Human Rights Council
AFTERNOON 18 March 2010

The Human Rights Council this afternoon adopted the outcomes of the Universal Periodic Review on Bhutan, Dominica and the Democratic People’s Republic of Korea.

Yeshey Dorji, Permanent Representative of Bhutan to the United Nations Office at Geneva, said the conduct of the Universal Periodic Review was a productive and rewarding experience for Bhutan, providing a valuable opportunity for critical self-reflection on the human rights situation in the country, and allowing it to identify areas not only of strength and progress, but also where challenges and gaps persisted. During the dialogue, Bhutan had received a total of 99 recommendations, each of which had received careful examination, and the country had accepted the vast majority of them, many of which were already under various stages of implementation. Of the remaining ones, while some were already adequately addressed by the existing provisions of law, the rest had been taken note of.

In the discussion on Bhutan, speakers noted Bhutan’s endorsement of most of the recommendations received. Bhutan was a small developing country and a victim of the unjust economic order, aggravated by the economic and financial crisis which affected the whole world. Nevertheless, the Bhutanese Government had made significant efforts to continue making progress in the field of human rights. Today’s presentation affirmed Bhutan’s resolve to work constructively for the realization of all human rights. Speakers strongly supported the recommendations that Bhutan should protect and promote the rights of persons belonging to the ethnic Nepalese minority, and that it should enhance efforts to implement a durable solution for the refugees from Bhutan currently residing in camps in south-eastern Nepal. After so many years, it was time for Bhutan to demonstrate that its commitment to resolving this issue was not just rhetorical, that it did not expect other members of the international community to take the entire responsibility through third country resettlement, and that it was actually prepared to assume its responsibility for voluntary repatriation of genuine refugees in conditions of safety and dignity. Bhutan should repeal all provisions in the Penal Code which criminalised sexual activities between consenting adults of the same sex.

Taking the floor on Bhutan were Algeria, Cuba, India, Pakistan, United States, Sri Lanka, China, Saudi Arabia and Botswana. The following non-governmental organizations (NGOs) also took the floor: Canadian HIV/AIDS Legal Network and Lutheran World Federation.

The Council then adopted the outcome of the Universal Periodic Review process on Bhutan.

Vince Henderson, Permanent Representative of Dominica to the United Nations Office at Geneva, said the issue of human rights had always been a matter of great significance to Dominica and its institutions continued to hold high ideals of the law. Nonetheless, it was constrained by resources, both financial and technical. Since colonial times, Dominica had had the death penalty as part of its laws; however there had been a moratorium on capital punishment since 1986. The popular sentiment was for the reintroduction of executions for persons who had been convicted of murder. The Government had taken the position that the matter of the death penalty would remain within national jurisdiction. On criminalization of sexual activity of members of the same sex, Dominica’s position remained the same. It was extremely difficult for Dominica to promote public awareness raising campaigns in that regard. Still, Dominica was sensitive to those affected or infected with HIV AIDS.

In the discussion on Dominica, speakers appreciated Dominica's endorsement of the majority of the recommendations submitted to it, and noted with esteem the efforts undertaken by Dominica to ensure the full and effective implementation of economic, social and cultural rights, despite economic and environmental challenges facing the country. They reiterated calls to the United Nations programmes and institutions to provide Dominica with the necessary technical and financial assistance to overcome these challenges. The identification of priority areas of interest, the efforts made to protect vulnerable groups, the important advances for the empowerment of women and the promotion of their rights, were a few examples of the efforts made by the country in the field of human rights. Speakers appealed to developed countries and the pertinent United Nations mechanisms to provide assistance and technical cooperation to Dominica. Speakers appreciated Dominica’s commitment to improving prison and detention conditions and supported recommendations for the separation of prisoners based on the severity of crimes committed, and the creation of a separate judicial and justice system for minors. The Government should accept recommendations to ensure non-discrimination on the grounds of sexual orientation, gender identity, and HIV status, and develop awareness programmes on the ground.

Speaking on the situation in Dominica were Algeria, Cuba, Venezuela and the United States. The non-governmental organization Canadian HIV/AIDS Legal Network, also took the floor.

The Human Rights Council then adopted the outcome of the Universal Periodic Review on Dominica.

Ri Tcheul, Permanent Representative of the Democratic People's Republic of Korea to United Nations Office at Geneva, said the Democratic People's Republic of Korea was a socialist State centred on the people, and the society was politically stable on the basis of single-hearted unity whereby all people were united around their leader in the face of ever more increasing threats and challenges posed by foreign forces. Under these socio-political circumstances, it was one of the most important tasks for the Government to bring about early solutions to the difficulties in people’s livelihood. To that end, the Government had defined it as a general orientation of this year to make a radical turn in improving the people’s living standard. The delegation had rejected 50 recommendations made by some countries. Those were in full conflict with the country’s principled stand against politicization of human rights and the reality of the country in both legal and practical terms. Regrettably, the recommendations focused on aims that had nothing to do with genuine human rights issues but were seeking regime change and defamation of image.

