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Seventy-first year

Provisional

7830th meeting
Friday, 9 December 2016, 10 a.m.
New York

President:	Mr. Oyarzun Marchesi	(Spain)
Members:	Angola	Mr. Lucas
	China	Mr. Liu Jieyi
	Egypt	Mr. Kandeel
	France	Mr. Delattre
	Japan	Mr. Bessho
	Malaysia	Mrs. Adnin
	New Zealand	Ms. Schwalger
	Russian Federation	Mr. Zagaynov
	Senegal	Mr. Ciss
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Power
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

The situation in the Democratic People's Republic of Korea

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The President (*spoke in Spanish*): I shall now give the floor to those members of the Council who wish to make statements.

Mr. Liu Jieyi (China) (*spoke in Chinese*): China is opposed to the Security Council discussing the situation of human rights in the Democratic People's Republic of Korea. The Charter of the United Nations stipulates in no uncertain terms that the primary responsibility of the Security Council is the maintenance of international peace and security. The Security Council is not a forum for discussing human rights issues, still less for the politicization of such issues. Given the current context, in which international peace and security are facing a plethora of dire challenges, the Council should scrupulously honour its responsibility and focus on issues related to international peace and security with undivided attention.

China consistently stands for the decnuclearization of the Korean peninsula and insists that it be kept peaceful and stable and that solutions be sought through dialogue and consultation. We shall not allow the peninsula to be torn asunder or riven with turmoil in any circumstances. Our position is in line with the common interests of the international community and all parties, and should be the common goal of everyone's efforts.

The discussion of the situation of human rights in the Democratic People's Republic of Korea is contrary and detrimental to that goal and of no benefit whatsoever. The current situation in the peninsula is complex, sensitive and dire. China hopes that Council members and other parties concerned will focus on the big picture, meet each other half way, do more to ease tensions on the peninsula, and avoid any rhetoric or action that could provoke or escalate tensions.

The top priority for the moment is to resume dialogue and negotiations among the parties as soon as possible, reopen the Six-Party Talks, jointly safeguard the process of denuclearizing the peninsula and make a genuine effort to ensure stability and peace on the peninsula. China will push for dialogue and consultation so as to resolve the relevant issues on the peninsula within the framework of the Six-Party Talks, in order to make a positive and constructive contribution to stability and peace on the peninsula at an early date.

Ms. Power (United States of America): In February 2014, the United Nations Human Rights Council commission of inquiry released its now famous report on human rights in North Korea (A/HRC/25/63), methodically documenting the widespread and systematic human rights violations carried out by the Government of the Democratic People's Republic of Korea. In December 2014, Australia led the Council in holding its first meeting to discuss the Democratic People's Republic of Korea's human rights situation as a threat to international peace and security (S/PV.7353). In December 2015, we held our second meeting on this issue (see S/PV.7575).

I think it goes without saying that there has been no improvement in the lives of the North Korean people. Just two days ago, the Office of the United Nations High Commissioner for Refugees issued a report about the thousands of families torn apart because of the Democratic People's Republic of Korea's repression and the instability it provokes in the region.

This is only one piece of the crisis, of course, as has been noted. This year has seen an increasingly aggressive Democratic People's Republic of Korea, with a record number of missile launches and two nuclear tests. This behaviour affirms what we have long stated — when Governments flagrantly violate the human rights of their own people, they almost always show similar disdain for the international norms that help to ensure our shared security. It stretches credulity, really, to suggest — as I know some Council members will today — that the brutal governance practiced by the Democratic People's Republic of Korea regime is neutral on international peace and security. We know that nobody is saying that it is good for international peace and security, but the idea that it is neutral — that it is somehow a stable form of governance — is just clearly not true.

It is inherently destabilizing when a regime carries out the kinds of horrors that this regime perpetrates against its own people, and given the other aspects of the threat to peace and security posed by its nuclear and ballistic missile programmes, that nexus should worry us all. It really belongs on our agenda here in the Security Council. The situation in the Democratic People's Republic of Korea is on the Council's seizures list, and that is where it belongs.

Therefore, with the delegations of eight other Security Council members, we requested this meeting

today. We strongly support the adoption of the agenda, and we very much look forward to the discussion.

