular the military and the elite, while a second generation since 2016 has imposed an almost total embargo, affecting the whole society.

The first generation of sanctions largely took the form of "smart" sanctions. The term refers to targeted measures designed to avoid the sort of adverse consequences for the population that had arisen in the context of the comprehensive trade embargo on Iraq in the 1990s.⁷⁴ In the North Korean case, these measures included travel bans and asset freezes of key individuals or companies, a ban on luxury goods, and a ban on military goods. From 2016 onwards, however, the implications of the sanctions for North Korea's economic development have become much more pronounced. The relevant UNSC resolutions adopted measures aimed at an almost total ban on any trade, investment, and financial transactions involving the DPRK. While there is contradictory evidence as to how hard this second generation of sanctions is hitting the domestic economy, there has been a sizeable decline in the DPRK's external trade, as detailed in the following pages.

A. BACKGROUND ON NORTH KOREA'S ECONOMIC DEVELOPMENT

First-generation developmental impacts arose notably from the financial sanctions imposed on DPRK entities. The UNSC, for example, mandated asset freezes of designated North Korean individuals and corporations, prohibited the provision of financial services that could contribute to North Korean weapons programmes, prohibited public financial support for trade with the DPRK where it could contribute to the nuclear or missile programme, called to refuse financial assistance to the DPRK (though with an exception for development purposes), blocked the country from bulk cash transfers, and restricted its ties to international banking systems.⁷⁵ Combined in particular with certain unilateral sanctions by the United States and the risk assessment practices of financial institutions, these measures have contributed to making the DPRK a pariah in the international financial world and to cutting off its access to international capital. The inclusion of so-called dual-use items among banned military goods may also have had negative developmental impacts. This broad category covers items that could be used for civilian or military purposes, which can affect a wide range of economic sectors, such as the telecommunication, aeronautics, chemical, and health-care industries.⁷⁶

74 Denis J. Halliday, "The Impact of the UN Sanctions on the People of Iraq," *Journal of Palestinian Studies*, vol. 28, No. 2 (1999), pp. 29–73.

75 UNSC Resolution 1718, S/RES/1718 (2006), para. 8(d); UNSC Resolution 1874, S/RES/1874, Jun. 12, 2009, paras. 18, 19; UNSC Resolution 2094, S/RES/2094, Mar. 7, 2013, paras. 11, 12, 13, 14, and 15.

76 For a measure of the broadness of the dual-use concept, see, e.g., the European Union regulations: Council Regulation (EC) No 1334/2000 of 22 Jun. 2000 setting up a Community regime for the control of exports of dual-use items and technology, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02000R1334-20090102>.

Measuring this impact is nevertheless challenging because it is in large part an opportunity cost and because this first generation of sanctions largely coincided with a tentative economic recovery in the DPRK following the crisis and famine of the 1990s. Observers have noted improved economic indicators and visible, if sporadic, signs of modest growth in the DPRK's major cities.⁷⁷ This phenomenon was underpinned by two interrelated processes: the rapid expansion of economic ties with China and the ongoing marketization of the North Korean economy.

Indeed, the DPRK's trade with China grew from \$US 1.7 billion in 2006 to \$US 6.54 billion in 2013.⁷⁸ China thereby became the country's most important economic partner, with its share of the DPRK's total external trade increasing from 39 per cent to 77 per cent during the same period.⁷⁹ Much of this trade was centred on DPRK mineral exports, with exports of anthracite coal, for example, reaching \$US 1.38 billion in 2013. Exports of clothing manufactures also became a key growth area, integrating the DPRK into regional and global production networks. Exports to China of clothing and related items grew from \$US 186.42 million in 2010 to \$US 799.3 million in 2015—an increase from 16 per cent to 33 per cent of the DPRK's total exports. The export of other items, such as seafood, also saw a rapid increase, from \$US 21.6 million in 2009 to \$US 190 million in 2016.⁸⁰ There was also an increase in the dispatch of North Korean labour overseas. According to one report, in 2016, between 110 000 and 123 000 North Korean workers were overseas in up to 40 countries.⁸¹

This rapid increase in the DPRK's external economic relations was closely related to the ongoing process of marketization taking place within the country. Following the collapse of the public distribution system in the 1990s, ordinary North Koreans had little choice but to turn to market activities for survival. The collapse in industrial production also meant that the rapid expansion of marketplaces was underpinned by the influx of basic necessities and consumer goods from China. Although marketization has brought wealth for some, it has been accompanied by increasing levels of social inequality.⁸² Nonetheless, a key consequence of the crisis of the 1990s has been that the majority of North Koreans have become dependent on the markets for their survival. While many market-related activities were technically illegal in their early stages, the authorities grew increasingly tolerant of such practices, given the woes of the centrally planned economy. From the early 2000s, government reforms provided legal recognition for many of these market activities, leading to the establishment of a network of state-managed marketplaces. Marketization later spread from the retail sector towards the light manufacturing, construction, transport, service, and agricultural sectors.

Until 2016, the sanctions regime did not appear to curb either the DPRK's ongoing marketization or the growth in the country's external trade. There were two key reasons for this. The first is the widely reported spotty enforcement of those sanctions by Chinese authorities.⁸³ The second was that this first generation of UN sanctions was relatively narrow in scope and did not proscribe trade in those key items that constituted the bulk of the DPRK's external trade.

77 Henri Féron, "Pyongyang's Construction Boom: Is North Korea Beating Sanctions?" *38 North*, Jul. 18, 2017, <https://www.38north.org/2017/07/hferon071817>.

78 Korea International Trade Association, www.kita.org.

79 These figures include inter-Korean trade and are drawn from statistics released by the Korea Trade-Investment Promotion Agency (KOTRA) and the Ministry of Unification. If inter-Korean trade is excluded, China's share in North Korea's foreign trade reached 89 per cent in 2013.

80 Korea International Trade Association, www.kita.org.

81 Yong-yoon Choi, "Pukhan Haeoe Nodongja Hyŏnhwang: T'onggyedeit'ŏ Chungshimūro" [The Situation of North Korean Overseas Workers: On the Basis of Data], *KDI Review of the North Korean Economy* (February 2017), pp. 101–121 (here p. 103).

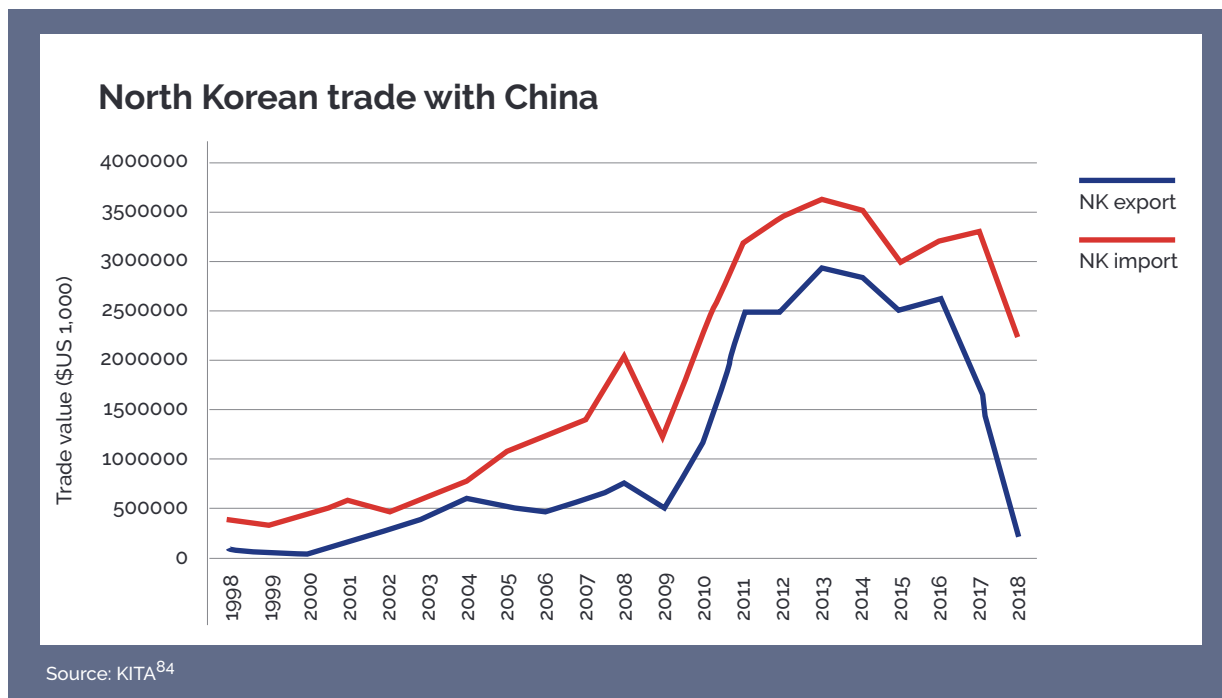
82 Byung-Yeon Kim, *Unveiling the North Korean Economy: Collapse and Transition* (Cambridge: Cambridge University Press, 2017), p. 110.

83 Marcus Noland, "The (Non-) Impact of UN Sanctions on North Korea," *Asia Policy*, vol. 7 (2009), 61–88.

B. SANCTIONS UNDER “MAXIMUM PRESSURE”

The sanctions’ impact on development became much more pronounced as UN resolutions started to take the form of sectoral trade sanctions, in response to the DPRK’s accelerating nuclear and missile programme. China also showed increasing focus in enforcing those sanctions. Resolution 2270, passed on 2 March 2016 in response to the DPRK’s fourth nuclear test, included a ban on North Korean exports of several key minerals. These included anthracite and iron ore, although the resolution contained a somewhat vague exemption clause for trade in minerals conducted for “livelihood purposes.” However, Resolution 2321, passed on 30 November 2016, partially removed this exemption. It fully banned the export of copper, nickel, silver, and zinc, and placed a quantitative cap on North Korean exports of coal, although it maintained a livelihood exemption for iron and iron ore exports.