In the discussion on the Democratic People’s Republic of Korea, speakers urged the Democratic People’s Republic of Korea to give serious consideration to the recommendations and implement them surely and steadily. Speakers welcomed the will of the Democratic People’s Republic of Korea to accept technical assistance in promoting human rights, noting that the country was facing a food crisis and the international financial crisis, which complicated its ability to respond to the needs of its citizens. There was concern, however, about the Democratic People's Republic of Korea's continued refusal to cooperate with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. Other speakers regretted that some of the recommendations that were formulated had political motives and were contrary to the principles that supported international cooperation in the field of human rights and the spirit of this mechanism. There was no reason to continue the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, which was a clear and extreme manifestation of politicisation, selectivity, and double standards. The economic blockade which had been imposed on the Democratic People's Republic of Korea during many years had had a negative impact on all sectors of life and State activity. In terms of food, the situation was exacerbated by a series of natural disasters.

Speaking in the discussion on the Democratic People’s Republic of Korea was Japan, Algeria, Republic of Korea, Cuba, Venezuela, Pakistan, Sudan, Iran, United States, Qatar, China, France, Sri Lanka and Norway. The following NGOs also took the floor: Human Rights Watch, Interfaith International, Amnesty International, Indian Movement Tupaj Amaru and the Organization for Defending Victims of Violence.

The Council then adopted the outcome of the Universal Periodic Review on the Democratic People's Republic of Korea.

When the Council meets at 10 a.m. on Friday, 19 March, it will consider the outcomes of the Universal Periodic Review on Brunei Darussalam, Costa Rica and Equatorial Guinea.

Consideration of Outcome of Universal Periodic Review on Bhutan

YESHEY DORJI, Permanent Representative of Bhutan to the United Nations Office at Geneva, said Bhutan had taken a keen interest in the Universal Periodic Review mechanism since its inception, and recognized the process as an excellent opportunity to undertake a review of the human rights situation on the ground in all countries, in a constructive and cooperative spirit, and in a non-politicised manner. The principles of universality and non-selectivity were its strengths, drawing the support of all members of the international community. The conduct of the Universal Periodic Review was a productive and rewarding experience for Bhutan, providing a valuable opportunity for critical self-reflection on the human rights situation in the country, and allowing it to identify areas not only of strength and progress, but also where challenges and gaps persisted. Bhutan's national report and overall preparations for the Universal Periodic Review were the product of an open and consultative process.

The interactive dialogue in the Working Group was particularly useful and constructive, and there was recognition of Bhutan's efforts, particularly of its holistic approach to development, guided by the philosophy of Gross National Happiness, in the strengthening of civil and political rights through the transformation of the system of governance, the further strengthening of the rule of law with the adoption of the first written Constitution, and the establishment of strengthening of new institutions, and the progress achieved in improving the lives of the people through sustained efforts to secure their economic, social and cultural rights, as well as their right to development. Bhutan's Universal Periodic Review had served to reaffirm the conviction that human rights must be viewed in a holistic manner, and that all human rights were indivisible, inter-related, interdependent and mutually reinforcing. During the dialogue, Bhutan had received a total of 99 recommendations, each of which had received careful examination, and the country had accepted the vast majority of them, many of which were already under various stages of implementation. Of the remaining ones, while some were already adequately addressed by the existing provisions of law, the rest had been taken note of.

AHMED SAADI (Algeria) said Algeria noted Bhutan’s endorsement of most of the recommendations received, including two out of four recommendations that the Algerian delegation had submitted. In that regard, Bhutan’s authorities were encouraged to formulate, if needed, requests for assistance from relevant United Nations programmes and funds in order to consolidate Bhutan’s national strategy for food security and improve national food production. The Algerian delegation reiterated its recommendation to Bhutan to continue efforts to ensure that the right to health could be enjoyed on a fair and equal basis by everyone in Bhutan within the context of attaining the Millennium Development Goals, and to improve the training of medical and paramedical personnel.

PABLO BERTI OLIVA (Cuba) said Cuba acknowledged that Bhutan had accepted a large number of the recommendations made to it, and underscored that Bhutan’s efforts to implement those were noteworthy. The actions of the Bhutanese Government in that regard reaffirmed its willingness to protect the rights of its citizens. Bhutan was a small developing country and a victim of the unjust economic order, aggravated by the economic and financial crisis which affected the whole world. Nevertheless, the Bhutanese Government had made significant efforts to continue making progress in the field of human rights. During the review process, it had also been seen that Bhutan was firmly committed to guarantee the equality of rights between men and women, as well as the enjoyment of all economic, social and cultural rights, and civil and political rights.

GOPINATHAN ACHAMKULANGARE (India) said that as a close friend and neighbour of Bhutan and as a member of the troika for its Universal Periodic Review, India warmly welcomed the delegation of Bhutan. India thanked Bhutan for its comprehensive response to recommendations made during its review in late 2009. Bhutan’s review reflected wide participation and engagement by all States. India was greatly encouraged that Bhutan had chosen to accept a majority of those recommendations. India congratulated Bhutan for its successful review and wished it well in its future endeavours.