Mr. Lucas (Angola): On the issue under discussion today, the Angolan delegation wishes to express its full support for the statement made by the representative of China.

Mr. Bessho (Japan): I shall say more following the adoption of the agenda, but wish to make a brief statement before we vote on the adoption of the agenda itself.

In December 2014 and again in December 2015, under the agenda item "The situation in the Democratic People's Republic of Korea", the Security Council held meetings on the situation in the Democratic People's Republic of Korea, which focused on its widespread and systematic human rights violations. Given the fact that there has been no tangible improvement in the human rights situation in the Democratic People's Republic of Korea since the publication of the 2014 report of the commission of inquiry (A/HRC/25/63), and given the destabilizing impact on the region and the maintenance of international peace and security of the human rights violations perpetrated by the Democratic People's Republic of Korea authorities, the reasons for the Council to hold a meeting on the situation in the Democratic People's Republic of Korea persist. We therefore support the adoption of the agenda.

The President (*spoke in Spanish*): I call the attention of Council members to document S/2016/1034, which contains a letter dated 1 December 2016 from the Permanent Representatives of France, Japan, Malaysia, New Zealand, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay to the United Nations addressed to the President of the Security Council.

In view of the request contained in document S/2016/1034 and the comments made by members of the Security Council, I propose to put the provisional agenda to the vote. Accordingly, I shall put it to the vote now.

A vote was taken by show of hands.

In favour:

France, Japan, Malaysia, New Zealand, Spain, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay

Against:

Angola, China, Egypt, Russian Federation and Venezuela (Bolivarian Republic of)

Abstaining:

Senegal

The President (*spoke in Spanish*): There were 9 votes in favour, 5 votes against and 1 abstention. The provisional agenda has been adopted.

The situation in the Democratic People's Republic of Korea

The President (*spoke in Spanish*): I shall now give the floor to members of the Council who wish to make statements following the voting.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): As it did last year, my delegation voted against the discussion by the Security Council of the human rights situation in the Democratic People's Republic of Korea.

We have often expressed our opposition to the Security Council's inclusion of human rights issues on its agenda. We believe that they do not fall within the Council's purview and should be considered in specialized bodies, first and foremost the United Nations Human Rights Council. The Security Council should concentrate on issues that represent a true threat to international peace and security. Regularly burdening the Council's agenda with issues that are not within its remit, such as today's item, inevitably weakens the Council's focus and force and undermines the effectiveness of its work.

If we consider the potential benefits of today's meeting, we may draw the conclusion from many years of experience in United Nations human rights bodies that wholesale criticism or the use of labels has never led to positive results, which can be achieved only by fostering trust and interaction among countries. Once again, we must note that today's discussion is another step in the opposite direction.

At this stage, the main goal of the Security Council should be to create conditions as soon as possible for the resumption of negotiations on the nuclear issue on the Korean peninsula. At the same time, our priorities should be to seek a peaceful resolution to the current problems. The current complex situation should not be a pretext for increasing foreign military capacity. We call on all sides to ease tensions, step back from

militaristic rhetoric and restart the political process as soon as possible to overcome this impasse.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela voted against the convening of today's meeting to review the human rights situation in the Democratic People's Republic of Korea because we believe that it is an initiative that shows the Security Council's growing interference in issues outside its specific competency with respect to the maintenance of international peace and security. Its competency is clearly set forth in the Charter of the United Nations, which is the legal instrument that specifies the functions of the various United Nations bodies in a careful and precise manner.

The issue before us today on the human rights situation in the Democratic People's Republic of Korea is not within the competency of the Security Council. Human rights issues must be addressed both by the General Assembly and by the Human Rights Council, a subsidiary organ of the Assembly located in Geneva, which was specifically established to discuss human rights issues and is duly empowered for that purpose. We therefore call for focusing on the Universal Periodic Review mechanism as the best way of dealing with human rights issues.

At present, the international community is facing the great and complex challenges that require action and specific and timely attention with respect to protracted conflicts owing to geopolitical and economic interests of certain Powers, which are undermining the Council's effectiveness as well as its credibility with the public. The issue of terrorism and its spread, the Middle East and the question of Palestine should be active priorities for the Council, yet the Council has shown remarkable inaction on those topics.

