



# General Assembly

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## Human Rights Council

### Sixteenth session

Agenda item 4

#### Human rights situations that require the Council's attention

**Australia<sup>\*</sup>, Austria<sup>\*</sup>, Belgium, Bulgaria<sup>\*</sup>, Canada<sup>\*</sup>, Croatia<sup>\*</sup>, Cyprus<sup>\*</sup>, Czech Republic<sup>\*</sup>, Denmark<sup>\*</sup>, Estonia<sup>\*</sup>, Finland<sup>\*</sup>, France, Germany<sup>\*</sup>, Greece<sup>\*</sup>, Hungary, Iceland<sup>\*</sup>, Ireland<sup>\*</sup>, Israel<sup>\*</sup>, Italy<sup>\*</sup>, Japan, Latvia<sup>\*</sup>, Liechtenstein<sup>\*</sup>, Lithuania<sup>\*</sup>, Luxembourg<sup>\*</sup>, Malta<sup>\*</sup>, Monaco<sup>\*</sup>, Montenegro<sup>\*</sup>, Netherlands<sup>\*</sup>, New Zealand<sup>\*</sup>, Norway, Poland, Portugal<sup>\*</sup>, Republic of Korea, Romania<sup>\*</sup>, Slovakia, Slovenia<sup>\*</sup>, Spain, Sweden<sup>\*</sup>, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution**

#### **16/... Situation of human rights in the Democratic People's Republic of Korea**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other human rights instruments,

*Recalling* all previous resolutions adopted by the Commission on Human Rights, the Human Rights Council and the General Assembly on the situation of human rights in the Democratic People's Republic of Korea, including Council resolution 13/14 of 25 March 2010 and General Assembly resolution 65/225 of 21 December 2010, and urging the implementation of those resolutions,

*Bearing in mind* paragraph 3 of General Assembly resolution 60/251 of 15 March 2006,

*Recalling* Council resolutions 5/1 on institution-building of the United Nations Human Rights Council, and 5/2 on the code of conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

*Welcoming* the reports submitted by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,<sup>1</sup> and urging the implementation of the recommendations contained therein,

*Deeply concerned* at the continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the Democratic People's

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<sup>\*</sup> Non-Member State of the Human Rights Council.

<sup>1</sup> A/65/364 and A/HRC/16/58.

Republic of Korea and at the unresolved questions of international concern relating to the abduction of nationals of other States, and urging the Government of the Democratic People's Republic of Korea to respect all human rights and fundamental freedoms fully,

*Deploring* the grave, widespread and systematic human rights abuses in the Democratic People's Republic of Korea, in particular the use of torture and labour camps against political prisoners and repatriated citizens of the Democratic People's Republic of Korea,

*Deeply regretting* the refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur or to extend full cooperation to him, and allow him access to the country,

*Expressing its serious concern* at the refusal of the Government of the Democratic People's Republic of Korea to articulate, by the time of the Council's adoption of the outcome report of its universal periodic review<sup>2</sup> in March 2010, which recommendations enjoyed its support, and regretting the lack of actions taken by the Democratic People's Republic of Korea to date to implement the recommendations contained in that report,

*Alarmed* by the precarious humanitarian situation in the country, exacerbated by its national policy priorities,

*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, including ensuring access to adequate food,

*Recognizing* the particular vulnerability of women, children, persons with disabilities and the elderly, and the need to ensure their protection against neglect, abuse, exploitation and violence,

*Reaffirming* the importance of States' engaging fully and constructively with the universal periodic review process and with other mechanisms of the Council towards the improvement of their human rights situations,

1. *Expresses its very serious concern* at the ongoing grave, widespread and systematic human rights violations in the Democratic People's Republic of Korea;

2. *Commends* the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for the activities undertaken to date and his continued efforts in the conduct of the mandate, despite the limited access to information;

3. *Decides* to extend the mandate of the Special Rapporteur, in accordance with Council resolution 13/14, for a period of one year;

4. *Urges* the Government of the Democratic People's Republic of Korea to cooperate fully with the Special Rapporteur and to permit him unrestricted access to visit the country and to provide him with all necessary information to enable him to fulfil his mandate;

5. *Also urges* the Government of the Democratic People's Republic of Korea to ensure full, rapid and unimpeded access of humanitarian assistance that is delivered on the basis of need, in accordance with humanitarian principles, coupled with adequate monitoring;

6. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, mandate holders, interested institutions and independent experts and non-governmental organizations, to develop regular dialogue and cooperation with the Special Rapporteur in the fulfilment of his mandate;

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<sup>2</sup> A/HRC/13/13.

7. *Requests* the Secretary-General to provide the Special Rapporteur with all assistance and adequate staffing necessary to carry out his mandate effectively and to ensure that this mechanism works with the support of the Office of the United Nations High Commissioner for Human Rights;

8. *Invites* the Special Rapporteur to submit regular reports on the implementation of his mandate to the Council and the General Assembly.

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