MUHAMMAD SAEED SARWAR (Pakistan) said Bhutan had engaged in an open and successful Universal Periodic Review. It had accepted the majority of recommendations. Today’s presentation affirmed Bhutan’s resolve to work constructively for the realization of all human rights. Pakistan shared views on the importance of evaluating domestic feasibility before deciding to establish national human rights institutions. In conclusion, Pakistan wished Bhutan well in its endeavours to promote and protect the rights of its citizens.

JOHN MARIZ (United States) said the United States commended the constructive engagement of Bhutan with bodies such as the Committee on the Rights of the Child, and the Committee on the Elimination of Discrimination against Women. These engagements had contributed to the development of legislative instruments and the principles embodied in the promotion of "Gross National Happiness". The United States strongly supported the recommendations that Bhutan should protect and promote the rights of persons belonging to the ethnic Nepalese minority, and that it should enhance efforts to implement a durable solution for the refugees from Bhutan currently residing in camps in south-eastern Nepal. The United States appreciated the expressed commitment to the protection and promotion of women's rights, but shared the concerns expressed by several countries regarding the levels of domestic violence in the country.

KSHENUKA SENEVIRATHNE (Sri Lanka) said while building a strong democracy that promoted and protected civil and political rights, it was pertinent to note the significant efforts being made by the Government of Bhutan for the achievement of the economic, social and cultural rights of its people, consistent with the philosophy of Gross National Happiness which recognized that quality of life was more than just material comfort. The present report of the Working Group took note of Bhutan's achievements in pursuance of this philosophy, and this was particularly important in the context that Bhutan was a country with a multi-ethnic and multi-religious character. The recommendations in the report would further facilitate the efforts of the Government to intensify its efforts to build a harmonious society based on the philosophy of Gross National Happiness and the principle of non-discrimination, which had been central to all Government policies and actions.

YANG XIAONING (China) said the explanations of the Bhutanese delegation showed the commitment of the Bhutanese Government for collaboration with United Nations mechanisms. China was pleased to note that the Bhutanese Government attached great importance to the Universal Periodic Review outcome and that it had begun implementing its outcome. The Chinese delegation thanked the Bhutanese authorities for their commitment for promoting economic, social and cultural rights and for attempting to achieve the Millennium Development Goal objectives relating to education and poverty reduction. China fully understood the numerous challenges faced by the Bhutanese Government in protecting and promoting human rights. Nevertheless, it believed that through sincere efforts of the Bhutanese Government and its people, and with the support of the international community, the Universal Periodic Review outcome would be fully implemented.

YAHYA ALQAHTANI (Saudi Arabia) said the Saudi Arabian delegation had listened carefully to Bhutan’s conclusion on the recommendations contained in the report. Bhutan had a will to cooperate with the mechanisms of the Human Rights Council. Also, the interest for human rights that the Bhutanese Government had shown through cooperation with various procedures and mechanisms, and its willingness to continue the dialogue, reflected Bhutan’s concern to implement human rights as recommended by international texts. The review of Bhutan’s human rights efforts also provided a unique opportunity to learn about human rights in Bhutan, and Bhutan was encouraged to continue along this path.

Mr. O. RHEE HETANANG (Botswana) welcomed the delegation of Bhutan and appreciated the presentation. Botswana noted the acknowledgement by Bhutan of the challenges before it. Botswana also welcomed Bhutan’s decision to accept most recommendations as a further demonstration of the Government’s devotion to promoting and protecting human rights. Botswana noted the commitment of Bhutan to bolstering an institutional framework for implementation. It was hopeful that it would benefit from the support of the international community.

ROWLAND JIDE MACAULAY, of Canadian HIV/AIDS Legal Network, said Bhutan should repeal all provisions in the Penal Code which criminalised sexual activities between consenting adults of the same sex. Laws criminalising homosexuality ran counter to the implementation of effective education programmes in respect of HIV/AIDS prevention by driving marginalised communities underground. The Canadian HIV/AIDS Legal Network noted the Government's affirmation that these laws may be re-examined in future, when the public felt the need to do so, and emphasised that human rights must never be a popularity contest, but welcomed the Government's willingness to review these laws in the future, and urged the Government to take all necessary steps to bring these provisions into conformity with international law as soon as possible.

PETER PROVE, of Lutheran World Federation, said Bhutan had repeatedly declared its commitment to finding a lasting solution to the refugee crisis through a bilateral process of negotiation with the Government of Nepal, and had participated in a joint verification process in one of the seven refugee camps, as a result of which hundreds of verified refugees should have been allowed to return home to Bhutan - but, today, not a single refugee had been able to return. After so many years, it was time for Bhutan to demonstrate that its commitment to resolving this issue was not just rhetorical, that it did not expect other members of the international community to take the entire responsibility through third country resettlement, and that it was actually prepared to assume its responsibility for voluntary repatriation of genuine refugees in conditions of safety and dignity.