Venezuela reiterates its principled position on rejecting the treatment of human rights issues for politically motivated purposes or in a selective, partial or biased manner with the sole purpose of putting pressure on certain countries. Approaching human rights issues through politicization and selectivity, targeting certain countries, has proved to be ineffective and counterproductive, since it only exacerbates confrontation and undermines the Organization's and its subsidiary bodies' objectives, which is to use diplomacy to peacefully resolve conflicts. With these measures, the path to peace is undermined by the creation of an artificial differentiation between good and bad countries that does not foster a harmonious international climate or a dialogue in situations of great fragility such as that of the Korean peninsula.

Accordingly, it is essential that we continue exploring ways to promote respectful, constructive and transparent dialogue with Governments such as that of the Democratic People's Republic of Korea, as dialogue and cooperation are the only means for making progress in all areas. Only a week after the unanimous adoption of resolution 2321 (2016), where we unified our position with respect to nuclear and ballistic-missile activities in the Democratic People's Republic of Korea, we have taken an approach today that, by focusing on human rights issues in our consideration of the Democratic People's Republic of Korea, does help to create conditions conducive to resuming the way towards a sustainable political solution of the nuclear issue.

In conclusion, we wish to reiterate that the Security Council must strictly fulfil its obligations and review issues that are directly related to international peace and security. Today's debate, which is both outside the Security Council's natural competencies and distinctly different from the usual way of addressing the situation of the Korean peninsula, could become an element that upsets the pursuit of the Council's priority objectives for the peninsula. Against the backdrop of military tensions and the need to promote and support initiatives aimed at denuclearizing the Korean peninsula, diplomatic and political negotiations are the path that the parties must follow if they are to achieve a lasting solution.

The President (*spoke in Spanish*): Since we have adopted the provisional agenda, I will now suspend the meeting. We will resume the meeting after a brief break in order to continue consideration of the item on our agenda.

The meeting was suspended at 10.25 a.m. and resumed at 10.30 a.m.

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of the Republic of Korea to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Andrew Gilmour, Assistant Secretary-General for Human Rights and Head of the Office of the High Commissioner for Human Rights, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to warmly welcome the Deputy Secretary-General, Mr. Jan Eliasson, to whom I now give the floor.

The Deputy Secretary-General: I welcome this Security Council meeting on the human rights situation in the Democratic People's Republic of Korea. This is a matter of great concern that demands our attention. As members may recall, the magnitude and scale of abuses suffered by the people of the Democratic People's Republic of Korea were documented by the commission of inquiry in 2014. The Commission noted that the violations, "reveal a State that does not have any parallel in the contemporary world" (*A/HRC/25/63, para. 80*). The Commission's recommendations were instrumental in reframing the United Nations efforts to improve the country's human rights situation. The commission of inquiry concluded that crimes against humanity have been committed and rightly called for accountability.

The Security Council carried this process further last week by adopting resolution 2321 (2016). That was the first time that the Council specifically requested the Democratic People's Republic of Korea to respect and ensure the "welfare and inherent dignity" of people in its territory, in paragraph 45 of that resolution. The General Assembly, in its resolutions on this issue have repeatedly encouraged the Security Council to ensure accountability, including by considering to refer the situation in the Democratic People's Republic of Korea to the International Criminal Court.

The patterns of grave violations of human rights in the Democratic People's Republic of Korea have repeatedly been established. The authorities have given no effective commitment to remedy the situation. People inside the Democratic People's Republic of Korea are unable to make their voices heard because of the restrictions and the risks that they face if they exercise their rights. The most vulnerable continue to suffer from a cruel network of political prison camps, an exploitative economic system and widespread discrimination based on social status.

Two days ago, the Office of the High Commissioner for Human Rights issued a report that assessed the different ways in which families have been separated since the 1950-1953 Korean War. The report found that involuntary separation is not just the consequence of the war but also the result of structural forms of exclusion, impunity and disempowerment. Furthermore, the country is experiencing a humanitarian emergency. Approximately 70 per cent of the population of the Democratic People's Republic of Korea — 18 million people — are considered food insecure. A quarter of the population has inadequate access to health services. A fifth of the population lacks access to clean water and proper sanitation. The impact on children, whose developing bodies are vulnerable to lasting damage, is simply ruinous. Stunted growth is a rampant phenomenon.