Resolution 2371, passed on 5 August 2017, removed the livelihood exemption entirely. It banned exports of anthracite, iron and iron ore, lead ore, as well as all seafood, and prohibited new joint ventures with North Korean entities or any expansion of existing investments. Given that the targeted sectors were significant employers of North Korean workers, removing this exemption conflicted with the claim made in Article 26 of the same resolution that the measures “are not intended to have adverse humanitarian consequences for the civilian population of the DPRK.” Furthermore, Resolution 2375, passed on 11 September 2017, placed quantitative caps on the sales of crude oil, refined petroleum, and natural gas liquids to the DPRK, and banned all existing joint ventures. It also banned North Korean textile exports and new permits for overseas North Korean workers. Finally, Resolution 2397, passed on 22 December 2017, limited North Korean imports of petroleum to 500 000 barrels per year, capped crude oil at current levels, and called for the repatriation of all North Korean nationals earning income abroad within 24 months. As a result, by 2017, UN sanctions had come to target nearly all the sectors that had underpinned the DPRK’s tentative economic recovery.



84 Korea International Trade Association, <http://www.kita.org/>. The apparent dip in trade in 2009 was a result of Chinese Customs failing to record Sino-North Korean trade for four months. Furthermore, Chinese Customs ceased to record petroleum exports to North Korea from 2014. In reality, it is likely that bilateral trade continued to grow until 2016.

The impact on development is clearest in the sharp reduction of the DPRK's external trade. In 2018, exports to China fell from \$US 1.65 billion to just \$US 195 million, a decline of 88.2 per cent.⁸⁵ At the same time, imports from China fell from \$US 3.328 billion to \$US 2.217 billion, a decline of 33.4 per cent.⁸⁶ This trend stands in sharp contrast to the rapid growth of China–DPRK trade prior to the imposing of sectoral sanctions, suggesting that—beyond the absolute reduction in trade—the country may have suffered a large opportunity cost. Indeed, this dynamic also appears to have had ripple effects within the domestic economy. While the market prices of basic goods appear to have remained relatively stable in the DPRK, there are anecdotal reports that the decline in foreign trade has led to shortages of foreign currency and thus to reduced market activity.⁸⁷ This can be explained by the fact that basic goods in the DPRK are often priced in foreign currency and reflect international prices, given the integration of Chinese and North Korean markets in non-sanctioned goods.⁸⁸ Meanwhile, there has reportedly been a sharp downturn in the housing market of major North Korean cities recently.⁸⁹ Indeed, this trend may be a more reliable market indicator, as the supply of housing will be slower to adapt to reduced demand than the supply of basic goods.

Sanctions have had a direct impact on women in the sectors producing sanctioned goods.

While the near collapse in trade would inevitably have an impact on the development of the country, it has remained difficult to precisely quantify it in GDP terms. The South Korean central bank, the Bank of Korea, has estimated that the North Korean economy was in recession. According to its annual estimates of North Korean GDP, there has been a sudden drop: from a growth rate of +3.9 per cent in 2016, to -3.5 per cent in 2017, to -4.1 per cent in 2018.⁹⁰ This has been widely interpreted as an outcome of the increasingly restrictive sectoral sanctions imposed since late 2016. There have nevertheless been repeated questions about the methodology underpinning these estimates.⁹¹ Since the DPRK does not publish actual GDP growth statistics itself, alternative approaches have focused on using the DPRK's national budget reports as proxies for it. Ruediger Frank, for example, notes that the state budgetary revenue reported by the DPRK Supreme People's Assembly decreased from +6.3 per cent in 2016 to +4.9 per cent in 2017 and to +4.6 per cent in 2018.⁹² It is unclear what methodology and data are used for these figures, which are given only in relative rather than absolute terms. In any case, both sets suggest a trend of slowing economic growth in the years affected by sectoral sanctions. A clearer assessment would require more precise and reliable data on the performance of the North Korean domestic economy.

85 Ibid.

86 Ibid.

87 Daily NK, "Sanctions Lead to Continued Stagnation of North Korean Markets," Aug. 9, 2019.

88 Seok Lee, "Ch'onggwat:2018-nyŏn Pukhan kyŏngje, wigiin'ga pŏt'igiin'ga?" [Overview: In 2018, Is the North Korean Economy in Crisis or Is It Muddling Through?], *KDI Review of the North Korean Economy* (February 2019), pp. 3–28 (here p. 23).

89 Dong-A Daily, "Oehwanwigi t'ŏjin P'yŏngyang, pan'gap p'ongnakhn chipgap" [Foreign Currency Crisis in Pyongyang: House Prices Have Fallen Sharply by 50%], Jan. 30, 2019; Daily NK, "Pyongsong Apartment Market Stagnates," May 15, 2019.

90 Bank of Korea, "Gross Domestic Product Estimates for North Korea in 2018," Jul. 26, 2019, <https://www.bok.or.kr/eng/bbs/E0000634/view.do?nttId=10053001&menuNo=400069>.

91 See, e.g., Marcus Noland, "The Black Hole of North Korea," *Foreign Policy*, Mar. 7, 2012, <https://foreignpolicy.com/2012/03/07/the-black-hole-of-north-korea>.

92 Ruediger Frank, "The North Korean Parliamentary Session and Budget Report 2019: Signs of Economic Stagnation and an Open Claim to Leadership on the Korean Peninsula," *38 North*, Apr. 13, 2019, <https://www.38north.org/2019/04/rfrank041319>.

The sanctions have had a direct impact on women in the sectors producing sanctioned goods, such as electrical equipment, machinery and equipment, minerals, agricultural goods, seafood, and textiles, as well on the women involved in international trade or the domestic retail trade. The proportion of women in these sectors is suggested in the most recent available population census, carried out in 2008 in the early stages of the growth in Sino–North Korean trade.⁹³ That census showed that women represented 34 per cent of the workers involved in the manufacture of electrical equipment; 35 per cent of those involved in the manufacture of machinery and equipment; 36 per cent of those in the mining and quarrying sectors; 39 per cent of those involved in international trade; 53 per cent of those in the agriculture, forestry, and fishing sector; 82 per cent of those involved in the manufacture of textiles and apparel; and 89 per cent of those involved in retail trade.⁹⁴



As noted, the DPRK has also engaged in the dispatch of workers abroad. Practices such as the confiscation of passports and the restriction of workers' movement while abroad have led to accusations of practices of forced labour. At the same time, however, there is strong competition among workers for these jobs due to the higher levels of pay than can be earned within the DPRK, and workers often pay to be selected for such work.⁹⁵ Returning workers typically invest their earnings and bring back goods for sale in the DPRK's general markets, thus contributing to marketization and the rise of an entrepreneurial class.⁹⁶ As such, sanctions on the dispatch of overseas workers is likely to close off this route to upward mobility; indeed, reports suggest that large numbers of North Korean workers have been sent home since the ban was imposed.⁹⁷ While the poor labour conditions of North Korean overseas workers certainly need to be addressed, it is dubious whether closing off the possibility for such work is in those workers' best interests, particularly in the context of the lack of alternative means to secure their livelihoods within the DPRK.

Many children in the DPRK lack access to clean drinking water.

93 See also subsection IV. "Gendered Impact," which includes more recent information on women's representation in specific industries, as discussed in the context of CEDAW periodic reports.

94 DPRK Central Bureau of Statistics, *DPRK 2008 Population Census National Report*, pp. 193–195.

95 Sang-shin Lee, Kyoung-seop Oh, and Yeh-joon Lim, *Pukhan Haeoenodongja Shilt'ae Yŏn'gu* [Research on the Situation of North Korean Overseas Workers] (Seoul: Korean Institute for National Unification, 2017), pp. 43–60.

96 Andrei Lankov, "North Korean Workers Abroad Aren't Slaves," *NK News*, Nov. 27, 2014, <http://www.nknews.org/2014/11/north-korean-workers-abroad-arent-slaves>.

97 Michelle Nichols, "Russia, China Sent Home More than Half of North Korean Workers in 2018 – U.N. Reports," *Reuters*, Mar. 26, 2018, <https://www.reuters.com/article/us-northkorea-sanctions-un-exclusive/russia-china-sent-home-more-than-half-of-north-korean-workers-in-2018-u-n-reports-idUSKCN1R70AT>.

Case Study: Shoe Manufacturing Company: Rason, DPRK

Ignis Community is a non-profit organization providing humanitarian assistance to the DPRK through life-saving medical treatment and training, food and medical donations, and wood and coal donations to provide cooking sources and heating for the bitter Korean winters. The non-profit's focus is to build relationships and create sustainable solutions through humanitarian workers who reside and work on the ground long term, to foster self-sufficiency in the communities.

In June 2008, Ignis Community helped launch a social enterprise in the form of a shoe manufacturing social venture company in the Rason Special Economic Zone. The goal of the company was to provide much-needed winter boots and shoes for children in the DPRK as well as sustainable income to women and their families through long-term employment. Ignis Community raised funds to donate shoes at cost to orphans and children in remote fishing and mountain villages. Over 90 000 pairs of winter boots have been donated to children throughout the country who did not have warm footwear for the winter. The shoe manufacturing company not only benefited female labourers, but also was able to provide over 55 000 pairs of snow boots for donation in five countries, including Mongolia, China, and Russia. The company also provided jobs to women with sewing skills. Although the company used to employ over 140 workers, of whom the majority were women, the workforce has been reduced to 46 employees, of whom half are women, as a result of sanctions.

Due to UN sanctions, Ignis's last donation order was through the humanitarian organization World Vision in August 2011. Since the fall of 2011, Ignis could no longer export any shoes from the DPRK and turned instead to internal sales to keep the social enterprise afloat. Through individual women working privately in the DPRK marketplace, the shoe manufacturing company was able to sell 11 869 pairs of shoes. These shoes were sold in small quantities in a micro-financing system where individual women would first receive shoes and then repay the shoe company after they had sold those shoes in the marketplace. Ordinary women in North Korea working in the local marketplace were empowered through this micro-financing system of purchasing and selling shoes to provide for their families. Through these women, shoes were sold in four marketplace cities: Rajin, Chongjin, Pyeongsong, and Pyongyang.