YESHEY DORJI, Permanent Representative of Bhutan to the United Nations Office at Geneva, in concluding remarks, said the Bhutanese delegation had taken note of the comments and suggestions made. Several important issues had been raised, many of which had been addressed by the leader and other members of the delegation in their interventions at the Universal Periodic Review Working Group in December. Mr. Dorjli reiterated that Bhutan was fully committed to civil society involvement in the Universal Periodic Review mechanism and to the follow-up of its review. Bhutan had the necessary legal framework, a supportive administrative machinery and a growing civil society, which provided a sound environment for the promotion and protection of human rights. The Government was determined to ensure that the principles of the new Constitution were upheld, that the rule of law was respected, and that all Bhutanese benefited from the country’s democratic transition. The Government of Bhutan would continue to strive for the realization of all human rights by its people.

The Council then adopted the outcome of the Universal Periodic Review process on Bhutan.

Consideration of Outcome of Universal Periodic Review on Dominica

VINCE HENDERSON, Permanent Representative of Dominica to the United Nations Office at Geneva, said the issue of human rights had always been a matter of great significance to Dominica. Dominica’s institutions continued to hold high ideals of the law. Dominica had signed, ratified and acceded to a number of international instruments, especially on the most vulnerable groups. Nonetheless, it was constrained by resources, both financial and technical. Having reviewed the recommendations, Dominica responded by saying it would: ratify the Convention on the Rights of Persons with Disabilities; ratify the International Convention for the Protection of All Persons from Enforced Disappearances; ratify the International Convention on the Elimination of All Forms of Racial Discrimination; accede to the Optional Protocol to the Convention on all Forms of Discrimination Against Women; and ratify the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol. Furthermore, Dominica was committed to human rights, social justice and social equity. It was constrained by resources. Therefore, it could not give effect to international instruments, which had affected its ability to submit reports in that regard and in a timely manner. It thus asked for the technical assistance of the Office of the High Commissioner for Human Rights. Still, efforts to meet Dominica’s reporting aims under the Convention on the Rights of the Child were being pursued.

Since colonial times, Dominica had had the death penalty as part of its laws; however there had been a moratorium on capital punishment since 1986. It was the maximum penalty for murder. The popular sentiment was for the reintroduction of executions for persons who had been convicted of murder. The Government had taken the position that the matter of the death penalty would remain within national jurisdiction. Thus, it would continue to reserve its position on that matter. As a signatory to the Convention on Persons with Disabilities, efforts had been made to ratify the Convention. Due to resource constraints, Dominica was already having tremendous difficulties meeting obligations in that regard. On discrimination, the Constitution provided for a legal mechanism that persons who felt their rights had been trampled upon could utilize. The country promoted non-discrimination against all its citizens and called on all individuals to do the same. On criminalization of sexual activity of members of the same sex, Dominica’s position remained the same. It was extremely difficult for Dominica to promote public awareness raising campaigns in that regard. Still, Dominica was sensitive to those affected or infected with HIV AIDS. It remained committed to the principles of human rights. These rights were also ensured by its Constitution. Dominica’s position, held by virtue of traditions, societal norms and customs, in no way should indicate its lack if interest in human rights. It was very difficult to meet demands especially in terms of health and education provisions. Dominica once again called on the United Nations and all its organs to provide assistance in that regard. That should be extended to areas of adaptation and mitigation of the effects of climate change.

AHMED SAADI (Algeria) said during the interactive dialogue, Algeria had the privilege of contributing by making some comments and recommendations on Dominica’s report. Algeria appreciated Dominica's endorsement of the majority of the recommendations submitted to it, and noted with esteem the efforts undertaken by Dominica to ensure the full and effective implementation of economic, social and cultural rights, despite economic and environmental challenges facing the country. Therefore, Algeria reiterated its call to the United Nations programmes and institutions to provide Dominica with the necessary technical and financial assistance to overcome these challenges. The sustainable efforts of the Government in the field of promoting the right to education, particularly for poor children, were commendable. Dominica should continue protecting and promoting women's rights as part of its action plan for gender equality.

PABLO BERTI OLIVA (Cuba) said Dominica had shown in its presentation the commitment of the Government to the protection and promotion of human rights. The identification of priority areas of interest, the efforts made to protect vulnerable groups, the important advances for the empowerment of women and the promotion of their rights, were a few examples of the efforts made by the country in the field of human rights. Cuba appealed to developed countries and the pertinent United Nations mechanisms to provide assistance and technical cooperation to Dominica. Cuba wished to thank Dominica for its decision to accept the three recommendations which were formulated by Cuba during the general debate on the national report of Dominica.