Those persistent humanitarian needs are exacerbated by recurring natural disasters, such as the floods that devastated the northern part of the country in September and affected 600,000 people. In line with the no-one-left-behind principle of the Sustainable Development Goals, it is imperative to decouple geopolitical considerations from United Nations humanitarian and development support to people in need. Resolution 2321 (2016) underlines that the measures imposed were not intended to have adverse humanitarian consequences for the civilian population.

I urge members of the Council to ensure that the already critical humanitarian situation does not deteriorate further owing to such measures. Funding for relief activities in the Democratic People's Republic of Korea is essential, in particular to ensure that vulnerabilities do not increase in the face of stricter sanctions. Assistance has steadily declined regretfully over the past decade, preventing humanitarian agencies from responding effectively to the needs of the most affected. Approximately $145 million are required to address the Democratic People's Republic of Korea's critical humanitarian needs. I count on Member States to support those life-saving activities.

History teaches us that serious human rights violations are warning signs of instability and conflict. The abduction of foreign nationals, enforced disappearances and people fleeing desperate situations all demonstrate the links between human rights, humanitarian crises and international peace and security. Any attempt to achieve lasting peace and stability demands justice and redress for victims inside and outside the Democratic People's Republic of Korea. It is very difficult to obtain up-to-date and comprehensive information about human rights developments in that country. The information we have, however, reveals a continuing pattern of serious human rights violations, and we see very few, if any, signs of improvement. The

Democratic People's Republic of Korea has obligations under international law. We call on its Government to abide by them. But the international community also has collective responsibilities — first to protect the country's population from the most serious violations of international humanitarian law and human rights; secondly to live up to the principle and norm of the responsibility to protect; and thirdly to consider the wider implications of the human rights situation for regional stability.

The United Nations has taken a number of steps recently to address the human rights situation in the Democratic People's Republic of Korea. The new Special Rapporteur presented his report (A/71/367) to the General Assembly in October, and during the same month, the Secretary-General also issued his report (A/71/439) to that body. The Third Committee has agreed on a draft resolution (A/C.3/71/L.23) that will be adopted by the General Assembly next month. In response, the Democratic People's Republic of Korea has maintained its strong objections to country-specific resolutions and mandates. While expressing hope for dialogue and cooperation on human rights, the representative of the Permanent Mission of the Democratic People's Republic of Korea has said it will

> "take all appropriate measures vis-à-vis the hostile acts against the Democratic People's Republic of Korea that become increasingly aggressive under the pretext of human rights".

During his 10 years in office, Secretary-General Ban Ki-moon has made extensive efforts to promote peace and reconciliation, as well as development and respect of human rights in the Democratic People's Republic of Korea. We must remain committed to pursuing peaceful, diplomatic and political paths forward towards dealing with this complex and dangerous situation. The United Nations will continue to work towards ensuring a genuine and lasting improvement of the human rights and humanitarian situation in the Democratic People's Republic of Korea. We stand ready to help in all possible ways. That could include human rights dialogues, visits to the country with sufficient access to assess conditions on the ground, cooperation initiatives and people-to-people contacts.

To conclude, let us use all the tools at our disposal — the Human Rights Council, the General Assembly, the Security Council and United Nations and other international entities — to take action to build a better future for the people of the Democratic People's Republic of Korea.

The President (*spoke in Spanish*): I thank the Deputy Secretary-General for his briefing.

I now give the floor to Mr. Gilmour.

Mr. Gilmour: As the Deputy Secretary-General has just described, one year has passed since the situation of human rights in the Democratic People's Republic of Korea was last discussed by this body (see S/PV.7575). Our concern expressed back then has only deepened. There has been no improvement in the truly appalling human rights violations in the country. The nature and scale of the violations occurring in the Democratic People's Republic of Korea thoroughly underscore the link between human rights and peace and security. The commission of inquiry found that numerous crimes against humanity had been committed — and they continue — including extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution on political, religious, racial and gender grounds, the forcible transfer of populations, the enforced disappearance of persons and the inhumane act of knowingly causing prolonged starvation.

