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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 122 of the Rules of Procedure

on North Korea

Miroslav Mikolášik, Mario Mauro, Cristian Dan Preda, Bernd Posselt, Lena Kolarska-Bobińska, Eija-Riitta Korhola, Tunne Kelam, Thomas Mann, Monica Luisa Macovei, Sari Essayah, Csaba Sógor, Filip Kaczmarek

on behalf of the PPE Group

European Parliament resolution on North Korea

The European Parliament,

- having regard to its previous resolutions on the Democratic People's Republic of Korea,
- having regard to the Universal Declaration of Human Rights and to all relevant international human rights instruments,
- having regard to the UN Human Rights Council Report of the Special Rapporteur Vitit Muntarbhorn on the situation of human rights in the Democratic People's Republic of Korea on 17 February 2010,
- having regard to the resolution of the UN Human Rights Council of 25 March 2010 on the 'Situation of human rights in the Democratic People's Republic of Korea and supported by the EU Member States,
- having regard to the Council of the EU Annual Report on Human rights and democracy in the world from July 2008 to December 2009,
- having regard to the International Covenant on Civil and Political Rights adopted and ratified by the Democratic People's Republic of Korea, thus having the same effect as domestic law without requiring additional legislation,
- having regard to the 29th round of the EU-China Human Rights Dialogue on 29th of June 2010 in Madrid where the issue of North Korean refugees was discussed,
- having regard to Protocol No 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), concerning the abolition of the death penalty in all circumstances,
- having regard to Rule 122 of its Rules of Procedure,
 - A. whereas the European Parliament is a defender and promoter of human rights and democracy in the world,
 - B. whereas according to various reports the Democratic People's Republic of Korea (DPRK) has the worst record on human rights violations,
 - C. whereas satellite images and various accounts by North Korean defectors substantiate that the DPRK operates six political concentration camps with over 150 000 political prisoners,
 - D. whereas political prisoners detained in the camps are deprived of fundamental human rights and have no contact with the outside world, whereas many of them are

deliberately starved to death, die of treatable diseases and are deprived of medical care,

- E. whereas the practice of guilt by association results in entire families disappearing behind bars, including children and grandparents, and whereas these prisoners are exposed to gross and systematic human rights violations, torture, starvation and hard labour,
- F. whereas the European Union is strongly committed to the abolition of the death penalty and is striving to achieve universal acceptance of the principle,
- G. whereas large parts of the population suffer from systematic starvation and are in regular need of international food aid, and mass food shortages and famine have significant implications for a wide spectrum of human rights,
- H. whereas the domestic news media are strictly censored and access to international media broadcasts is restricted; whereas radio and television sets are tuned to receive only state broadcasts and those who listen to foreign radio stations risk being punished,
- I. whereas the government of the DPRK does not permit organised opposition, free election, functioning civil society and religious freedom,
 - 1. Finds human rights situation in the DPRK extremely disturbing and critical,
 - 2. Is disappointed that the human rights situation in the DPRK has not improved but deteriorated since the last European Parliament's resolutions,
 - 3. Deplores the lack of cooperation of the DPRK with the international human rights institutions, and particularly its refusal to follow the procedures of the UN Human Rights Council,
 - 4. Condemns the strengthening of restrictions imposed by the government of the DPRK on civil society,
 - 5. Reiterates its call on the government of the DPRK to:
 - comply with the principles set 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 capital punishment;
 - release promptly 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; and
 - review existing legislation to ensure that it conforms with international human rights standards, introduce safeguards to provide citizens with protections and remedies against human rights violations, and guarantee effective right to a fair trial;

6. Calls on the government of the DPRK to stop the policy of guilt by association, to put an end to extrajudicial killings, forced labour and torture,
7. Calls on the government of the DPRK to ensure access of all classes of its society to food and other basic necessities; rectify the distorted pattern of food distribution; to cooperate constructively with United Nations agencies and other humanitarian actors on the issue and to allow its monitoring,
8. Calls on the government of the DPRK to enable people to undertake economic activities to satisfy their basic needs and supplement their livelihood without State interference,
9. Calls on the EU to appoint an EU special representative on the DPRK to ensure persistent attention and coordination both within the European Union and with its key partners,
10. Calls on the Members of the Security Council to work to establish a UN Commission of Inquiry to assess past and present human rights violations in the DPRK, to determine to which extent such violations and impunity associated with the abuse may constitute crimes against humanity and be subject to international jurisdiction such as the International Criminal Court,
11. Urges the EU and its Member States to support international efforts to grant asylum in EU Member States to North Korean refugees who face capital punishment if repatriated into DPRK;
12. Calls on the People's Republic of China to fulfil its obligations under the 1951 Refugee Convention and its 1967 Protocol, to recognize North Koreans as refugees and to stop their refoulement back to the DPRK, to allow the United Nations High Commissioner for Refugees (UNHCR) access to those who manage to flee from the DPRK, to facilitate the resettlement in third countries and to grant North Korean women married to Chinese men legal resident status,
13. Calls on the government of the DPRK to fulfil its obligations under human rights instruments to which it is a party and to ensure that humanitarian organisations, independent human rights monitors, the UN Special Rapporteur on the situation of human rights in the DPRK have full, free and unimpeded access to the country and are provided with necessary cooperation;
14. Calls on the government of the DPRK to ensure a comprehensive investigation with a transparent and satisfactory outcome, to hand over finally and completely all information on the EU citizens and third countries' citizens who were abducted during recent decades, and to release immediately those abductees still being held in the country;
15. Calls to the European Union to include the issue of North Korean refugees in China to all EU-China high levels talks, in particular to the EU-China Dialogue on Human Rights,

16. Calls on the DPRK to engage in a meaningful dialogue on human rights with the EU and its Member States,
17. Calls on the government of the DPRK to address the consequences of the Korean War, to make steps towards reconciliation on the Korean Peninsula;
18. Urges the government of the DPRK to end the severe human rights violations, including imprisonment and execution on account of religion or belief, against citizens not affiliated to the state-sponsored religious federations and to allow religious believers to meet freely for worship, build and maintain places of worship and freely publish religious literature;
19. Calls on the European Commission to maintain existing humanitarian aid programmes and channels of communication with the Democratic People's Republic of Korea as these aid programmes are directly linked to the living conditions of the people in the DPRK, and to adopt measures securing their safe delivery to the targeted parts of the population;
20. Calls on the EU to prevent that the bilateral and multilateral sanctions have serious negative impact on the impoverished North Korean population,
21. Instructs its President to forward this resolution to the President of the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the President of the Council, the governments and parliaments of the Member States and candidate countries, the UN Secretary-General and the ROK and DPRK Governments.