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مجلس حقوق الإنسان
الدورة العاشرة
البند ٤ من جدول الأعمال

حالات حقوق الإنسان التي تتطلب اهتمام المجلس بما

رسالة* موجهة من جمهورية كوريا الشعبية الديمقراطية بشأن تقرير المقرر الخاص
المعني بحالة حقوق الإنسان في جمهورية كوريا الشعبية الديمقراطية

جنيف، ٢٩ كانون الثاني/يناير ٢٠٠٩

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Annex

I present my compliments to you and, with regard to the forthcoming discussion of the report of the special rapporteur on the Democratic People's Republic of Korea (hereinafter referred to as "special rapporteur") at the 10th Session of the UN Human Rights Council (02-27 March), have the honor to reiterate the principled position of the Democratic People's Republic of Korea (DPRK).

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

Let me take this opportunity to particularly emphasize the following facts.

First, the "special rapporteur" is a product of political confrontation and plot.

The United States, Japan, countries in the EU and their allies have constantly been engaged in hostility aimed at eliminating the state and social system of the DPRK for more than half a century.

The United States has been making every effort to stifle the DPRK by all means because it considers the DPRK maintaining political views and social system different from its own as an obstacle to its strategy of dominating the whole Korean peninsular.

Japan committed unprecedented crimes against humanity such as 8.4 million forcible drafting and abduction, 1 million genocidal killings and 200,000 military sexual slavery during its military occupation of Korea for over 40 years and has not settled them as yet. Instead, Japan has been making calculations that the issue of the settlement of its past crimes will automatically disappear once the DPRK is eliminated.

H.E. Mr. Martin Ihoeghian UHOMOIBHI
President of the Human Rights Council
Geneva

The European Union never hesitates to trample down vital interests of other countries if it can win certain political prizes by flattering and insinuating into the favor of the superpower. The DPRK is not exceptional in its target.

For these purposes, the human rights issue is being abused as an indispensable means along with the nuclear issue.

Consequently, confrontation over DPRK's "problem" in the international human rights field represents, in essence, political confrontation between the foreign forces attempting to eliminate DPRK's state and social system on the pretext of human rights on one hand and the DPRK struggling to defend its state and social system as master of its own destiny on the other.

As already known, the United States, Japan and EU prepared a draft "resolution" on DPRK behind the screen at the 59th Session of the Commission on Human Rights in 2003 as an extension of their hostility on the nuclear problem while purposefully ignoring the then excellent process of DPRK-EU bilateral dialogue and cooperation in the area of human rights, presented it in the form of a surprise raid at the very last moment and enforced its adoption through pressure and blackmail. And they are now continuing to resort to this.

The "special rapporteur" who originated as a result of the "resolution" enforced by hostile forces in conspiracy and has been in existence with their backing characterized by all sorts of trickery is only a marionette running here and there in order to represent their interests.

Second, the "special rapporteur" remains fundamental impediment to the progress of the work of the Human Rights Council.

Human Rights Council was established in order to put an end to the politicization, selectivity and double standards which were persistent in the Commission on Human Rights for 60 years and pursue genuine human rights through dialogue and cooperation with the aim of bringing about benefit to all.

However, the Human Rights Council has been turned into a ground for a handful of western countries, the self-appointed "judges" to rule over developing countries which constitute a majority.

In contrast, there has been an absence of any measures and even a single reference vis-à-vis the invasion of Iraq and Afghanistan and the civilian killings there by the United States, Japan's past crimes against humanity and current attempts of reinvading other countries and all forms of violations such as racial hatred, racial discrimination and xenophobia so prevalent in the western countries.

This is a stark reality of the Human Rights Council at present.

Moreover, some western countries have been deliberately ignoring or even justifying the acts of gross human rights violations systematically carried out by Israel in Palestine and other occupied Arab territories.

The country-specific procedure which was a fundamental cause of the dissolution of the Commission on Human Rights continues to remain. There is no single country mandate on western countries. All such mandates are related to the developing countries.

Therefore, the country mandates introduced against the will of the countries concerned including in particular the politically motivated country mandates as is the case with the "special rapporteur" on DPRK constitute a major source and institutional structure infringing upon the rights and interests of not only the DPRK but also the developing countries as a whole.

The country-specific procedure should have been removed in conjunction with the dissolution of the Commission on Human Rights.

On top of that, there is no reason whatsoever for the country-specific procedure including the “special rapporteur” on DPRK to exist in parallel with the UPR mechanism which is now in full operation as a main function of the Human Rights Council dealing with situations of all countries regularly, impartially and on an equal footing.

The intention of the western countries being so anxious to maintain this country-specific procedure is to continue to dictate their will to the developing countries including those they dislike by behaving as “judges” even in the Human Rights Council.

This will inevitably lead to the damage of the credibility and the weakness of the operation of the UPR mechanism.

This is a typical manifestation of politicization, selectivity and double standards and runs counter to the founding ideals of the Human Rights Council to conduct activities based on dialogue and cooperation.

If this move on the part of the western countries goes unchecked, the Human Rights Council which was created to remove politicization will become a place of bigger politicization and ultimately repeat the same bitter and shameful failure as that of its predecessor body.

We shall continue to reject the politically motivated country mandates including the “special rapporteur” on DPRK and vigorously intensify efforts to remove them, with a view to safeguarding our dignity and sovereignty, advocating the interests of the developing countries and contributing to robust development of the work of the Human Rights Council.

I would be grateful if you could circulate this letter as official document of the 10th Session of the Human Rights Council.

Please accept, Excellency, the assurances of my highest consideration.

(signed)

RI Tcheul

Ambassador and Permanent Representative