EDGARDO TORO CARRENO (Venezuela) said as a small country Dominica encountered many challenges, was exposed to the vicissitudes of nature and faced serious economic difficulties, which were now aggravated by the global financial crisis. Venezuela appreciated Dominica’s cooperation with this mechanism of review and acknowledged the Government’s efforts in the preparation of its national report, developed with the participation of actors from various sectors. Venezuela was satisfied with the replies given by the Dominican Government during this examination process, particularly on the initiatives aimed at improving the living conditions of indigenous peoples, particularly the Kalinago people. Venezuela also acknowledged Dominica’s efforts in protecting and promoting human rights in its territory and commended the Government for its willingness to gradually achieve that objective, as highlighted during the revision process, encouraging it to continue advancing in that regard.

JOHN MARIZ (United States) said the United States commended Dominica’s progress in the advancement and promotion of women’s rights, gender mainstreaming, and the efforts to curb gender-based violence and discrimination in the areas of health, economic development, education, and decision-making. The United States strongly supported the recommendations to continue these efforts toward eliminating gender disparity, discrimination, and violence against women. It strongly supported the recommendation regarding the creation of public campaigns to combat social discrimination against people living with HIV/AIDS and appreciated Dominica’s willingness to consider promoting legislation to guarantee the protection of citizens who had been discriminated against based on their sexual orientation, gender identity, or because they had HIV/AIDS. The United States appreciated Dominica’s commitment to improving prison and detention conditions and supported recommendations for the separation of prisoners based on the severity of crimes committed, and the creation of a separate judicial and justice system for minors.

JOHN FISHER, of Canadian HIV/AIDS Legal Network, said Canadian HIV/AIDS Legal Network regretted that the response of the Government of Dominica to a number of recommendations was still not available. The Government should accept recommendations to ensure non-discrimination on the grounds of sexual orientation, gender identity, and HIV status, and develop awareness programmes on the ground. These recommendations were consistent with Dominica's international human rights obligations, and would help ensure a fairer and more equal society for all Dominicans. It was regretted that Dominica did not accept recommendations to decriminalise sexual relations between consenting adults of the same sex. Dominica was commended for its support of the historic Organization of American States resolution on sexual orientation, gender identity and human rights, adopted by consensus last year - this historic resolution committed Governments of the region to ending human rights violations directed against persons because of their sexual orientation or gender identity, and urged the Government to fulfil that commitment by bringing its criminal legislation into conformity with international law and ensuring that all Dominicans were protected from discrimination.

VINCE HENDERSON, Permanent Representative of Dominica to the United Nations Office at Geneva, said he wished to recognize the comments made in recognition of the very small developing island nation State that was Dominica, constrained, as were many others, by the positions of the international community, in particular trade positions taken at the World Trade Organization, which had seriously affected the country's ability to survive economically. Small island developing states were also those who felt the impact of climate change, and thus they had tremendous difficulties in developing these States. This did not mean that they were not sensitive to issues of human rights, but they were faced with serious challenges and the need to provide goods and services to the population, with education, healthcare and social services for the vulnerable and those who had for years been without basic needs. In response to the recommendations 3, 6, 7 and 8, Dominica recognized that persons who had been infected with HIV/AIDS must be provided for, and, as a Government that prided itself on espousing a social agenda whereby it could provide education and healthcare for all within its limitations, it continued to provide services irrespective of sexual orientation, and there was therefore no policy of discrimination by the Government in this regard. Dominica was in a position where it was extremely difficult to promote sensitivity towards those of a particular sexual orientation, and the Government was not prepared to sign, ratify or in any way support the above-mentioned recommendations.

The Human Rights Council then adopted the outcome of the Universal Periodic Review on Dominica.

Consideration of Outcome of Universal Periodic Review on Democratic People’s Republic of Korea

RI TCHEUL, Permanent Representative of the Democratic People's Republic of Korea to United Nations Office at Geneva, said out of its active support to the Universal Periodic Review mechanism and its willingness to cooperate, the Democratic People's Republic of Korea had participated in the sixth session of the Universal Periodic Review Working Group in December 2009. It had held an open and frank dialogue with the international community, giving answers and explanations in good faith to the questions raised while receiving encouraging words. The Government had established a group compromised of officials and experts from relevant organizations and had held a series of consultations on the recommendations it had received. All participants in the consultations had seriously taken note of the recommendations and had come up with constructive opinions thereon. The Democratic People's Republic of Korea was a socialist State centered on the people, and the society was politically stable on the basis of single-hearted unity whereby all people were united around their leader in the face of ever more increasing threats and challenges posed by foreign forces. Under these socio-political circumstances, it was one of the most important tasks for the Government to bring about early solutions to the difficulties in people’s livelihood. To that end, the Government had defined it as a general orientation of this year to make a radical turn in improving the people’s living standard.

