



Human Rights Watch Statement

UPR Outcome Report on the Democratic People's Republic of Korea March 18, 2010

Thank you Mr. President,

The Universal Periodic Review of the Democratic People's Republic of Korea (DPRK) was an important test to assess how the DPRK approaches the issue of human rights. Based on our review of the DPRK's submission to the United Nations Human Rights Council and its response to recommendations from other member states, it is clear that the DPRK has demonstrated neither the political commitment nor the requisite understanding of what it means to comply with international human rights standards.

Human Rights Watch notes with great concern that the DPRK never extended an invitation to Vitit Muntarbhorn, special rapporteur on human rights in the DPRK. If this situation does not change, when his term ends this July, Prof. Muntarbhorn will be the only country special rapporteur of the Human Rights Council never allowed to visit his subject country, let alone have a meaningful dialogue with the subject government.

The DPRK claims it held 24 separate consultations with its civil society in preparation of its national report. Yet the level of suppression in the DPRK is so severe that the country lacks any independent civil society organizations.

The DPRK claims that its constitution provides for the freedom of speech, the press, assembly, demonstration, association, residence and travel, and other rights. Yet the reality is many tens of thousands of North Koreans have escaped the DPRK and testified to a large number of credible NGOs and human rights groups, including Human Rights Watch, how the DPRK government systematically and brutally suppresses those rights including through public trials and executions of those accused of having committed "anti-socialist" offenses. Testimonies from survivors reveal that the DPRK maintains a number of large labor camps where entire families of suspected offenders, including young children, are imprisoned for long sentences, and often for life, creating in essence, a political caste system. The existence of these labor camps is common knowledge among North Koreans.

The DPRK acknowledges it publicly executes people who "committed very brutal violent crimes," and claims that the requests for such sentences are made by the families and relatives of victims. However, Human Rights Watch and other organizations have interviewed many North Korean refugees who witnessed the execution of people accused of non-violent crimes such as theft of state property.

The DPRK claimed its Criminal Law and Criminal Procedures Law prohibit officials from interrogating persons by torture. Yet Human Rights Watch and other credible human rights monitoring groups have heard from hundreds, if not thousands, of North Korean refugees who testified to suffering or witnessing torture, inhuman and degrading treatment and punishment of detainees during interrogations by the authorities. We found prisoners inside detention facilities also face such brutal treatment.

Human Rights Watch welcomes the broad range of recommendations to promote the protection of human rights in the DPRK from many European, North and South American, and Asian countries on issues ranging from the proper monitoring of aid distribution, lack of independence of the judiciary, torture as well as cruel, inhuman and degrading treatment of detainees, collective punishment, the operation of prison/labor camps, the continued practice of the death penalty and public executions, and the abduction and detention of foreign nationals.

Human Rights Watch deeply regrets the disingenuous responses by the DPRK authorities to these serious issues. For example, the DPRK argues that the term "political prisoner" does not exist in the DPRK's vocabulary, and therefore that so-called political prisoners' camps do not exist. Semantics aside, there has been a steady stream of former inmates and guards who have given detailed accounts of their own experiences, and the existence of these camps is common knowledge among escaped North Koreans.

On the monitoring of aid distribution by international aid agencies, the DPRK claims that it has "provided all necessary arrangements including on-site visits" for aid agencies. Yet the opposite is true -- for years, donor governments and aid agencies have protested the DPRK's severe restrictions in monitoring of aid distribution.

Human Rights Watch regrets that the DPRK has rejected recommendations calling for concrete actions to improve respect for human rights, including: a moratorium on the death penalty, ceasing arbitrary detention, ending collective punishment and use of labor camps, halting discrimination in government food distribution, resolving the issue of foreign abductees, ending forced labor, taking measures to ensure an independent judicial system, and lifting restrictions on religious practices.

The DPRK also says it "pays due regard to the international cooperation in the field of human rights," yet it consistently rejects human rights resolutions about the situation in the country, calling them irrelevant to human rights. Instead, the DPRK treated its appearance at the UPR as yet another opportunity for spreading regime propaganda and used its report to glorify its leader, Kim Jong Il, and its national ideology called "Juche," which is roughly translated as "self-reliance."

In light of the DPRK's abysmal human rights situation and the government's record of continuing to deny and refuse to recognize key human rights issues, as evidenced during the UPR process, we call on the Human Rights Council to extend the Special Rapporteur mandate on the DPRK at this session. Human Rights Watch believes that the mandate is essential for a continued assessment of the human rights issues in the country and the identification of possible areas for action.

Thank you.