The Office of the High Commissioner for Human Rights (OHCHR) continues its efforts to help ensure accountability for violations, while seeking every opportunity to engage with the Government. Although monitoring the human rights situation in the country remains a challenge, the testimonies of people who have left the country and information gathered through other sources indicate that the pattern of human rights violations documented by the commission of inquiry are continuing. Major political events, such as the seventh Congress of the Workers' Party of Korea in May and the Supreme People's Assembly in June this year seemingly failed to create an opening for any new policies that protect human rights.

In the past 12 months, OHCHR has conducted more than 110 interviews with persons who had left the Democratic People's Republic of Korea. A major issue that emerged during these interviews was the treatment of people in the custody of law enforcement agencies. All of those who had been detained stated that they were subject to, or else personally witnessed, practices that clearly contravened international human rights standards. Violations included torture and ill-treatment, which is routinely used during detention,

investigation and imprisonment. Cases were reported of solitary confinement for several days in a cell so small that the detainee was unable even to sit down. Other violations included poor detention conditions; inadequate access to food, water and sanitation; lack of judicial review; lack of access to lawyers and family members; and other violations. Suspects are rarely allowed to present evidence that contests the charge against them. These violations reflect the larger context in which the criminal justice system fails to protect the rights of individuals. The system is characterized by significant oversight by the Workers' Party of Korea, while the role played by the judiciary and lawyers is very limited.

The procedures surrounding the persecution of individuals deemed to have committed political crimes is even more secretly guarded. While the Government continues to deny even the existence of these prison camps, many citizens of the Democratic People's Republic of Korea are aware of their existence. Observation from the outside, including through satellite images, has confirmed their continued operation. No independent international human rights monitors have ever been able to access one of these camps.

The freedom of expression, association and peaceful assembly remain almost entirely restricted. Despite a reported increase in ownership and use of mobile phones and Internet services, all mass media remains under Government control and access to foreign media is prohibited. Harsh restrictions on freedom of movement continue to affect citizens, who are not allowed to travel abroad or even within the country without permission. The restrictions at the border area have reportedly been increasingly tightened making it even more difficult for individuals to leave the country. Those who seek to leave are at risk of trafficking and refoulement in contravention of the 1951 Convention relating to the Status of Refugees. Women, in particular, are at risk of sexual abuse, detention and ill-treatment following refoulement. There is no known independent civil society movement whatsoever. Nationals of the Democratic People's Republic of Korea working outside the country live in substandard conditions and are subject to severe surveillance and oversight, while the Government appropriates most of the income they generate.

Turning to economic and social rights, the Democratic People's Republic of Korea also faces significant challenges in fulfilling this important area of the rights of its citizens, despite the authorities' stated commitment to improve the living conditions of the population. The country continues to be affected by chronic food shortages, which have resulted in protracted undernutrition, affecting in particular children, pregnant and nursing women, and older persons. The public distribution system of food is not functioning, except for a few privileged classes. Most citizens depend on private, mostly illegal, commercial activities to fulfil basic needs. Frequent mobilization for public work, such as the 200-day campaign before the Workers' Party Congress in May, reportedly impacted negatively on the ability of residents to engage in commercial activities. Residents of the north-eastern provinces who were affected by the typhoon and flood in late August are likely to remain particularly vulnerable to food insecurity this winter. Discrimination in access to employment, education and other services based on a person's family background, or songbun, continues to be reported.

The heightened security tensions have direct consequences on human rights. For example, the people-to-people contact between the two Koreas, also recommended by the commission of inquiry, ceased after the Democratic People's Republic of Korea nuclear test in January. Reunions of separated families have not taken place since October 2015. The report released by OHCHR two days ago, highlights the plight of tens of thousands families who have been separated across the border during and since the Korean War without possibility of reconnecting with relatives on the other side.

There has also been no progress in resolving the issue of international abductions of 516 individuals who were abducted from the Republic of Korea after the armistice. Likewise, no satisfactory answers have been given to establish the fate of individuals abducted from Japan and other countries.

