

**ADVANCE QUESTIONS TO THE DEMOCRATIC  
PEOPLE'S REPUBLIC OF KOREA-Add.1**

**ARGENTINA**

**Derecho a la vida y a la integridad personal.**

- A pesar de que, según el informe nacional presentado por el gobierno, el derecho a la vida y a la integridad personal están garantizados por la Constitución y las leyes, informes provenientes del Relator Especial sobre la situación de los derechos humanos en la República Popular Democrática de Corea, del Grupo de Trabajo sobre desapariciones forzadas e involuntarias y de organizaciones no gubernamentales, dan cuenta de casos de abducciones y desapariciones forzadas de ciudadanos tanto de la República Popular Democrática de Corea como extranjeros que se habrían producido en su país. Al respecto, la Argentina desea preguntar si el gobierno ha tomado medidas para investigar estos casos y qué comentarios puede hacer al respecto

**Equidad de género**

- Argentina desea preguntar qué avances se han realizado para combatir la violencia contra las mujeres, incluyendo la violencia doméstica y sexual. En particular cuáles son los mecanismos vigentes para la protección de las víctimas de violencia.

**CZECH REPUBLIC**

- Presently, the DPRK is one of the last UN member States who have not yet become State Parties to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which offers an important support to national efforts of States to eradicate torture. Does the DPRK consider becoming a State Party to this convention and its Optional Protocol?
- What specific measures are being adopted to ensure effective protection of persons against torture? Is there a mechanism of an independent overview of detention and prison facilities and a system for complaints of potential victims?
- How is ensured human rights education and training of police, prison and detention staff and their accountability for possible violations of human rights?
- How is ensured protection of persons against discrimination based on social origin? Are there any complaint mechanisms to allow for an independent investigation of possible cases of discrimination?
- We welcome the fact that DPRK is a State Party to four core human rights treaties (ICCPR, CEDAW, CRC and ICESCR) and we would like to know how is ensured national implementation of obligations from these treaties.

**DENMARK**

- What is the North Korean leadership doing to ensure that sufficient food is available to the entire population - not least the 6 million socially marginalised without access to the money economy?

- What is being done to revise North Korean laws and practices to enable the fulfilment of the North Korean obligations under the Convention on the Elimination of Discrimination against Women?
- With the conscription age for the North Korean army currently at 16 – 17 years and forced enrolment in quasi-military organisations such as the Children’s Union and the Red Young Guard from the age of 8, what steps will be taken to abolish the use of child soldiers in North Korea?

## **LATVIA**

- According to the information by the Office of the UN High Commissioner for Human Rights, 66 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council.
- Considering numerous requests by several special rapporteurs to visit DPRK - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

## **REPUBLIC OF KOREA**

- The issue of families separated across the border in the wake of the Korean War (1950-53), which remains a cause of urgent concern for the entire Korean people, should be resolved on humanitarian grounds irrespective of any political considerations. The separated family members are advancing in years and passing away at a rapid pace given their advanced age. We are therefore most interested to hear the position of the DPRK with respect to allowing the families to check if their family members are alive, to exchange letters with them and to hold reunions with them on an expanded and regularized basis.
- The Special Rapporteur on the Situation of Human Rights in the DPRK states in his most recent report to the UN General Assembly that “A long-neglected question deserving closer attention and expeditious response is the large number of persons abducted from the Republic of Korea. From the 1950-1953 Korean War, there remain key issues to be settled, including prisoners of war, family reunification and missing persons.” We would indeed appreciate hearing the position of the DPRK regarding this issue and what measures it has taken, or will take, to resolve this issue.
- The DPRK Government states in the National Report that the Constitution provides for fundamental rights and freedoms, including the freedom of residence and travel. Many of those who have crossed the border, however, have testified that those who have been repatriated against their will were regarded as traitors and subject to severe punishment and human rights violations. Could the Government provide us with disaggregated statistics regarding the number of North Koreans repatriated to the DPRK and the kinds and severity of punishments including death penalties against them during the last ten years? What measures has the Government put in place to monitor and redress violations of human rights against them?