However, the shoe manufacturing company's ability to sell shoes in the DPRK has significantly decreased due to the drastic reduction in general buying and economic power there. Due to UN Resolution 2375, Chinese joint-venture companies were required to leave the DPRK within 90 days from 11 September 2017. Hundreds of Chinese entrepreneurs and others were forced to shut down their businesses in North Korea. As the shoe manufacturing company had become a fully foreign-owned enterprise in November 2016, Ignis was able to continue operations legally in North Korea. However, due to UN Resolution 2375, the shoe company was no longer capable of importing raw materials for the production of shoes in the country.

Moreover, one of the company's elderly North Korean employees is the father of two daughters who were employed by the fishing industry in Rason. These fishing companies export seafood, primarily squid, to China. Since the last round of sanctions, however, much of the fishing industry in North Korea has shut down, as exports have been banned. As a result, both of his daughters have lost their jobs. The father, who is of retirement age, now has the sole responsibility of financially providing for his entire family.



A woman sews at a shoe manufacturing company in the Rason region of North Korea. The company used to employ over 140 workers, mostly women, but due to sanctions the workforce has been reduced to just 46 employees. Photo courtesy of Ignis Community.

IV. Gendered Impact

Cross-national research encompassing 146 countries from 1971 to 2005 shows that international sanctions have a gendered effect.⁹⁸ Sanctions significantly degrade women's economic status and threaten their social rights, particularly in developing countries. While men also suffer economically under sanctions, women are typically already at an economic disadvantage apart from sanctions due to pre-existing patterns of discrimination, and thus tend to experience disproportional effects as a result of foreign economic restrictions imposed on their countries.

Seemingly “nonviolent” sanctions also have differential consequences for women's security as well as their social and political rights. While a state may increase its repression under sanctions and target men more directly with coercion, sanctions frequently produce greater social disorder and violence in society, and this increases gendered violence and discrimination.⁹⁹ States under sanctions become less likely to enforce women's rights and, as women's socioeconomic status deteriorates, women are less able to protect their physical security and participate in public life.

Many of these dynamics appear to be unfolding in the DPRK, particularly as sanctions have become more expansive in recent years. Women's livelihoods are undermined by sanctions targeting the industries in which they work and reducing the activity of the markets in which they trade. Their dignity is under threat in this climate of instability and economic insecurity. Their very lives are at risk as they struggle to ensure food security for themselves and their families, and the transfer of critical medicines and medical equipment face delays.

Sanctions frequently produce greater social disorder and violence in society, and this increases gendered violence and discrimination.

A. WOMEN IN NORTH KOREA

Women make up more than half (52 per cent) of North Korea's population.¹⁰⁰ They occupy many different roles in society: as administrators, cooperative farm managers, doctors, entrepreneurs, engineers, nurses, teachers, technicians, police officers, detention guards, soldiers, and many more. While they do not represent a monolithic bloc, many are among the most vulnerable groups in the country, owing to patriarchal traditions that pervade state and societal relations. Men head 92 per cent of households in North Korea.¹⁰¹ In principle, however, the North Korean government made an early commitment to gender equality by passing the Gender Equality Law in 1946. The law declared equal economic, cultural, social, and political rights for men and women, including the freedom

98 A. Cooper Drury and Dursun Peksen, “Women and Economic Statecraft: The Negative Impact International Economic Sanctions Visit on Women,” *European Journal of International Relations*, vol. 20, No. 2 (2014), pp. 463–490.

99 Ibid.

100 DPRK Central Bureau of Statistics, *Democratic People's Republic of Korea Socio-Economic, Demographic and Health Survey 2014*, p. 23.

101 Davids et al., *Situation Analysis of Children and Women in the Democratic People's Republic of Korea – 2017*, p. 15.



North Korean women are particularly exposed to the impact of sanctions because of the twin expectation that they be primary caretakers of their families and communities as well as workers fully integrated in the socialist economy.

of marriage and divorce, and the abolition of prostitution and concubinage.¹⁰² The 2010 Law on the Protection and Promotion of the Rights of Women brought the gender law up to date to target issues of discrimination and entrenched gender roles and stereotypes about women and to promote the advancement of women—including rural women—in public life, education, employment, and health-care access.¹⁰³ Through this law, as well as labour protection laws, women gained paid maternity leave, childcare and nursing breaks during work, laundries, and communal kitchens to socialize domestic labour. Nonetheless, North Korea has held the family to be the basic unit of society. Consequently, women's role as primary caretakers in charge of reproductive labour persists based on a biological understanding of sexual difference.

Reproduction for the purposes of population growth has been particularly important because North Korea's population has stood at less than half of South Korea's since the division of the peninsula in 1945, an imbalance that was further exacerbated by the Korean War, which killed 12 to 15 per cent of North Korea's population.¹⁰⁴ Acute labour shortages after the war prompted the government to decree greater female participation in the workforce. The unemployed were given only 300 grams of food a day through the public distribution system, as opposed to 700 grams for the fully employed, and large investments went into public childcare facilities to incentivize women to work.¹⁰⁵

Women's work therefore extends far beyond the domestic realm to include a high participation rate in various sectors of the economy, such as agriculture, light industries, health care, and education. According to the UN Office for the Coordination of Humanitarian Affairs, "the DPRK Government has provided social infrastructure to facilitate entry of women into the workforce ... through the provision of universal childcare – resulting in one of the highest labor participation rates in the world."¹⁰⁶ However, due to women's roles as caretakers, they are especially impacted in times of crisis.

102 Suzy Kim, "Marriage, Family, and Sexuality in North Korea," in *Routledge Handbook of Sexuality Studies in East Asia*, eds. Vera Mackie and Mark McLelland (New York: Routledge, 2015), pp. 112–123.

103 *Chosŏn minjujuŭi inmin konghwaguk pŏbjŏn* [Laws of the Democratic People's Republic of Korea] (Moranbong: Pŏbryul ch'ulpansa, 2012), pp. 1188–1194.

104 Jon Halliday, "Women in North Korea: An Interview with the Korean Democratic Women's Union," *Bulletin of Concerned Asian Scholars*, vol. 17, No. 3 (1985), pp. 46–56 (here p. 47).

105 Mi-ryang Yun, *Pukhan ūi yŏsŏng chŏngch'aek* [North Korea's Policy on Women] (Seoul: Hanul, 1991), pp. 104–105.

106 UN Office for the Coordination of Humanitarian Affairs (OCHA), *Gender Policies of Humanitarian and Development Organisations Working in the Democratic People's Republic of Korea*, Sep. 5, 2003, pp. 3–4, <https://www.refworld.org/docid/45b8e1ce2.html>.



A cooperative farm in Hwanghae Province, DPRK.

“In times of food shortages and economic difficulties women, being primarily responsible for household food security in DPRK, have become more vulnerable than men have. One of the consequences of the economic crisis of the 1990s was that public institutional and collective provision of support for women and children began to break down. Insufficient food, sometimes none at all, is available through the public distribution system and/or in many workplaces. Despite this, women are still likely to be working, both in their official workplace and in collective social reconstruction, and at the same time being primarily responsible for obtaining food and basics for the family. There is some concern that the extra burden of fending for the family combined with high workloads with diminished support from the state, threatens women’s rights to development, protection, and participation.”¹⁰⁷

As noted in the previous section on developmental impacts, comprehensive sanctions are exacerbating an already precarious economic situation in North Korea. And in times of economic downturn, North Korean women’s economic disadvantage and burden to provide for one’s family and community become more acute. North Korea implements a “Standards of Job Assignment by Economic Sectors,” which in “consideration of women’s physical constitution and characteristics” assigns women 100 per cent of telecommunications jobs; 100 per cent of nursing positions in the health sector; 90 per cent of launderer and tailor positions in the welfare service sector; 100 per cent of netmaker positions and 70 per cent of freshwater fish farmer positions in the fisheries sector; and 70 per cent of pit maintenance and 60 per cent of pit electric car operator positions in the coal-mining sector.¹⁰⁸ Thus, although women make up almost half (47.8 per cent) of the workforce, the sectors are often segregated by

¹⁰⁷ *Ibid.*, p. 4.

¹⁰⁸ UN Committee on the Elimination of All Forms of Discrimination against Women [CEDAW], *Consideration of reports submitted by States parties under article 18 of the Convention, Second, third and fourth periodic reports of States parties due in 2014 Democratic People’s Republic of Korea*, Jun. 1, 2016 (CEDAW/C/PRK/2-4), p. 9, para. 45.

gender, with women dominating key sectors affected by the sanctions regime, such as health and welfare services, fisheries, and textiles, including the operation of markets that were formally adopted by the passage of the Regulations on the Operation of Stalls in September 2011.¹⁰⁹ The latest round of sanctions targeting the fishing, mining, and textile industries negatively impact women in these sectors.

Moreover, market trade is primarily a female occupation in North Korea, and indeed, the authorities have explicitly sought to enforce this gendered division of labour by restricting market trading to force men to remain at their official jobs in state entities. For example, one survey of North Korean refugees living in South Korea found that between 2006 and 2011, just 4 per cent of women reported accessing food through their workplace or the public distribution system, compared to 37 per cent of men.¹¹⁰ This also reflects gendered norms that petty trading and commerce are not seen as “men’s jobs,” while women’s market activity was seen as “natural,” and that despite intermittent crackdowns on market activity, women were able to carry on trading. Their market participation is underpinned by a division of labour within the family, where the male worker remains at his nominally paid state job and the female members of the household engage in potentially more lucrative market activities. Growing market participation could present an opening for improving women’s economic and social status in North Korea, particularly as they may gain more decision-making power within the family. But as sanctions undermine trade, they exacerbate women’s job insecurity and undermine their standing in society.