Following the adoption in March this year of Human Rights Council resolution 31/18, the High Commissioner appointed two independent experts in support of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Ms. Sonja Biserko and Ms. Sara Hossain, to focus on issues of accountability, in particular where such violations amount to crimes against humanity. The two experts have just concluded a mission to the Republic of Korea and Japan, and have also sought to engage the Democratic People's Republic of Korea to share the

Government's views and information. Their report will be included as an annex to the Special Rapporteur's report to the Human Rights Council in March 2017. The new Special Rapporteur, Mr. Quintana, is exploring the possibility for dialogue with Democratic People's Republic of Korea authorities while recognizing that accountability must be part of such engagement.

We remain committed to continuing engaging with the Democratic People's Republic of Korea to improve the human rights situation inside the country. In a positive development, in 2016, the Government submitted reports to the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. Our Office has continued to offer technical assistance to the Democratic People's Republic of Korea to help the Government implement its human rights obligations.

Failure to hold perpetrators of gross human rights violations accountable, some of which amount to crimes against humanity, will be a disappointment for the victims and will sow the seeds of further instability and tension. Accountability is vital and we hope the Security Council will remain seized of this matter. The General Assembly has again in its resolution this year encouraged the Security Council to take appropriate action to ensure accountability, including through consideration of a referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court.

Improvement in human rights in the country will not only protect the livelihoods and dignity of people in the Democratic People's Republic of Korea, but also promote long-term security and stability in the region and beyond. Conversely, escalated security tensions will further isolate the country and leave the Democratic People's Republic of Korea population as usual to bear the terrible consequences at yet further expense of their human rights.

The President (*spoke in Spanish*): I thank Mr. Gilmour for his briefing.

I shall now give the floor to Council members.

Mr. Bessho (Japan): I would like to start by thanking Deputy Secretary-General Mr. Jan Eliasson for his forceful remarks. I am also grateful for the clear and thorough briefing by Mr. Andrew Gilmour, Assistant Secretary-General for Human Rights and Head of the Office of the High Commissioner for Human Rights.

The report of the commission of inquiry on human rights in the Democratic People's Republic of Korea of February 2014 (A/HRC/25/63) sheds light on the critical human rights situation on the ground. Regrettably, there has been no sign that the situation has improved since the report was released. Under such circumstances, today, the Security Council has rightly decided to have a briefing under the agenda "The situation in the Democratic People's Republic of Korea" for the third consecutive year.

The Democratic People's Republic of Korea conducted two nuclear tests and launched more than 20 ballistic missiles this year, despite the fact that three-quarters of its population are in need of some form of humanitarian assistance and that the total humanitarian funding requirement of the United Nations and other non-governmental organizations reaches $145 million. Even as the people in the Democratic People's Republic of Korea suffer from great unmet needs, the Democratic People's Republic of Korea authorities pursue nuclear weapons and ballistic missiles at the sacrifice of the fundamental human rights and welfare of their own people.

Japan, along with every other Security Council member, condemns the current state of affairs. The authorities of the Democratic People's Republic of Korea should respect and ensure the welfare and inherent dignity of their citizens. That message was conveyed in resolution 2321 (2016), which the Council adopted unanimously on 30 November. The same concern was also expressed in the Third Committee's draft resolution on the situation of human rights in the Democratic People's Republic of Korea (A/C.3/71/L.23), which was adopted by consensus in October. As the High Commissioner for Human Rights pointed out in his briefing last year, and as has been confirmed by the briefers today, there is a clear linkage between human rights violations in the Democratic People's Republic of Korea and the instability of the region. Addressing the root causes of the threat to international peace and security falls undoubtedly within the mandate of the Security Council.