The delegation had rejected 50 recommendations made by some countries. Those were in full conflict with the country’s principled stand against politicization of human rights and the reality of the country in both legal and practical terms. Those recommendations therefore did not enjoy the support of the State under review: regrettably, the recommendations focused on aims that had nothing to do with genuine human rights issues but were seeking regime change and defamation of image. They were, with no exception, made purely out of deep-seated hatred and hostility towards the Democratic People's Republic of Korea. In the case of the Democratic People's Republic of Korea, unlike for other countries, the technical cooperation on human rights was being imposed as a means of pressure for political reasons. While the State needed technical cooperation on human rights, no expectations could be placed on such cooperation when the Democratic People's Republic of Korea was compelled to experience unreasonable pressure and interference. With a sense of firm and resolute determination and dignity, the Government would further consolidate its human rights protection system in keeping with the country’s reality and people’s aspirations. It would vigorously push ahead with building a country of economic power, which was the final phase of its target to build a powerful and prosperous nation.

SHINICHI KITAJIMA (Japan) acknowledged the participation of the Democratic People's Republic of Korea in the Universal Periodic Review in December 2009. Still, it was not very clear at this stage what recommendations were accepted by it. Japan requested that the Democratic People’s Republic of Korea show clearly how it intended to deal with those recommendations. It should give serious consideration to the recommendations and implement them surely and steadily. Japan reiterated that the Democratic People's Republic of Korea had changed its position on the abduction issue. It urged it to establish an investigation committee in accordance with the agreement. Japan understood that abduction also victimized citizens of other countries. Lastly, Japan urged the Democratic People's Republic of Korea to take concrete steps to improve the human rights situation in the country.

AHMED SAADI (Algeria) welcomed the presentation by the Democratic People's Republic of Korea. Algeria thanked it for additional information on the human rights situation in the country. For its part, Algeria had taken part in the interactive dialogue in late December 2009 on issues such as the promotion of the role of women and promoting the right to education. As to its relations to United Nations human rights mechanisms, Algeria welcomed the will of the Democratic People’s Republic of Korea to accept technical assistance in promoting human rights. The Democratic People's Republic of Korea was facing a food crisis and the international financial crisis, which complicated its ability to respond to the needs of its citizens. Algeria thanked the Democratic People's Republic of Korea for implementing the recommendations and recommended that the Council adopt the report.

LEE SUNG-JOO (Republic of Korea) said the Republic of Korea noted with keen interest the response of the Democratic People's Republic of Korea on the questions and recommendations made during the interactive dialogue, and welcomed its decision to consider ratification of the core international human rights treaties to which it was not yet a party and to invite thematic Special Rapporteurs to visit the country and cooperate with them. The Republic of Korea looked forward to concrete measures to be taken by the authorities to translate these recommendations into reality. There was concern, however, about the Democratic People's Republic of Korea's continued refusal to cooperate with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, and the Republic of Korea was disappointed that the country rejected the recommendation to end the practice of public and extrajudicial execution, torture, arbitrary detention, and labour camps, as well as the punishment of those forced to return from abroad. The international community should respect the principle of non-refoulement. The Republic of Korea was also disappointed at the negative response regarding the issues of prisoners of war and abductees.

PABLO BERTI OLIVA (Cuba) said Cuba noted with satisfaction that the Democratic People's Republic of Korea had accepted to examine and reply to the recommendations that were formulated during the interactive debate in the Working Group. At the same time, Cuba regretted that some of the recommendations that were formulated had political motives and were contrary to the principles that supported international cooperation in the field of human rights and the spirit of the Universal Periodic Review. The result of this exercise confirmed the counterproductive nature of the confrontational approach and format of blaming and shaming that had been discredited. There was no reason to continue the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, which was a clear and extreme manifestation of politicisation, selectivity, and double standards. The appearance of the Democratic People's Republic of Korea before the Universal Periodic Review mechanism and its behaviour during the Working Group as well as the results of this exercise confirmed the wish of the Democratic People's Republic of Korea to consolidate its system to guarantee the best possible level of social justice for all its population, on the basis of the inherent dignity of the person.

FELIX PENA RAMOS (Venezuela) said the presence and participation of the Democratic People's Republic of Korea in the Universal Periodic Review was evidence of the Government's will to collaborate in the fight for the full implementation of all human rights in its territory, and had made it possible to highlight achievements whilst noting challenges still to be overcome. The review process must be a place for objective and transparent dialogue between States. During the review, huge progress in education had become clear. There had been a complete eradication of illiteracy. The efforts made by the Democratic People's Republic of Korea in the effective protection and promotion of its entire population despite the serious economic difficulties caused by the blockade, and its will to engage fully with the international community in the context of this review, should not be ignored.

SAEED SARWAR (Pakistan) said Pakistan thanked the Democratic People's Republic of Korea for its frank position on a large number of recommendations made last year, and their constructive engagement with the Universal Periodic Review process. It was encouraging to note that the country was considering implementing a number of recommendations made during the review. Pakistan was confident that the Democratic People’s Republic of Korea would accord due attention to all rights including civil, political, economic, social and cultural rights while introducing necessary legislative as well as administrative reforms. It was encouraging to note that the Government was ready to improve the quality of life of its citizens by putting special emphasis on economic and agricultural development which would benefit common people. Pakistan was confident the Government would maintain its commitment in trying to meet current challenges and would take further steps to improve the human rights situation in the country by involving all stakeholders.