Beyond economic rights, women’s social rights also suffer under international sanctions. While underresourced states are likely to violate women’s social rights regardless, quantitative research suggests that “it is a near certainty that they will do so once sanctioned.”¹¹¹ The increase in gendered violence in society as a result of economic sanctions and the related increases in unemployment and personalized crime have been well documented in Haiti and Iraq, as discussed in the next section to situate North Korea in a global context.¹¹²

While North Korea categorically denies that domestic violence, sexual violence, and the trafficking and prostitution of women are serious issues in the DPRK, it is clear from human rights reports that they are.¹¹³ Sexual violence and harassment by state officials and domestic violence were highlighted in several reports issued by human rights organizations.¹¹⁴ It is worth noting in particular that the UN Commission of Inquiry on human rights in the DPRK (UNCOI), even though it addressed sanctions only peripherally, considered some of the key consequences of the “dire economic and food situation” in the country. This situation, the UNCOI stated, is increasingly pushing women into spaces and

In times of food shortages and economic difficulties women, being primarily responsible for household food security in DPRK, have become more vulnerable than men have.

109 Ibid., p. 20, para. 120.

110 Stephan Haggard and Marcus Noland, “Gender in Transition: The Case of North Korea,” East-West Working Papers No. 124 (East-West Center: Nov. 2011), p. 33.

111 Drury and Peksen, “Women and Economic Statecraft,” p. 480.

112 Elizabeth Gibbons, *Sanctions in Haiti: Human Rights and Democracy under Assault* (Westport, CT: Praeger, 1999); Lori Buck, Nicole Gallant, and Kim Richard Nossal, “Sanctions as a Gendered Instrument of Statecraft: The Case of Iraq,” *Review of International Studies*, vol. 24, No. 1 (1998), pp. 69–84; Yasmin Husein Al-Jawaheri, *Women in Iraq: The Gender Impact of International Sanctions* (London: I.B. Tauris, 2008). See also Drury and Peksen, “Women and Economic Statecraft.”

113 UN Commission of Inquiry on human rights in the DPRK, Detailed Findings Report, Feb. 7, 2014, A/HRC/25/CRP.1, paras. 317–320.

114 These included, in 2018 in particular, Human Rights Watch, “*You Cry at Night but Don’t Know Why*”: Sexual Violence against Women in North Korea (Nov. 2018); James Burt, *Us Too: Sexual Violence Against North Korean Women & Girls* (Korea Future Initiative, 2018).

activities where they are more vulnerable to assault or exploitation.¹¹⁵ The UNCOI also suggested that economic difficulties are leading certain men to act more aggressively and abusively in situations where they have power over women, which are frequent in cross-border or marketplace trading. The UNCOI found, for instance, that “officials are not only increasingly engaging in corruption in order to support their low or non-existent salaries, they are also exacting penalties and punishment in the form of sexual abuse and violence.”¹¹⁶ The result, the UNCOI concluded, was sexual and gender-based violence, transactional sex and prostitution, and high levels of trafficking.¹¹⁷

The present report underscores the ways in which these issues are connected to broader political, economic, and social impacts of sanctions. Economic burdens exacerbated by sanctions expose women to trafficking through underground markets and illicit trade, which often require bribes including sexual favours, making distinctions between voluntary and forced migration through enticements or abductions particularly challenging. As more stringent sanctions close off opportunities for formal trade with China, as well as permits for overseas workers, cross-border traders are at risk of illicit sex trafficking. In its last 2017 periodic review by the UN Committee on the Elimination of All Forms of Discrimination against Women, the DPRK reported that 6 473 women returned after travel abroad without permits between 2005 and 2016 due to economic difficulties or as trafficking victims.¹¹⁸

Equally grave and more pervasive due to its blanket effects are the impact of sanctions on women’s health, including reproductive and maternal health. North Korea has conventionally taken pride in its nationalized health-care system, including women’s access to health care, which has shown signs of improvement with an extended maternity leave (from 5 to 8 months) beginning in 2015, although paternity leave has yet to be introduced.¹¹⁹ The maternal mortality ratio dropped from 139 per 100 000 live births in 2000 to 89 in 2017, in part due to improvements in antenatal care. However, the UN Resident Coordinator in the DPRK reports that this ratio remains high in part due to “the shortage of critical life-saving drugs, such as oxytocin (to treat post-partum hemorrhage and control excessive bleeding) and magnesium sulphate (used to treat pre-eclampsia) contributes to high maternal mortality rates,” and “poor nutrition, including anemia, further contribute to reproductive health problems,” with almost a quarter of women (23.2 per cent) of childbearing age malnourished as one of the “effects of the ongoing underfunded humanitarian situation.”¹²⁰ While efforts to provide adequate maternal and reproductive health to women led to some improvements in the last decade,

The UN Commission of Inquiry on human rights in the DPRK stated that the “dire economic and food situation” in the country is increasingly pushing women into spaces and activities where they are more vulnerable to assault or exploitation.

115 UN Commission of Inquiry on human rights in the DPRK, Detailed Findings Report, A/HRC/25/CRP.1, Feb. 7, 2014, para. 318.

116 Ibid. Also cited corroboratively in Human Rights Watch, “You Cry at Night but Don’t Know Why,” p. 6.

117 Ibid., para. 320.

118 UN Committee on the Elimination of All Forms of Discrimination against Women [CEDAW], *Consideration of reports submitted by States parties under article 18 of the Convention, List of Issues and questions, Addendum Replies of the DPRK*, Jul. 5, 2017 (CEDAW/C/PRK/Q/2-4/Add.1), p. 15, para. 72.

119 UN Committee on the Elimination of All Forms of Discrimination against Women [CEDAW], *Summary record of the 1554th meeting, Consideration of reports submitted by States parties under article 18 of the Convention, Combined second to fourth periodic reports of the Democratic People’s Republic of Korea*, Nov. 8, 2017 (CEDAW/C/SR.1554), p. 9, para. 69.

120 World Health Organization, “Trends in maternal mortality 2000 to 2017: estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division,” Geneva, 2019. According to North Korea’s own reporting, maternal mortality ratio dropped from 97 per 100 000 live births in 2002 to 62.7 in 2012. See UN Committee on the Elimination of All Forms of Discrimination against Women [CEDAW], *Consideration of reports submitted by States parties under article 18 of the Convention, Second, third and fourth periodic reports of States parties due in 2014 Democratic People’s Republic of Korea*, Jun. 1, 2016 (CEDAW/C/PRK/2-4), p. 28, paras. 185–188.

access to medical equipment and supplies, safe drinking water, and sanitation facilities are severely impacted by the broad sanctions regime, as noted in the humanitarian section above. As mentioned earlier, 36.6 per cent of the population are left with no alternative but to drink contaminated water, which increases to 56 per cent in rural areas, and women are often the ones responsible for collecting water (72 per cent of women in rural areas and 61 per cent of women in urban areas).¹²¹ As a result of funding challenges after increased sanctions, the percentage of people without access to piped water increased from 11 per cent in 2013–14 to 41.5 per cent in 2017.¹²²

B. THE GLOBAL CONTEXT

Historic cases of sanctions' impact on women elsewhere offer a cautionary lesson for the present-day DPRK, particularly as sanctions on the latter have become more comprehensive.

Sanctions' adverse effects on women's economic security were seen clearly in the former Yugoslavia, for example. As an international ban on financial exchanges damaged the economy, household surveys showed that women were more likely than men to become unemployed. In addition to facing arbitrary firings as lower-paid workers across industries, women were more likely to be employed in the industries most affected by sanctions, such as trade and tourism.¹²³ In Myanmar, U.S. sanctions that banned all Burmese imports significantly impacted textile factories, where 180 000 jobs were lost—most of them held by women.¹²⁴ In Haiti, women were likely to be engaged in informal trade when sanctions began. As personal incomes suffered during the sanctions period, these women without secure jobs often found their own incomes collapsing entirely.¹²⁵

Women's physical insecurity and status in society also worsened under sanctions in a variety of contexts. In Iraq, for example, women experienced a surge in violence against them, at home and in public, largely due to the deteriorated societal welfare under sanctions. Middle-class women also experienced a sharp decrease in participation in public life as they were forced out of the formal labour force.¹²⁶ (For more on the gendered impact of sanctions in Iraq, see Box: Comparative Case Study.) In Haiti, as women's poverty became more acute, they found themselves forced to stay with violent or abusive partners to avoid homelessness, particularly if they had children. As more women were forced to turn to prostitution for survival, they also faced greater risk of arrest.¹²⁷ In Myanmar, too, women who were disproportionately forced out of the formal labour market increasingly turned to the illegal sex trade to provide for their families, further lowering their status in society and making them more vulnerable to violence and exploitation.¹²⁸

121 Ibid., p. 8.

122 Ibid., p. 22.

123 Julia Devin and Jaleh Dashti-Gibson, "Sanctions in the Former Yugoslavia: Convuluted Goals and Complicated Consequences," in *Political Gain and Civilian Pain: Humanitarian Impact of Economic Sanctions*, eds. Thomas G. Weiss, David Cortright, George A. Lopez, and Larry Minear (New York: Rowman and Littlefield, 1997).

124 Donald M. Seekins, "Burma and US Sanctions: Punishing an Authoritarian Regime," *Asian Survey*, vol. 45, No. 3, pp. 437–452.

125 Gibbons, *Sanctions in Haiti*.

126 Husein Al-Jawaheri, *Women in Iraq*, pp. 136, 139.

127 Gibbons, *Sanctions in Haiti*.

128 Seekins, "Burma and US Sanctions."



Women make up 82 per cent of workers in the textile industry, which is severely impacted by sanctions.

