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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by István Szent-Iványi, Marios Matsakis, Frédérique Ries, and Anneli Jäätteenmäki,

on behalf of the ALDE Group

on North Korea

European Parliament resolution on North Korea

The European Parliament,

- having regard to its previous resolutions
- having regard to Rule 115 of its Rules of Procedure,
- A. having regard to the fact that the government of the Democratic People's Republic of Korea (DPRK) continues to deny access to the UN Special Rapporteur on the human rights situation in North Korea and the UN Special Rapporteur on the right to food, as well as to non-governmental human rights organisations, which hampers the investigation of the human rights situation; multiple reports notably by victims who managed to flee the country, suggest however most serious pattern of violations, including executions, torture, detention of political prisoners and inhumane prison conditions,
- B. whereas North Korea is placed last in the Reporters Without Borders worldwide ranking of countries by respect for press freedom,
- C. whereas opposition of any kind is not tolerated and any person who expresses an opinion contrary to the position of the ruling Korean Workers' Party faces severe punishment, and so do their family in many cases,
- D. having regard to the recent case of Son Jong Hoon - shedding light on the severity of human rights violations in North Korea - who has been sentenced to public execution, in April allegedly for treason and sharing information with South Koreans after a visit to China where he reportedly met with his brother and spoke about life in North Korea and his connection to Christianity,
- E. whereas Son Jong Nam was reportedly tortured by the National Security Agency, and then sentenced to death without a trial, and without the benefit of any of the procedural safeguards required by international human rights law
- F. whereas late April, UN experts (Philip Alston, Special Rapporteur on extrajudicial, summary or arbitrary executions, Leila Zerrougui the Chairperson - Rapporteur of the working group on arbitrary detention, Manfred Nowak, the Special Rapporteur on the question of torture and Vitit Muntarbhorn, Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea) called upon the North Korean government to postpone the execution and review the conviction,
- G. whereas on 5 May 2005, the government of DPRK replied to the concerns expressed by accusing the UN experts of conspiracy in the attempt to spread fabricated information,
- H. Whereas the domestic news media is strictly censored and access to international media broadcasts is restricted. According to reports, at least 40 journalists since the mid-1990s

have been "re-educated" for errors such as misspelling a senior official's name. Radio and television sets were tuned to receive only state broadcasts and those who listened to foreign radio stations risked being punished,

- I. Whereas any unauthorized assembly or association is regarded as a "collective disturbance", liable to punishment. Religious freedom, although guaranteed by the constitution, is in practice sharply curtailed; Whereas there are reports of severe repression of people involved in public and private religious activities, through imprisonment, torture and executions,
 - J. Whereas witnesses estimate the number of people confined in "Re-education (Labour) camps", "detention camps" and prisons to up to 200 thousand and reports suggest that torture and ill-treatment are widespread and conditions are very harsh,
 - K. Whereas thousands of North Koreans have reportedly been apprehended in north east China and forcibly returned to North Korea and whereas a number of sources report that they often face long interrogation sessions and torture and some were reportedly executed,
 - L. profoundly dismayed by this response and deploring the failure of the Democratic People's Republic of Korea to cooperate with the special procedures established by the United Nations Commission on Human Rights,
1. Affirms its call for the abolition of the death penalty and an immediate moratorium on capital punishment in the Democratic People's Republic of Korea;
 2. Calls on the government of the Democratic People's Republic of Korea notably to reconsider its position, suspend the scheduled execution and abide by its international human rights obligations;
 3. Calls on the government of North Korea to
 - abide by the principles laid out in the international human rights treaties it has ratified (such as the International Covenant on Civil and Political Rights) and incorporate these principles into domestic law;
 - abolish the death penalty;
 - release all people detained or imprisoned for the peaceful exercise of fundamental human rights;
 - guarantee freedom of expression and freedom of movement for all North Koreans;
 - review existing legislation to ensure it conforms with international human rights standards and introduce safeguards to provide citizens with protections and remedies against human rights violations;
 - invite the UN human rights mechanisms to visit North Korea and grant free access to independent human rights monitors;

4. Calls on the authorities of the People's Republic of China to stop any forcible return of refugees to North Korea and to respect the most basic principle of refugee protection of non-refoulement, which is binding on all States as a matter of customary international law and prohibits the forcible return of any person to a country or territory where s/he would be at risk of serious human rights violations,
5. Instructs its President to forward this resolution to the Council, the Commission, the UN Security General, the government of the People's Republic of China and the government and parliament of the Democratic People's Republic of North Korea.