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Situations relatives aux droits de l'homme qui requièrent l'attention du Conseil

Lettre datée du 21 janvier 2010, adressée au Président du Conseil des droits de l'homme par la Mission permanente de la République populaire démocratique de Corée auprès de l'Office des Nations Unies à Genève

Dans la perspective de l'examen prochain du rapport du Rapporteur spécial sur la situation des droits de l'homme en République populaire démocratique de Corée par le Conseil des droits de l'homme à sa treizième session, j'ai l'honneur de réaffirmer la position de principe de la République populaire démocratique de Corée*.

Je vous serais reconnaissant de bien vouloir faire distribuer le texte de la présente lettre et de son annexe comme document officiel de la treizième session du Conseil.

L'Ambassadeur et Représentant permanent
(Signé) **RI Tcheul**

* Reproduite en annexe telle qu'elle a été reçue, dans la langue originale seulement.

Annexe

As clearly stated in official communications including my letters dated 08 June, 2007 (A/HRC/5/G/5), 30 January, 2008 (A/HRC/7/G/3) and 29 January 2009 (A/HRC/10/G/6) respectively and addressed to your predecessors, the DPRK categorically and resolutely rejects the “special rapporteur”.

Let me take this opportunity to draw your attention and, through you, the attention of the Human Rights Council to the following facts.

First, the “special rapporteur” is a product of political confrontation and plot having no relevance with human rights.

The “special rapporteur” originated and is existing as a result of “resolutions” which have been enforced every year by the United States, Japan and EU in conspiracy as part of their attempts to eliminate the state and social system of the DPRK on the pretext of human rights.

The United States, Japan and EU were running amuck to intensify its hostile policy of stifling the DPRK over its withdrawal from the Non-Proliferation Treaty (NPT) in January 2003 and, as part of it, went so far as to initiate and forcibly enforce the adoption of the first so-called “resolution” on DPRK at the 59th Session of the UN Commission on Human Rights. And they have been continuing such hostility in the UN human rights mechanisms each year.

By the time the first “resolution” was enforced, bilateral human rights dialogue between the DPRK and EU, which had started in June 2001, was at an excellent phase while the DPRK was involved in various activities of cooperation with international human rights mechanisms including in particular the human rights treaty bodies.

Under this circumstance, there was no reason whatsoever for these countries to choose to initiate a confrontational “resolution”.

Moreover, the “resolution” was treated as top secret at all stages ranging from drafting to official submission, tabled in the form of a surprise raid shortly before the voting and forcibly adopted through high-handedness, arbitrariness and behind-the-screen pressure and trickery of the United States, Japan and EU.

The minimum requirement of traditional and common practice of international human rights area relating to “prior notice to and consultations with the party directly concerned” was disregarded completely.

Would there be any need for the United States, Japan and EU to pursue confrontational “resolution” if they have no ulterior motive on the DPRK and are truly interested in dialogue and cooperation in the area of human rights?

Further, why would these countries try to resort to such despicable and sinister back-door approach if their acts are motivated by genuine promotion and protection of human rights ?

In today’s world, the human rights violations that merit important attention of the international human rights mechanisms including the UN Human Rights Council and need to be addressed urgently, are those of invasions of Afghanistan and Iraq and the resultant civilian killings, such extra-large scale past crimes against humanity as sexual slavery, racial discrimination and defamation of religion as well as violations in the occupied Arab territories including Palestine.

The United States, Japan and EU have always been talking about their being uncompromising towards human rights violations no matter when, where and by whomever these are committed.

Unfortunately however, they are making no single reference of afore-mentioned gross human rights violations for which they themselves and their allies are responsible.

In particular, Japan committed such unprecedented crimes against humanity as 8.4 million forcible drafting and abduction, one million genocidal killings and 200, 000 sexual slavery for Japanese army, out of the then 20 million population during its military occupation of Korea for over 40 years.

Japan has not yet accepted its responsibility for these crimes even in the new century.

Nevertheless, the United States, Japan and EU are provoking innocent countries including the DPRK.

This constitutes extreme hypocrisy and double standards. Furthermore, this can be construed as nothing but a pursuit of political objective, which is in contravention of genuine promotion and protection of human rights.

The “special rapporteur”, who originated as a result of machination of the United States, Japan and EU and has been existing with the backing and patronage of these countries, is only a marionette running here and there in order to represent the interests of these countries.

Second, the existence of the “special rapporteur” runs counter to the current trend of opposing politicization of human rights and working towards genuine promotion and protection of human rights.

Following the demise of the UN Commission on Human Rights, the international community hoped that the politicization, selectivity and double standards which had served as a fundamental cause of its collapse would also disappear.

However, the reality suggests otherwise.

Country-specific procedures including the “special rapporteur” which is a typical manifestation of politicization, selectivity and double standards continues to remain.

Country-specific procedures is confined only to developing countries and no single mandate-holder to monitor human rights situations of Western countries has ever been appointed at all.

As long as there exists country-specific procedures, the Human Rights Council which was created to remove politicization will be turned into a place of bigger politicization and, by far, repeat the same bitter and shameful failure as that of the Commission on Human Rights, its predecessor body.

Anachronistic country-specific procedures should not be tolerated any longer.

Moreover, there is no justification whatsoever for the country-specific procedures aimed at singling out specific countries for naming and shaming to be maintained in parallel with the UPR mechanism which is now making real contributions to worldwide promotion and protection of human rights through dialogue and cooperation, based on the principle of treating all countries impartially and equally.

The DPRK attaches importance to the UPR mechanism where equality and dignity of all countries with different ideologies, social systems, cultures and traditions are respected.

In light of this, the DPRK participated in the 6th Session of the UPR Working Group in December 2009 and engaged in a constructive dialogue with the international community in the spirit of sincerity.

We will continue to remain invariable in our position and effort to respect international human rights laws and pursue genuine dialogue and cooperation in the international human rights field including the UPR mechanism.

As stated on several occasions, the “special rapporteur” means precisely confrontation.

Confrontation can never be compatible with dialogue and cooperation.

If the Human rights Council is to avoid repeating the same failure as that of the Commission on Human Rights and to function as a mechanism for dialogue and cooperation, it should take measures to remove once and for all politicized country-specific procedures including the “special rapporteur” as a matter of priority.

By doing so, the Human rights Council will bring hope to humankind aspiring for genuine promotion and protection of human rights.