Sanctions have affected women differently from men around the world. But the broad undermining of women's physical, social, and economic well-being does not only affect women. It has ripple effects on prospects for national and international security as well as political and economic stability, since improving women's status in society plays a significant role in economic development, good governance, and peace.¹²⁹ In particular, gender equality is a greater predictor of peace than a country's level of democracy or economic wealth.¹³⁰ Women's participation in peacebuilding makes peace easier to achieve and more likely to last.¹³¹ And the prospects for successful peacebuilding are greater where women enjoy a relatively higher social status.¹³²

Yet, international sanctions undermine women's status in North Korea, negatively impacting their economic and social rights, and thus inhibiting them from engaging in civic and political life. With the economic transformations taking place in the country and the particular role that women are playing in trade and markets, the international community has an opportunity to change the way it engages with the North Korean economy and its people—supporting the status of women while advancing peace and security at the same time.

International sanctions undermine women's status in North Korea, negatively impacting their economic and social rights, and thus inhibiting them from engaging in civic and political life.

129 See, e.g., Isobel Coleman, "The Payoff from Women's Rights," *Foreign Affairs* (May/June 2004); World Bank, *Human Development Report 2012* (Washington, DC: World Bank, 2012).

130 Valerie Hudson, Bonnie Ballif-Spanvill, Mary Caprioli, and Chad F. Emmett, *Sex and World Peace* (New York: Columbia University Press, 2012). See also Mary Caprioli, "Gendered Conflict," *Journal of Peace Research*, vol. 37, No. 1 (2000), pp. 53–68; Mary Caprioli and Mark Boyer, "Gender, Violence, and International Crisis," *Journal of Conflict Resolution*, vol. 45 (2001), pp. 503–518; Patrick M. Regan and Aida Paskeviciute, "Women's Access to Politics and Peaceful States," *Journal of Peace Research*, vol. 40, No. 3 (2003), pp. 287–302.

131 Jana Krause, Werner Krause, and Pii Braenfors, "Women's Participation in Peace Negotiations and the Durability of Peace," *International Interactions*, vol. 44, No. 6 (2018), pp. 985–1016; Marie O'Reilly, Andrea O'Suilleabhain, and Thania Paffenholz, *Reimagining Peacemaking: Women's Roles in Peace Processes* (New York: International Peace Institute, 2015).

132 Theodora-Ismene Gizelis, "Gender Empowerment and United Nations Peacebuilding," *Journal of Peace Research*, vol. 46, No. 4 (2009), pp. 505–523.

Comparative Case Study: Sanctions' Impact on Women in Iraq

One of the most pernicious effects of the UN Security Council sanctions imposed on Iraq between 1990 and 2003 was the dramatic reduction in food availability, despite food's theoretical exemption from the sanctions. However, there were also significant reductions in access to potable water and in the provision of health services, as well as increases in disease. This situation affected Iraqi women disproportionately, since the majority of them were responsible for managing food within the household, acquiring water, caring for sick children, and generally ensuring health and sanitation for their families.¹³³ Even as men became unemployed, women's household duties continued to increase, because household work was widely perceived as a "degradation of manhood."¹³⁴

As sanctions adversely affected Iraq's public purse, the state withdrew from its interventionist role in the economy. This disproportionately affected women, since they and their dependents were the prime beneficiaries of the state's socioeconomic programmes. State-led education and public sector employment under the "secular" Ba'ath regime had provided middle-class Iraqi women with a path to formal employment and participation in public life, in turn affecting their roles and status in society and the family.¹³⁵ After sanctions, these women were gradually pushed out of the public sphere and back into the realms of the private sphere. Under sanctions, women's employment rate fell to 10 per cent in 1997 from over 23 per cent before 1991—at the time the highest in the region.¹³⁶ As families were no longer able to afford to send all their children to school, girls' and young women's participation in education decreased significantly, and illiteracy grew.¹³⁷

For women who supported their families through work in the informal sector—as seamstresses or by selling vegetables, for example—the collapse in demand due to deteriorating personal incomes often made them more vulnerable. Many women turned to begging or prostitution to put food on the table, further degrading their status in a society that considered these activities as deeply shameful.¹³⁸

As crime and lawlessness increased under sanctions, women feared more and more for their safety outside the home, amid growing reports of the rape, abduction, and murder of women. But violence against women appeared to increase in the private sphere, too, as men increasingly struggled under the sanctions to fulfil their roles as "providers" and attempted to reassert male dominance in the home.¹³⁹

133 Lori Buck, Nicole Gallant, and Kim Richard Nossal, "Sanctions as a Gendered Instrument of Statecraft: The Case of Iraq," *Review of International Studies*, vol. 24, No. 1 (1998), pp. 69–84.

134 Ibid., citing Bela Bhatia, Mary Kawar, and Mariam Shain, "Women's Survey: The Impact of the Gulf Crisis on the Women in Iraq," in International Study Team, *Health and Welfare in Iraq after the Gulf Crisis* (1991).

135 Husein Al-Jawaheri, *Women in Iraq*.

136 UNDP, 1999–2000 Country Report, Iraq Country Office, Jun. 2000, cited in Al-Ali, "Reconstructing Gender."

137 Al-Ali, "Reconstructing Gender."

138 Buck, Gallant, and Nossal, "Sanctions as a Gendered Instrument."

139 Husein Al-Jawaheri, *Women in Iraq*, pp. 108–118, 139.

Case Study: Humanitarian Aid Project, Ignis Community: Rason, DPRK

Since 2008, Ignis Community has provided humanitarian aid to nurseries, kindergartens, and rural clinics in the Rason region of North Korea. Currently, Ignis supports 16 nurseries and kindergartens as well as 6 rural clinics serving a total of 600 children and 80 teachers in the area. Members of Ignis Community's international staff deliver donations of food, clothing, and wood and coal for heating, and visit each childcare facility and clinic at least once or twice a month throughout the year.

Throughout Ignis' 11-plus years in North Korea, it is evident that there is a division of labour within society pertaining to the assignment of roles and occupations for men and women. One hundred per cent of childcare workers and kindergarten teachers are women. The directors of childcare facilities are also women. In the rural medical setting, approximately half of the doctors are women, and all nurses in North Korea are women.

As Ignis Community focuses on children with developmental disabilities, it is working to establish paediatric rehabilitation treatment facilities in provincial children's hospitals throughout the DPRK. So far, Ignis has set up paediatric rehabilitation departments in South Pyongan Province, Pyongseong Children's Hospital and Nampo Children's Hospital, and in Gangwon Province, Wonsan Children's Hospital. At two out of three of these hospitals, the directors are women. In Pyongyang, approximately two thirds of the paediatric rehabilitation doctors trained to treat children with developmental disabilities are women.

Among the children treated in Pyongyang is Il-Sun. Il-Sun came to the paediatric ward of the Pyongyang Medical School Hospital to be treated for cerebral palsy in 2014. Having diplegic cerebral palsy, he had movement in his limbs, but at the age of six he was still unable to stand or walk on his own. After a few months of treatment, when Il-Sun was crawling and beginning to stand on his own, he went home with his mother, Mrs. Lee, for a break. Unfortunately, they were unable to return for treatment due to the long waiting list of patients at the hospital. Ignis Community's goal was to create the Pyongyang Spine Rehabilitation Center (PYSRC) so that hundreds and even thousands of mothers could come to Pyongyang with their children for specialized treatment in developmental disabilities such as cerebral palsy.

UN sanctions have significantly discouraged donors from contributing to the PYSRC. The current political climate challenges even large NGOs to reconsider their involvement in the DPRK. Many years of applications for governmental permits and licences are required to continue providing life-saving humanitarian assistance to the neediest in North Korea.

Ignis Community began applying for the appropriate licences in 2015, but it took over three years to finally receive all permits to fully continue its medical work in Pyongyang. Once U.S. licences were obtained, Ignis Community was finally able to apply for an exemption from the UN Sanctions Committee. Without permission from the Committee, any shipment containing gait trainers, walkers, stethoscopes, needles, and other medical supplies sent to North Korea would be stopped and quarantined by Chinese customs along the Sino-North Korean border. Despite all of these hurdles, Ignis Community was finally able to obtain all the necessary licences for the development of the PYSRC in September 2019. Ignis can finally finish fundraising to ship the medical and rehabilitation equipment necessary to treat children like Il-Sun. Meanwhile, Mrs. Lee and her son have been waiting four years for treatment. Their current whereabouts are unknown. In North Korea, many children with cerebral palsy and other developmental disabilities do not survive for that length of time without timely medical intervention.

When sanctions affect the most vulnerable in society, such as children and the elderly, it is women who deal directly with those effects. Women are the caretakers and teachers of the next generation, and women are often the paediatric physicians who deal with the ramifications of sanctions against pharmaceuticals and medical equipment containing metal. Sanctions are reducing North Korean women's ability to provide appropriate health care for their children and their families.



The treatment of North Korean children with developmental disabilities has been delayed due to sanctions.



At the paediatric rehabilitation treatment facilities being set up in provincial children's hospitals in North Korea, most of the doctors treating the children are women. Photos courtesy of Ignis Community.

V. Conclusion

The challenges involved in measuring the exact impact of sanctions against the DPRK have long masked the extent of human suffering they are causing. There is nevertheless enough evidence to conclude that sanctions are having large-scale adverse consequences for the humanitarian and human rights situation in the DPRK. This report has synthesized publicly available and on-the-ground information and findings to analyze the general impact on the population and the differential consequences for women. The focus on women should not be taken to minimize the general impact on the North Korean population, but should be understood as the result of multiple key roles that women fulfill in North Korean society.

Sanctions interfere with international and domestic efforts to address long-standing and urgent humanitarian needs by obstructing the importation of humanitarian-sensitive items and the financial flows necessary to support humanitarian efforts. The existing mitigating measures, such as the UN case-by-case exemptions mechanism, remain insufficient to prevent these adverse consequences. Sanctions also interfere with the ability of North Koreans to develop their economy, earn a livelihood, and attain an adequate standard of living.

