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COMMISSION ON HUMAN RIGHTS
Fifty-ninth session
Agenda item 9

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

**Austria, Belgium, Bulgaria*, Cyprus*, Czech Republic*, Denmark*, Estonia*,
Finland*, France, Germany, Greece*, Hungary*, Iceland*, Ireland, Italy*,
Latvia*, Lithuania*, Luxembourg*, Malta*, Monaco*, Netherlands*, Poland,
Portugal*, Romania*, Slovakia*, Slovenia*, Spain*, Sweden and
United Kingdom of Great Britain and Northern Ireland: draft resolution**

2003/... Situation of human rights in the Democratic People's Republic of Korea

The Commission on Human Rights,

Reaffirming that all States Members of the United Nations have the obligation to promote and protect human rights and fundamental freedoms and to implement the obligations they have assumed under the various international instruments,

Mindful that the Democratic People's Republic of Korea is a Party to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Taking note of the reports submitted by the Democratic People's Republic of Korea concerning the implementation of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, and encourages the Democratic People's Republic of Korea to continue to submit its reports in a timely manner,

Taking note also of the concluding observations of the Committee on the Rights of the Child and the Human Rights Committee concerning the reports that the Democratic People's Republic of Korea has submitted to them,

Expressing its deep concern at the precarious humanitarian situation in the country, in particular the prevalence of infant malnutrition which, despite recent progress, still affects a significant percentage of children and their physical and mental development,

Reaffirming that it is the responsibility of the Government of the Democratic People's Republic of Korea to ensure the full enjoyment of all human rights and fundamental freedoms of its entire population,

Underlining the importance of the effective continuation of the process of rapprochement between the two Koreas and noting the recent progress in this respect,

Desiring to promote a constructive approach leading to concrete progress in the field of human rights,

1. *Expresses its deep concern* about reports of systemic, widespread and grave violations of human rights in the Democratic People's Republic of Korea, including:

(a) Torture and other cruel, inhuman or degrading treatment or punishment, public executions, imposition of the death penalty for political reasons, the existence of a large number of prison camps and the extensive use of forced labour, and lack of respect for the rights of persons deprived of their liberty;

(b) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion, opinion and expression, peaceful assembly and association and on access of everyone to information, and limitations imposed on every person who wishes to move freely within the country and travel abroad;

(c) The mistreatment of and discrimination against disabled children whose particular needs are not sufficiently taken into consideration, while at the same time welcoming, in this regard, reports of the preparation of a law on physically disabled persons;

(d) Continued violation of the human rights and fundamental freedoms of women;

2. *Notes with regret* that the authorities of the Democratic People's Republic of Korea have not created the necessary conditions to permit the international community to verify these reports in an independent manner and calls upon the Government to respond to these reports and these concerns urgently, including:

(a) By ratifying human rights instruments to which it is not yet a party, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, and by implementing its obligations under the human rights instruments to which it is a party, namely the International Covenant on Economic, Social and Cultural Rights, in particular concerning the right of everyone to be free from hunger, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, ensuring that all necessary measures are undertaken to this end;

(b) By providing all pertinent information concerning the above-mentioned issues;

(c) By implementing the recommendations of the Committee on the Rights of the Child and the Human Rights Committee;

(d) By refraining from sanctioning citizens of the Democratic People's Republic of Korea who have moved to other countries, in particular for humanitarian reasons, and refraining from treating their departure as treason leading to punishments of internment, inhuman or degrading treatment or the death penalty;

(e) By cooperating with the United Nations system in the field of human rights and cooperating without restriction with the thematic procedures of the Commission on Human Rights relevant to the situation of the Democratic People's Republic of Korea, in particular the Special Rapporteur on the right to food, the Special Rapporteur on torture, the Special Rapporteur on religious intolerance, the Working Group on Arbitrary Detention, as well as the Working Group on Enforced or Involuntary Disappearances, and international human rights organizations;

(f) By resolving, clearly and transparently, all the unresolved questions relating to the abduction of foreigners;

(g) By adhering to internationally recognized labour standards;

3. *Is also deeply concerned* about reports of a precarious humanitarian situation;

4. *Calls upon* the authorities of the Democratic People's Republic of Korea to ensure that humanitarian organizations, in particular the United Nations agencies, have free and unimpeded access to all parts of the Democratic People's Republic of Korea in order for them to ensure that humanitarian assistance is delivered impartially on the basis of need, in accordance with humanitarian principles;

5. *Requests* the international community to continue to urge the Government of the Democratic People's Republic of Korea to ensure that humanitarian assistance, especially food aid, destined for the people of the Democratic People's Republic of Korea is distributed in accordance with humanitarian principles and that representatives of international humanitarian actors are allowed to travel throughout the country to monitor this distribution, and to ensure the respect for the fundamental principles of asylum;

6. *Requests* the United Nations High Commissioner for Human Rights to engage in a comprehensive dialogue with the authorities of the Democratic People's Republic of Korea with a view to establishing technical cooperation programmes in the field of human rights and to submit his findings and recommendations to the Commission at its sixtieth session;

7. *Decides* to continue its consideration of this question at its sixtieth session under the same agenda item as a matter of high priority.
