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PAK Ui-chun
Minister
Ministry of Foreign Affairs
Pyongyang
Democratic People's Republic of Korea

04 October 2010

Dear Minister,

OPEN LETTER: IMPLEMENTING RECOMMENDATIONS TO IMPROVE HUMAN RIGHTS IN NORTH KOREA

I write with regard to your country's recent consideration under the Universal Periodic Review (UPR) in the UPR Working Group of the Human Rights Council. The UPR process was intended to be an opportunity for the Democratic People's Republic of Korea (North Korea) to engage in a frank assessment on how human rights are being promoted in the country as well as an opportunity for other states to make recommendations to the government on how best to work towards greater fulfilment of its human rights obligations. By failing to explicitly express its support for any of the recommendations it received, North Korea is failing to use the opportunity of the UPR to address the serious human rights violations taking place in North Korea. Its approach to the UPR is also putting the effectiveness and credibility of the mechanism at risk.

Amnesty International notes that in the report of the outcome of the review, adopted by the Working Group in December 2009, you indicated that you would consider 117 recommendations, and that you had rejected 50 recommendations. Prior to the adoption by the Council of the outcome of the UPR of North Korea, your delegation stressed its willingness to cooperate with the UPR process. However, at the adoption of the report at the 13th session in March 2010 North Korea merely stated that it had 'taken note' of the recommendations. This leaves North Korea as the only country to have engaged in the UPR process without expressly accepting any of the recommendations. We urge you to keep the recommendations made to you by other States under consideration with a view to giving effect to them in due course.

Fundamental rights and freedoms enshrined in the Universal Declaration of Human Rights and the treaties to which North Korea is a state party remain largely unprotected by domestic legislation and in practice. Concerns raised and recommendations made by participating States included the right to food; lack of freedom of movement, opinion, expression and religious belief; the use of torture and other ill-treatment in detention facilities; the death penalty; abductions and enforced disappearances; lack of access to the country for UN Special Procedures and other independent human rights monitors; and the need for improved access for monitoring distribution of humanitarian aid. Recommendations rejected by your delegation were not, as they alleged, politically motivated, but were based on international human rights obligations that North Korea has accepted.

Our organization is deeply concerned that North Korea's failure to clarify which recommendations it supports suggests that North Korea intends to take no action to address the serious human rights concerns raised during the UPR process.

Amnesty International calls on the North Korean authorities to specify to the Council at the earliest opportunity which recommendations it supports and to establish a national plan of action with a clear timeframe and indicators for their implementation.

I would be grateful to receive your views on the issues raised in this letter.

Yours sincerely,

Catherine Baber
Asia-Pacific Deputy Director
Amnesty International