- We note that the DPRK is a party to four core human rights treaties (the ICCPR, ICE SCR, CEDAW, and CRC) and the periodic reports on the implementation of those treaties have been overdue for some time. In particular, the Third Periodic Report on the implementation of the ICCPR has been long overdue since 2004. We would enquire when the Government is planning to submit the report of the UN Human Rights Committee.
- With a view to protecting the right to food of individual citizens, is the Government willing to improve access to the UN agencies and other humanitarian organizations in order for them to monitor impartial and fair distribution to the intended recipients, according special consideration to the needs of children, women, and other vulnerable groups?

## SWEDEN

- While the constitution of the Democratic People's Republic of Korea provides for independent judicial proceedings, an independent judiciary does not exist in the country. The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea has reported that while the elements of an independent judicial system exist, they are subservient to the state. The DPRK revised its constitution in 2009, making a reference, for the first time, to human rights. Credible reports, however, indicate that those accused of criminal acts are in general subject to formal procedures before a court while individuals considered to be political offenders do not enjoy the same right to proper judicial proceedings.
- Is the Democratic People's Republic of Korea taking any measures to ensure an independent judicial system and individuals' right to a fair trial, and will in this context the amendment to the constitution in its article 8 have any practical relevance?
- In January 2009, the Committee on the Rights of the Child considered the Democratic People's Republic of Korea's combined third and fourth periodic reports on the implementation of the Convention on the Rights of the Child. In its concluding observations, the Committee expressed appreciation for the constructive approach to interaction with the Committee. At the same time the Committee expressed deep concern over reports that the right of the child to life and development continues to be severely violated in the Democratic People's Republic of Korea, in particular the health of children suffering from severe malnutrition. The Special Rapporteur for Human Rights in the Democratic People's Republic of Korea noted great discrepancies in access to food and other necessities.
- Could the Democratic People's Republic of Korea elaborate on the measures it is taking to ensure the right of the child to life and development including on the observations by the Committee on the Rights of the Child?  
Sweden takes note of the DPRK's dialogue with the Committee on the Rights of the Child in January 2009, and regards it as a sign of positive engagement with the international human rights framework. Sweden also notes the collaboration between the DPRK and the United Nations' Children's Fund and the WHO concerning improvements of children's health and education.

## SWITZERLAND

- Do the authorities intend to respond positively to the United Nations Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea request for a visit?
- Do the authorities intend to decriminalize unauthorized travels to foreign countries?
- What steps are made to ensure the right to food of the citizens of the Democratic People's Republic of Korea?
- What measures the authorities intend to put in place in order to permit the families divided since the end of the Korean War to communicate and to meet? In this regard, is the reestablishment of a postal service between the two Koreas planned?

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- What steps does the DPRK propose to increase technical cooperation on, and ensure independent verification of the status of, human rights in line with its international obligations?
- How does the DPRK assess the current effectiveness of its measures concerning the prohibition of torture and what steps does it propose to eradicate torture and to ensure independent verification in this regard?
- What are the latest statistics on the use of the death penalty in DPRK, and are any measures being taken to limit its use?
- What steps will the DPRK take to ensure independent verification that '*all citizens exercise equal rights in all fields and public activities*' as stated in paragraph 32 of its report?
- How does the DPRK allocate time in children's education between academic and vocational studies, and what are the national truancy rates?
- Please could you provide examples of national measures that protect the rights of citizens to have freedoms of assembly and demonstration under its constitution and how these could be independently verified?
- Please provide information on which sections or organisations in Korean civil society were consulted by the government of DPRK when preparing its national report?
- Could you elaborate on the existence of a national human rights institution in DPRK and if it is in compliance with the Paris Principles?

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