Women in North Korea suffer differentially from international sanctions, even though they have had little to no input in the decision to impose them. Whether in the male-dominated North Korean state or the UN Security Council, women have little influence over the decisions that are allegedly needed to lift the sanctions. In 2010, 96 per cent of the 124 members of the Korean Workers' Party Central Committee—the power elite that lead the North Korean government—were men.¹⁴⁰ Women make up just 5 per cent of North Korean overseas diplomatic postings and 17 per cent of the North Korean Ministry of Foreign Affairs, making it difficult for them to influence the country's international activities and relationships.¹⁴¹ In addition, women's representation in the UN Security Council, where sanctions on North Korea are developed and agreed on, averaged less than 20 per cent over the past decade.¹⁴²

Thus, women are far less likely to have had influence over the decisions that have led to sanctions or that could alleviate them, but they bear a disproportionate burden of coping with the disruptions and deprivations sanctions are causing in North Korean society. The differentiated effect sanctions are having on North Korean women stem in part from the gender-ascribed roles that women play in North Korea as elsewhere. The focus on women is not to essentialize or perpetuate those roles or to cast women as simply victims—North Korean women have shown incredible resilience and care for their communities in the face of adversity. The present report's assessment of the impact on women demonstrates how the current sanctions regime not only impacts women themselves, but the entire communities in which they live and care for. When women take on the role of caretakers in North Korean society as doctors, nurses, teachers, breadwinners, mothers, wives, sisters, and daughters, they bear the heaviest burdens of coping with the impact of sanctions on an everyday level.

140 Kyo-Duk Lee, Soon-Hee Lim, Jeong-Ah Cho, and Joung-Ho Song, "Study on the Power Elite of the Kim Jong Un Regime," (Seoul: Korea Institute for National Unification, 2013), pp. 24-25.

141 UN Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), *Consideration of reports submitted by States parties under article 18 of the Convention, Second, third and fourth periodic reports of States parties due in 2014 Democratic People's Republic of Korea*, Jun. 1, 2016 (CEDAW/C/PRK/2-4), p. 15, para. 88.

142 Yi Qinfu, "Charting Women's Representation at United Nations Security Council Meetings," Oct. 29, 2018, <https://yiqinfu.github.io/posts/united-nations-security-council-women/>. See also, Report of the Secretary-General on women and peace and security, S/2018/900, Oct. 9, 2018, para. 13.

The adverse consequences of sanctions on the North Korean people appear likely to continue for the foreseeable future if nothing is done. Impact on the population does not imply success in changing government policy. On the contrary, studies suggest that sanctions are particularly prone to failure in this respect when they aim to force major policy changes, when they target authoritarian countries, and when they are tightened over an extended period of time.¹⁴³ It has also been observed that sanctions can be counterproductive by actually cementing political unity—the so-called “rally around the flag” effect.¹⁴⁴

In assessing the negative impact of sanctions on the North Korean population and its more vulnerable groups, it is pertinent to refer to the ongoing UN inquiry on the legal issues associated with sanctions, based on studies by the Office of the High Commissioner for Human Rights (OHCHR) and the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights.¹⁴⁵ These studies have prompted the UN General Assembly and the UN Human Rights Council to conclude “that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States.”¹⁴⁶ These conclusions are directly relevant to the countries imposing unilateral sanctions against the DPRK. They also rely on legal principles that apply at least in part to the UNSC and UN sanctions.

In a landmark 2012 study on how unilateral coercive measures may be violating international law, the OHCHR found the most relevant humanitarian principles to be the prohibition against the starvation of a civilian population as a method of warfare, the obligation to permit the free passage of all consignments of essential foodstuffs as well as medical supplies, and the prohibition of collective punishment.¹⁴⁷ Meanwhile, it found the most relevant human rights to be “the right to life, the right to an adequate standard of living, including food, clothing, housing and medical care, the right to freedom from hunger, and the right to health.” The right to development was also prominently cited

143 Gary Clyde Hufbauer, Jeffrey J. Schott, and Kimberly Ann Elliott, *Economic Sanctions Reconsidered: History and Current Policy*, 2nd ed. (Washington, D.C., Institute for International Economics, 1990).

144 See Johan Galtung, “On the Effects of International Economic Sanctions, With Examples from the Case of Rhodesia,” *World Politics*, vol. 19, No. 3 (1967), pp. 378–416.

145 OHCHR, *Thematic study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures* (“Thematic study on unilateral coercive measures”), A/HRC/19/33, Jan. 11, 2012; Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/30/45, Aug. 10, 2015; id., A/HRC/33/48, Aug. 2, 2016; id., A/HRC/36/44, Jul. 26, 2017; id., A/HRC/39/54, Aug. 30, 2018.

146 See preambles in UNGA Resolution A/RES/71/193, Dec. 19, 2016; UNGA Resolution A/RES/70/151, Dec. 17, 2015; UNGA Resolution A/RES/69/180, Jan. 30, 2015; UNGA Resolution A/RES/68/162, Dec. 18, 2013; UNGA Resolution A/RES/67/170, Dec. 20, 2012; UNGA Resolution A/RES/66/156, Mar. 20, 2012; UNGA Resolution A/RES/65/217, Apr. 6, 2011; UNGA Resolution A/RES/64/170, Mar. 24, 2010; UNGA Resolution A/RES/63/179, Mar. 26, 2009; UNGA Resolution, A/RES/62/162, Dec. 18, 2007.

147 For the prohibition against the starvation of a civilian population, see *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts*, (Protocol I), Jun. 8, 1977, art. 54 and *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts* (Protocol II), Jun. 8, 1977, art. 14; For the obligation to permit the free passage of all consignments of essential foodstuffs as well as medical supplies, see *Geneva Convention Relative to the Protection of Civilian Persons in Time of War* (Fourth Geneva Convention), Aug. 12, 1949, art. 23; For the prohibition of collective punishment, see *Hague Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land*, Oct. 18 1907, art. 50. As quoted in OHCHR, *Thematic study on unilateral coercive measures*, A/HRC/19/33, Jan. 11, 2012, para. 10; For the applicability of humanitarian law regardless of a state of war, see Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/39/54, Aug. 30, 2018, paras. 25, 26.

later in the UNGA and UNHRC resolutions on the subject.¹⁴⁸ The OHCHR also warned that the disproportionate impact of unilateral coercive measures on women hinders the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.¹⁴⁹

While the UNSC has broad authority under the Charter to impose sanctions, that authority is still subject to the Charter and applicable general rules of international law, which includes at minimum the most fundamental humanitarian and human rights principles.¹⁵⁰ Moreover, as the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights has noted in the context of unilateral sanctions: “the inhabitants of a given country do not forfeit basic economic, social and cultural rights by virtue of any determination that their leaders have violated norms of international peace and security.”¹⁵¹ The UNSC itself has recognized the need for restraint by stressing that sanctions are not intended to have adverse humanitarian consequences and by adopting an exemption mechanism, although it is insufficient to prevent such consequences. Paradoxically, the North Korean government is excluded from applying for humanitarian exemptions despite being most responsible for the wellbeing of its people. Meanwhile, the UN Panel of Experts tasked with monitoring the implementation of the UN’s DPRK sanctions and the UN Special Rapporteur on the human rights situation in the DPRK have called for a humanitarian and human rights impact assessment of sanctions, respectively.¹⁵²

The UNSC has repeatedly expressed “deep concern at the grave hardship that the people in the DPRK are subjected to,” even while condemning the DPRK “for pursuing nuclear weapons and ballistic missiles instead of the welfare of its people.”¹⁵³ On the question of responsibility for the impact of sanctions, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights has determined that there is also accountability on the sanctioning side, even for unintended consequences: “Whilst targeted States have a responsibility to mitigate the adverse human rights impact of unilateral sanctions imposed by source countries, the latter are also accountable for any adverse effects on human rights occurring in target countries, even if such effects are unintended.”¹⁵⁴ This would suggest, in the DPRK context, that all sides have a responsibility to

148 For the right to life, see UNGA, *Universal Declaration of Human Rights (“UDHR”), Dec. 10, 1948, art. 3 and International Covenant on Civil and Political Rights*, Dec. 16, 1966, art. 6; For the right to an adequate standard of living, see *UDHR*, Dec. 10, 1948, art. 25 and *International Covenant on Economic, Social and Cultural Rights (“ICESCR”), Dec. 16, 1966, art. 11*; For the right to freedom from hunger, see *ICESCR*, Dec. 16, 1966, art. 11; For the right to health, see *ICESCR*, Dec. 16, 1966, art. 12 and UN Committee on Economic, Social and Cultural Rights, *General Comment No. 8: The relationship between economic sanctions and respect for economic, social and cultural rights*, Dec. 12, 1997, para. 3, as quoted in OHCHR, *Thematic study on unilateral coercive measures*, A/HRC/19/33, Jan. 11, 2012, para. 9; For the right to development, see UNGA Resolution A/RES/41/128, “Declaration on the Right to Development,” Dec. 4, 1986, as cited in the context of unilateral coercive measures by UNGA Resolution A/RES/71/193, Dec. 19, 2016, para. 14; UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, para. 12 (and corresponding paragraphs in earlier resolutions).

149 OHCHR, *Thematic study on unilateral coercive measures*, A/HRC/19/33, Jan. 11, 2012, para. 36.

150 While the exact extent of the UNSC’s authority to impose sanctions under art. 41 of the Charter remains contentious, it remains subject to humanitarian and human rights norms at least to the extent that it is subject to the Purposes and Principles of the United Nations pursuant to arts. 1 and 24(2) (see also art. 55), as well as to non-derogable principles of international law referred to as peremptory norms or jus cogens norms. See OHCHR, *Thematic study on unilateral coercive measures*, A/HRC/19/33, Jan. 11, 2012, paras. 21, 25; On peremptory norms, see Vienna Convention on the Law of Treaties, May 23, 1969, art. 53 (“A treaty is void if, at the time of its conclusion, it conflicts with a peremptory norm of general international law.”).