HAMZA AHMED (Sudan) thanked the Democratic People's Republic of Korea for its commitment to the Universal Periodic Review process in which all States participated on an equal footing. The country had made clear achievements in terms of free education and health care without discrimination. However, the economic blockade which had been imposed on the Democratic People's Republic of Korea during many years had had a negative impact on all sectors of life and State activity. In terms of food, the situation was exacerbated by a series of natural disasters, the Sudanese delegation observed. Sudan encouraged the Democratic People's Republic of Korea to continue to promote human rights and recommended the adoption of the report.

MOHAMMAD REZA GHAEBI (Iran) said Iran took note of the measures that the Democratic People's Republic of Korea had taken, particularly in the field of economic, social and cultural rights and the advancement of the rights of women and children. Nevertheless, that State, as all countries, had areas that required more attention and further action. For example, Iran encouraged the Government of the Democratic People’s Republic of Korea to intensify its efforts in making the necessary improvements with a view to achieving the Millennium Development Goals. Iran said its Government supported the international community in continuing its constructive dialogue and cooperation with the Democratic People's Republic of Korea and underscored that it had always held that countries should seek to solve their differences in the field of human rights through constructive dialogue and cooperation on the basis of equality and mutual respect.

ROBERT KING (United States) said the United States hoped that the Democratic People's Republic of Korea’s engagement in the Universal Periodic Review process would be an opportunity for dialogue on human rights issues. Still, it remained deeply concerned about a range of human rights violations. The United States also remained concerned about the abduction issue. It urged the Democratic People's Republic of Korea to accept technical assistance from the Office of the High Commissioner for Human Rights for setting up a national human rights institution. The United States also urged the Democratic People’s Republic of Korea to accept joining the International Labour Organization. Finally the United States urged it to uphold its commitment that each individual was entitled to enjoy human rights.

KHALID FAHAD AL-HAJRI (Qatar) welcomed the delegation of the Democratic People's Republic of Korea and thanked it for its comments. The Universal Periodic Review would have a positive effect on human rights in the Democratic People's Republic of Korea. Qatar hoped that there would be a dialogue and fruitful cooperation between the Democratic People's Republic of Korea and the United Nations mechanisms in order to preserve the dignity of all.

YANG XIAONING (China) said China wished to thank the Democratic People's Republic of Korea for the detailed and frank replies, which showed that the Government attached importance to the work of the Universal Periodic Review and its outcome, and that it was actively carrying out follow-up and implementation by paying attention to economic, social and cultural rights, building an education system, and taking active measures to promote reproductive health, protect the rights of women and those with disabilities, and achieve the Millennium Development Goals. Natural disasters and other events had had a negative effect on the Democratic People’s Republic of Korea, and the international community should understand the human rights situation and support the Government's efforts to improve people's lives, which would ensure that the Government made greater progress in protecting and promoting human rights.

RAPHAEL TRAPP (France) said, like other delegations, France had not understood which of the 117 recommendations were accepted. Matters must be clear and transparent. Thus, did the Democratic People's Republic of Korea accept the series of 117 recommendations, France asked, saying the reply must be given now, allowing the Council to give its response to the report, and without it the Council could not say that there had been cooperation by the Democratic People's Republic of Korea.

SUMEDHA EKANAYAKE (Sri Lanka) said Sri Lanka appreciated the manner in which the delegation of the Democratic People's Republic of Korea had participated in the Universal Periodic Review process. Sri Lanka hoped that the Government of the Democratic People’s Republic of Korea would continue to exert all efforts, as appropriate, to implement the conclusions and recommendations. The assurances the delegation had provided today were encouraging. Creating a conducive environment in the Democratic People's Republic of Korea was essential for the further promotion and protection of human rights in that country. Sri Lanka hoped that the international mechanisms – based on mutual respect, domestic requirements, understanding and cooperation – would facilitate achieving that objective.

PHILIPPE DAM, of Human Rights Watch, said it was clear that the Democratic People's Republic of Korea had demonstrated neither the political commitment nor the requisite understanding of what it meant to comply with international human rights standards. That State claimed it held 24 separate consultations with its civil society in preparation of its national report. Yet, the level of suppression was so severe that that country lacked any independent civil society organizations. Similarly, the Democratic People's Republic of Korea claimed that its Constitution provided for the freedom of speech, the press, assembly and other freedoms, but numerous people from the Democratic People’s Republic of Korea who had escaped testified how the Government systematically and brutally suppressed those rights. Human Rights Watch called on this Council to extend the mandate of the Special Rapporteur on the Democratic People's Republic of Korea at this session.