151 Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, A.6.

152 UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, para. 180; Report of the Special Rapporteur on the situation of human rights in the DPRK, A/72/394, Sep. 18, 2017, para. 6; see also Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, B.13(a).

153 See, e.g., UNSC Resolution 2397, S/RES/2397, Dec. 22, 2017, para. 23.

154 Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, A.5.

mitigate and ultimately eliminate the adverse consequences of the sanctions on the North Korean population: North Korea, the UNSC, and the countries or groups of countries imposing unilateral sanctions, such as Australia, Canada, the European Union, Japan, South Korea, and the United States. How to balance the humanitarian and human rights obligations of all sides with their responsibilities in the resolution of the security crisis is a complex question without easy answers that lies beyond the scope of this report. What is clear is that the UN Charter mandates that international disputes be solved peacefully and in accordance with international law.

The following are the key findings of the present report and a list of recommendations (not necessarily in order of priority) to address the negative impact of sanctions on the humanitarian and human rights situation in North Korea.

A. FINDINGS

- The North Korean population suffers from extensive unilateral and UN sanctions that amount to an almost total ban on any DPRK-related trade, investment, and financial transactions. Mounting evidence of the impact on the North Korean population, especially vulnerable groups, has led to calls for humanitarian and human rights evaluations of this impact—in particular by the UN Panel of Experts and the UN Special Rapporteur on human rights in the DPRK.
- The North Korean population has urgent and long-standing humanitarian needs that remain unmet. UN agencies have reported that large groups of vulnerable civilians lack access to adequate food and nutrition, health care, safe water and sanitation, disaster preparedness, shelter, and security. Humanitarian programs active in the DPRK are constantly underfunded, and support has drastically decreased in recent years due to donor fatigue, competing global humanitarian crises, political decisions not to fund programs for the DPRK, and sanctions barriers to humanitarian work in the DPRK.
- The sanctions are having unintended adverse humanitarian consequences. The World Food Programme in particular has raised the alarm with regard to the impact of sanctions on agriculture. Given the inadequate access to the country, there is as of yet no comprehensive understanding of the extent of the damage inflicted. However, the extensive list of humanitarian-sensitive items that are now sanctioned, as reported by the UN Panel of Experts, is a particular cause for concern. These items include, but are not limited to, irrigation equipment, such as generators, electric transformers and inductors, electric storage batteries, electrical apparatus, and prefabricated greenhouses; medical appliances, such as ultrasound machines, cardiograph machines, artificial respiration machines, X-ray machines, and orthopaedic appliances for persons with disabilities; and any item with a metallic component, such as sterilizers, UV lamps for disinfection, ambulances, carriages, syringes, needles, catheters, dental and ophthalmic equipment, microscopes, pumps, water heaters, machinery for filtering or purifying water, and machinery for water well drilling.
- The sanctions are affecting the work of international humanitarian entities through red tape and interference with funding. It is estimated that there have been at least 3 968 deaths (with 3 193 of those being children under age 5, and 72 of them pregnant women) in 2018 due to delays and funding shortfalls affecting UN programmes that address severe acute malnutrition, basic essential drugs, vitamin A, WaSH (water, sanitation, and hygiene), and emergency reproductive health kits. The actual number of deaths may be much higher, however, and the existing UN exemption mechanism is failing to remedy these impacts.
- After the 1990s crises, the North Korean economy showed signs of gradual improvement with diplomatic and economic efforts to engage with the world. But the second generation of sanctions beginning in 2016 reversed this trend. North Korean exports to China, estimated at nearly \$US 3 billion in 2013, plunged to a little under \$US 0.2 billion in 2018, as North Korea's main trading partner increased its sanctions enforcement. The number of North Korean expatriate workers, estimated at between 110 000 and 123 000 in 2016, dropped drastically after UN sanctions targeted these jobs.
- There is as of yet no comprehensive understanding of the impact that sanctions are having on the development of the North Korean economy. The South Korean Bank of Korea estimated that North Korea's GDP growth rate fell from +3.9 per cent in 2016 to -4.1 per cent in 2018, a trend widely interpreted as a consequence of sanctions. The North Korean national budget reports, while more optimistic, also indicate a decrease in state budget revenue from +6.3 per cent in 2016 to +4.6 per cent in 2018.

- Sectoral sanctions banning trade with entire spans of the North Korean economy directly affected the livelihood of workers. While UN sanctions initially allowed for “livelihood exemptions,” these caveats were removed in 2017, a move that remains difficult to reconcile with the insistence that sanctions are not intended to have adverse humanitarian consequences.
- It is well documented that sanctions tend to disproportionately affect women. Cross-national research encompassing 146 countries from the period 1971-2005 shows that sanctions have a gendered effect. In the context of a developing country under economic pressure, women tend to disproportionately suffer from the degradation of their status, with threats to their social rights and an increased risk of sexual violence and discrimination. This degradation also has knock-on effects for national and international security and stability, as women’s status in society is significantly correlated to economic development, good governance, and peace.
- North Korean women are particularly exposed to the impact of sanctions because of the twin expectation that they be primary caretakers of their families and communities as well as workers fully integrated in the socialist economy. Economic pressure is destabilizing the institutions put in place to support and encourage this model, such as public childcare and rations for full-time workers, contributing to the double burden.
- Sanctions are directly interfering with the livelihood of women by targeting sectors in which they are heavily represented, such as textiles (82 per cent of workers). The sanctions-induced downturn of the economy is also likely to severely impact retail trade, a primarily female occupation in North Korea (89 per cent of workers). Market trade until recently appeared as a potential engine for the improvement of women’s economic and social status.
- The economic pressure of sanctions risks exacerbating rates of domestic violence, sexual violence, and the trafficking and prostitution of women. It is also having blanket effects on women’s health, with decreased access to medical equipment and supplies, safe drinking water, and sanitation facilities.

Mounting evidence of the impact on the North Korean population, especially vulnerable groups, has led to calls for humanitarian and human rights evaluations of this impact.

B. RECOMMENDATIONS

UN Security Council

- Mediate and help resolve the security crisis that led to the current situation in accordance with international law, taking into account the desire of both Koreas to formally end the unresolved Korean War, as expressed in the inter-Korean Panmunjom Declaration for Peace, Prosperity and Unification of the Korean Peninsula signed April 28, 2018.¹⁵⁵ According to art. 24(2) of the UN Charter, the UNSC is obliged to respect the Purposes and Principles of the United Nations in discharging its duties, which includes the peaceful settlement of disputes in conformity with the principles of justice and international law, the development of friendly relations among nations based on respect for the principle of self-determination of peoples, and the achievement of international co-operation in solving humanitarian problems and promoting human rights.
- Lift all UN sanctions that are in violation of international law, in particular of the UN Charter and fundamental humanitarian and human rights norms applicable to the UNSC.¹⁵⁶ Adopt mechanisms to guarantee due process, and the availability of judicial review for obtaining remedies and redress.¹⁵⁷
- Adopt urgently, in interim, all measures available to mitigate and eliminate the adverse consequences of sanctions on the humanitarian and human rights situation in North Korea.¹⁵⁸ Reform the UN sanctions exemption mechanism to automatically exempt all activities included in annual plans and budgets of international humanitarian organizations; streamline case-by-case exemptions and increase their operational length; and allow North Korean government entities to apply for humanitarian exemptions.¹⁵⁹ Adopt a whitelist of humanitarian-sensitive items categorically exempt from UN sanctions and UN Member States financial blockages.¹⁶⁰
- Conduct gender-sensitive humanitarian and human rights impact assessments of UN sanctions currently in place, in conformity with the recommendations of the UN Panel of Experts and the UN Special Rapporteur on Human Rights in the DPRK.¹⁶¹ Create a UN register recording which UN and unilateral sanctions are in force and all relevant information regarding the impact of sanctions, including gender-disaggregated data.¹⁶² Request that the Secretary General appoint a humanitarian and gender experts to join the UN Panel of Experts established pursuant to Resolution 1874.

¹⁵⁵ *Panmunjom Declaration on Peace, Prosperity, and Reunification of the Korean Peninsula*, Apr. 27, 2018, para. 3(3), available from http://www.mofa.go.kr/eng/brd/m_5478/view.do?seq=319130.

¹⁵⁶ See in the context of unilateral coercive measures: UNGA Resolution A/RES/71/193, Dec. 19, 2016, paras. 1, 2, 4, 9; UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, paras. 1, 2, 4, 5; as well as corresponding paragraphs in earlier UNGA and UNHRC resolutions on the subject.

¹⁵⁷ See UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, para. 15.

¹⁵⁸ See UNGA Resolution A/RES/71/193, Dec. 19, 2016, paras. 1, 2, 4, 9; UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, paras. 1, 2, 4, 7.

¹⁵⁹ UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, para. 179.

¹⁶⁰ *Ibid.*, para. 178.

¹⁶¹ See UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, para. 17; Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix I.

¹⁶² *Ibid.*, para. 180; Report of the Special Rapporteur on human rights in the DPRK, A/72/394, Sep. 18, 2017, para. 6.

- Ensure women’s equal and meaningful participation in peace and security negotiations and processes on the Korean Peninsula, in accordance with UNSC Resolution 1325 on Women, Peace, and Security. Take into account gender considerations and the rights of women in all deliberations concerning sanctions on the DPRK. To this end,
 - » Consult local and international women’s groups, and invite civil society—including women’s organizations—to brief the Council on sanctions’ impact on women in North Korea, pursuant to Resolution 2242 (2015);¹⁶³
 - » Request that the Secretary-General appoint a gender expert to join the UN Panel of Experts established pursuant to Resolution 1874, in line with the Council’s commitment to “ensuring that the relevant expert groups for sanctions committees have the necessary gender expertise” in Resolution 2242 (2015);¹⁶⁴
 - » Include the DPRK among the countries on the 2020 agenda of the Informal Expert Group on Women, Peace, and Security to better inform and strengthen the Council’s efforts to mainstream women, peace, and security concerns in its decision-making with regard to the DPRK.

UN Member States imposing unilateral sanctions on the DPRK

- Resolve the security crisis that led to the current situation in accordance with international law, in particular the UN Charter obligation of peaceful settlement of disputes, the customary principle of non-intervention and applicable humanitarian and human rights norms, taking into account the desire of both Koreas to formally end the unresolved Korean War as expressed in the inter-Korean Panmunjom Declaration for Peace, Prosperity, and Unification of the Korean Peninsula signed April 28, 2018.
- Lift all sanctions that are in violation of international law, as urged by the UN General Assembly and UN Human Rights Council resolutions on unilateral coercive measures and human rights.¹⁶⁵ Adopt mechanisms to guarantee due process, and the availability of judicial review for obtaining remedies and redress.¹⁶⁶
- Adopt urgently, in interim, all measures available to mitigate and eliminate the adverse consequences of sanctions on the humanitarian and human rights situation in North Korea.¹⁶⁷
- Conduct gender-sensitive humanitarian and human rights impact assessments of unilateral sanctions currently in place, in conformity with the recommendations of the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights.¹⁶⁸

¹⁶³ UNSC Resolution 2242, S/RES/2242, Oct. 13, 2015, Art. 5(c).

¹⁶⁴ UNSC Resolution 2242, S/RES/2242, Oct. 13, 2015, Art. 6.

¹⁶⁵ UNGA Resolution A/RES/71/193, Dec. 19, 2016, paras. 1, 2, 4, 9; UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, paras. 1, 2, 4, 5.

¹⁶⁶ UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, para. 15; Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, B.13(d), (e); *id.*, A/HRC/39/54, Aug. 30, 2018, paras. 20-23.

¹⁶⁷ UNGA Resolution A/RES/71/193, Dec. 19, 2016, paras. 1, 2, 4, 9; UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, paras. 1, 2, 4, 5; Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, A.5, A.9, B.11, B.13(b).

¹⁶⁸ UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, para. 17; Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, B.13(a); *id.*, A/HRC/39/54, Aug. 30, 2018, paras. 14-19.

- Ensure women's equal and meaningful participation in negotiations and processes related to peace and security on the Korean Peninsula, in accordance with UNSC Resolution 1325 on Women, Peace, and Security. Take into account gender considerations and the rights of women in all deliberations concerning sanctions on North Korea.

DPRK

- Resolve the security crisis that led to the current situation in accordance with international law, in particular the UN Charter obligation of peaceful settlement of disputes as well as applicable humanitarian and human rights norms, and as expressed in the inter-Korean Panmunjom Declaration for Peace, Prosperity, and Unification of the Korean Peninsula signed April 28, 2018.
- Adopt urgently, in interim, all measures available to mitigate and eliminate the adverse consequences of sanctions on the humanitarian and human rights situation in North Korea. Proactively enable international support by further initiating and expanding cooperation with relevant UN agencies, international organizations, and bilateral humanitarian initiatives, with adequate in-country personnel. Cooperate in documenting the impact of sanctions from a humanitarian and human rights perspective, with gender-disaggregated data.¹⁶⁹
- Ensure women's equal and meaningful participation in negotiations and processes related to peace and security on the Korean Peninsula, in accordance with UNSC Resolution 1325 on Women, Peace, and Security. Adopt a National Action Plan on Women, Peace, and Security to better ensure that women's needs and priorities are reflected in national policies and priorities.

¹⁶⁹ UNHRC Resolution A/HRC/RES/34/13, Mar. 24, 2017, para. 17; Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/HRC/36/44, Jul. 26, 2017, Appendix II, A.5; Report of the Special Rapporteur on human rights in the DPRK, A/72/394, Sep. 18, 2017, para. 6.

Annex 1:

Humanitarian-sensitive items prohibited under sectoral sanctions in Resolution 2397 (2017), as reported by the UN Panel of Experts established pursuant to Resolution 1874

CATEGORY	HS CODE	COMMENT
Hand-tools for agriculture (shovels, hoes, spades, etc...)	HS 8201	
Blades for agricultural, horticultural or forestry machines	HS 820840	
Dryers for agricultural products	HS 841931	
Agricultural spraying machines	HS 842449	
Irrigation equipment	HS 842482	
Agricultural machinery for soil preparation (ploughs, seeders, etc...)	HS 8432	
Harvesting and threshing machinery	HS 8433	
Presses, crushers for fruit juices etc...	HS 8435	
Miscellaneous agricultural equipment	HS 8436	
Machines for cleaning and sorting grains and legumes	HS 8437	
Misc. machines for industrial processing of food and drink	HS 8438, excluding HS 843840 (brewery machinery)	This category includes machinery and spare parts for NGO-supported food processing factories.
Tractors & spare tractor parts	HS 8701 for tractors, multiple categories for spare parts	Tractors and spare parts are not only needed for general agricultural support activities, but also for food security efforts at medical clinics and schools.
Agricultural trailers, farm wagons, and carts	HS 8716, multiple subheadings	
Prefabricated greenhouses, animal sheds	HS 940690	Several NGOs have supported the use of greenhouses in the DPRK for private crop cultivation and for food security/nutritional enhancement at medical facilities and schools serving vulnerable populations.

CATEGORY	HS CODE	COMMENT
Nail clippers	HS 821420	A U.S. NGO shipment of hygiene kits to DPRK medical facilities was seized at customs in transit due to the presence of nail clippers in the kits; it was released after six weeks.
Sterilizers for medical use	HS 841920	
Portable sprayers	HS 842441	Used for malaria control.
UV lamps for disinfection	HS 853939	Used for infection control.
Ambulances	HS 8703, not separately categorized from other vehicles	Needed by many medical care centers due to very poor transportation networks and infrastructure.
Carriages for disabled persons	HS 8713	Several NGOs have worked to provide support for persons with disabilities in the DPRK.
Medical appliances, including ultrasound and cardiograph machines, syringes, needles, catheters, dental and ophthalmic equipment, etc...	HS 9018	Essential to the delivery of medical care.
Mechano-therapy appliances, such as artificial respiration machines	HS 9019	
Orthopedic appliances for persons with disabilities	HS 9021	Several NGOs have worked to provide support for persons with disabilities in the DPRK.
X-ray machines	HS 9022	Essential for TB diagnosis and general medical support. Accessories supporting digitization of images is essential to affordability/sustainability.
Medical, surgical, dental, or veterinary furniture (ie operating tables, hospital beds)	HS 9402	Critical to providing basic care for patients.
Metal water tanks	HS 7309, HS 7310, HS 7611	
Pumps for liquids, including pumps for household water systems	HS 8413	Necessary for providing clean water to households, clinics, etc..., as well as for agricultural purposes.
Water heaters	HS 841911 (gas), 841919 (solar), HS 851610 (electric)	
Machinery for filtering or purifying water	HS 842121, HS 842199 (for parts)	Lack of clean water is a major contributing factor to persistent high rates of diarrhea and malnutrition among vulnerable populations.

CATEGORY	HS CODE	COMMENT
Machinery for water well drilling	HS 843049	Critical to long-term sustainable clean-water interventions.
Metal tubes, pipes, pipe fittings, etc...	HS 7303-7307 (iron and steel); separate HS codes for copper, aluminum, lead etc...	Used for the provision of clean water.
Roofing, siding, flooring, roof drainage equipment	Included in HS 730890 (sheet metal) and HS 761090 (aluminum)	After Typhoon Lionrock hit the DPRK in 2016, several NGOs responded by providing roofing materials to help rebuild schools, clinics, etc...
Screws, bolts, nails, staples, etc...	HS 7317-7318	These are common items which are often components of humanitarian-sensitive goods, or part of the packaging thereof
Stoves, ranges, grates, cookers, barbecues, etc...	HS 7321, HS 851660	Clean cook stoves provide significant health and environmental benefits, compared to cooking over open fires.
Iron, steel, or aluminum wire	HS 732620, HS 7605	Has numerous agricultural applications.
Aluminum foil	HS 7607	Has medical/laboratory uses.
Refrigerating and Freezing Equipment	HS 8418, as well as other categories for refrigerated trucks.	Refrigeration and refrigerated trucks are essential for the storage and transportation of certain health-related goods such as vaccines, diagnostic reagents, etc....
Generators	HS 8502	Generators are important as a primary or back-up power supply to medical clinics, etc... which require a steady energy supply.
Electric transformers and inductors	HS 8504	Necessary for the steady supply of electricity to medical and laboratory equipment, as well as for agricultural functions.
Electric storage batteries	HS 8507	Necessary component to storing energy from solar panels and other off-grid energy sources, and used in many humanitarian applications.
Centrifuges and centrifugal dryers	HS 8421	Items in this category are used for medical laboratory diagnostics (including for TB and MDR-TB) as well as water purification. This category also includes biosafety cabinets and HEPA filters, which have important medical applications.
Electrical apparatus (ie switches, relays, fuses, surge protectors)	HS 8536	Necessary for the steady supply of electricity to medical and laboratory equipment.

CATEGORY	HS CODE	COMMENT
Solar panels	HS 854140	Important source for off-grid or backup energy supply, including in medical clinics etc...
Insulated wires, cables	HS 8544	Necessary for the steady supply of electricity to medical and laboratory equipment.
Microscopes	HS 9011-9012	Important for medical laboratory diagnostics.
Miscellaneous office supplies (printers and print cartridges, flash drives, barcode scanners, staplers, scissors, binders, paper clips, etc...)	Multiple HS categories	Humanitarian agencies have previously supplied local partners with basic office supplies and equipment to assist with administration, data collection, and patient record-keeping.

Source: UN Panel of Experts Report, S/2019/171, Mar. 5, 2019, Annex 87, pp. 370-373 (methodological note omitted).