BIRO DIAWARA, of Interfaith International, in a joint statement with Rencontre africaine pour la défense des droits de l'homme, welcomed the presence of the Democratic People's Republic of Korea to hold a dialogue with the Human Rights Council. Speaking together gave remedies to deficits in that country, partly, among other reasons because of a lack of real political will. The rejection of half of the recommendations did not assure Interfaith International. Security, peace and stability represented the foundation for promoting and protecting human rights. Interfaith International urged the Democratic People's Republic of Korea to cooperate with mandate holders and the Special Procedures of the Human Rights Council. It also exhorted it to respect International Labour Organization standards on labour and to liberalize the press.

MARIANNE LILIEBJERG, of Amnesty International, said the Democratic People's Republic of Korea should support and implement the recommendations on the right to food by facilitating access and effective distribution of international humanitarian aid to people in need, and cooperating constructively with humanitarian agencies. During the interactive dialogue the delegation referred to visits by Amnesty International to reform detention facilities - however, Amnesty International had not had access to the Democratic People's Republic of Korea since its last visit in 1995, and it requested the Government to invite Amnesty International and other human rights and humanitarian organizations to visit with a view to examining the human rights situation first hand. The Government should support and implement the recommendations on cooperation with the Special Procedures it had agreed to consider, and to re-consider the recommendations it had rejected, with a view to supporting them in due course.

LAZARO PARY, of Indian Movement “Tupaj Amaru”, in a joint statement with World Peace Council, said the European Union, the United States and Japan and their allies supported a resolution that had yet once again put the Democratic People's Republic of Korea in the dock for supposed human rights violations, and imposed a Special Rapporteur to the detriment of the sovereignty of the people of the Democratic People's Republic of Korea. From the report, clear tendencies emerged - the European Union, Japan and the United States were maintaining hostility and constant harassment against the Democratic People's Republic of Korea, not so much on the existence of human rights violations, but as to why the people had chosen their own form of development and socio-economic system. The North Korean Human Rights Act, promulgated by the United States Senate in 2004 was an open interference in the situation of another country with a clear intention of threatening its sovereignty.

MAHMOUDREZA GOLSHANPAZHOOH, of Organization for Defending Victims of Violence, in a joint statement with several NGOs1, said the Organization for Defending Victims of Violence asked the Government of the Democratic People's Republic of Korea to intensify its efforts to promote a human rights culture in the country and the region; to ensure that the high goals of economic development by 2012 contributed to bringing about a decisive turn in the promotion and protection of human rights; to increase its cooperation with international humanitarian and human rights bodies and mechanisms; and to try to make a balance between the enjoyment of its people from civil and political rights, as accentuated in international documents, in parallel to economic, social and cultural rights.

RI TCHEUL, Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva, in concluding remarks, said during this session the Democratic People's Republic of Korea had renewed constructive dialogue with the international community in the context of the discussion of its Universal Periodic Review report. In this meeting, and the sixth session of the Working Group last December, the delegation had once again realized that the Universal Periodic Review was innovative since it allowed for true dialogue without politicization, selectivity or double-standards, and avoided that selected countries came under attack. The delegation was grateful for the recommendations put forward with good intention; those recommendations were intended to help the Government in promoting human rights and were taken as a sign of encouragement and support. However, some comments had been made based on unfounded information on the Democratic People's Republic of Korea, that was, information that seriously distorted the true situation. If that was due to a lack of knowledge, the delegation was prepared to give proper understanding to the authors of such comments. However, if those comments had been made with intent, the delegation categorically rejected them. The Democratic People's Republic of Korea would continue to contribute to international efforts to promote and protect human rights.

BENTE ANGELL-HANSEN (Norway) said Norway was not sure it understood what was the result of the constructive interactive dialogue vis-à-vis the recommendations. The practise was for the concerned country to clearly say which recommendations it accepted and which it rejected. Norway suggested a short break to clarify this situation.

RESFEL PINO ALVAREZ (Cuba) said Cuba did not have a problem with suspending the meeting for a few minutes if some delegations had doubts about the position of the Democratic People’s Republic of Korea. For its part, Cuba had no doubts about the statement of the Permanent Representative of the Democratic People’s Republic of Korea which clearly said that the country took note of the recommendations.

RI TCHEUL, Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva, said two months had gone by since the December meeting, and since, the Democratic People's Republic of Korea had been working fairly broadly. The Democratic People's Republic of Korea was a sovereign State. Some recommendations had been accepted, some rejected, and it had taken note of some, as was normal. For those recommendations which the Council believed, despite the Democratic People's Republic of Korea's efforts, to not have been properly considered, then there would be further consideration of these.

RAPHAEL TRAPP (France) said that it took this statement to indicate that none of the recommendations were adopted by the Democratic People's Republic of Korea.

RESFEL PINO ALVAREZ (Cuba) said that clearly every delegation was entitled to their own interpretation. The Democratic People's Republic of Korea was free to decide which recommendations it would implement and which it would not.

The Council then adopted the outcome of the Universal Periodic Review on the Democratic People's Republic of Korea.

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1Joint statement on behalf of: Organization for Defending Victims of Violence; Charitable Institute for Protecting Social Victims; Institute for Women Studies and Research; Islamic Women's Institute of Iran; and Iranian Elite Research Center.