The abduction of foreign nationals by the Democratic People's Republic of Korea is a case where human rights violations and threats to international peace and security clearly overlap. As the report of the commission of inquiry on human rights in the Democratic People's Republic of Korea states:

> "Since 1950, the Democratic People's Republic of Korea has engaged in the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons from other countries on a large scale and as a matter of State policy." (*A/HRC/25/63, para. 64*)

Hundreds of nationals from the Republic of Korea, Japan and other countries have been abducted and disappeared. Abduction committed by the Democratic People's Republic of Korea undermines the sovereignty of the countries concerned and casts fear over the lives and safety of their citizens. At the same time, the issue is a grave human rights violation as abductees' invaluable futures have been stolen and their bonds with their families have been severed. Even now in the harsh situation of the Democratic People's Republic of Korea, many abductees are being deprived of freedom and are awaiting rescue. As abductees and their families grow older, the issue can avoid no further delay.

Regrettably, there is no indication that the authorities of the Democratic People's Republic of Korea have moved to improve the human rights situation on the ground. Therefore, the efforts of the international community to ensure accountability are needed. In March 2017, the Human Rights Council will receive a report from the Group of Independent Experts on Accountability for Human Rights Violations in the Democratic People's Republic of Korea, as set out by the Human Rights Council in resolution A/HRC/31/18. I would also like to recall that General Assembly resolution 70/172 encourages the Security Council to take appropriate action to ensure accountability.

With that said, I would like to stress that such efforts do not aim to isolate the Democratic People's Republic of Korea from the international community. I trust that the United Nations human rights mechanisms always have their doors open to the Democratic People's Republic of Korea for dialogue. We sincerely hope that at the end of the day, the Democratic People's Republic of Korea alters its course towards the improvement of human rights and invests its limited resources in the improvement of the welfare and fundamental rights of its citizens instead of in the development of nuclear weapons and ballistic missiles. We also hope that the Democratic People's Republic of Korea comes back to the table of credible dialogue with the international community in order to resolve our various concerns. We believe that such a shift will lead to greater stability in the region.

Mr. Rycroft (United Kingdom): At the outset, let me welcome Deputy Secretary-General, Mr. Jan Eliasson, and Assistant Secretary-General for Human Rights, Mr. Andrew Gilmour, back to the Council and thank them for their briefings. In case this is my final opportunity in this Chamber, allow me to commend and congratulate Mr. Eliasson personally for everything that he has done through his distinguished career on human rights and other aspects of the Charter of the United Nations.

We have heard some members argue today that we should not be focusing on human rights in the Democratic People's Republic of Korea — that this is not a matter for the Council. I have to respectfully disagree. When a regime chooses to spend its resources on reckless nuclear policies and not on its people, peace and security are threatened. When a State violates the sovereignty of its neighbours and abducts their citizens, regional stability is jeopardized. When a regime shuts off its people from the world, denying them their most basic rights, the Charter of the United Nations is ignored. So it is entirely right that we are holding this session today. Human rights violations are like the canary in the coal mine, warning us of threats to international peace and security.

I want to focus my statement on a very specific human rights concern in the Democratic People's Republic of Korea: the use of forced labour. The word "concern" does not do the issue justice. Forced labour in the Democratic People's Republic of Korea is a travesty and a tragedy that has led to the deaths of hundreds of thousands of North Koreans. In truth, my words cannot convey the horror so let me use those of Hyuk Kim, who was held in the Jungeori Labour Camp. He said,

> "At Jungiori, there was no sense of being human ... You do the labour you were ordered to do. No thinking. No free will. Just fear."

His testimony speaks of unimaginable hunger and cruelty. He would supplement his meager diet with rats eaten raw because, as he stated: "If you tried to cook the rats, the guards would smell the meat or fire, catch you and beat you mercilessly."

Such cruelty has been experienced by so many North Koreans. That cruelty has served only one purpose: to generate income for the regime. The regime has chosen to spend that income on its illicit nuclear and ballistic missile programmes, which violate so many resolutions of this Council. That is only one part

of the story. Beyond North Korea's borders, there lies another travesty, another tragedy. That is the tragedy of tens of thousands of North Koreans forced to work abroad to raise money for the regime in circumvention of United Nations sanctions. It is estimated that that practice raises as much $2 billion in foreign currency each year. That money is made by putting North Korean in unscrupulous mines, factories and construction sites, often at great risk and often without any protection. For those workers, being abroad offers no escape from the cruelty that I described earlier. They live their lives under constant surveillance by their gang masters, to whom they lose most of their meager pay. They work up to 20 hours per day without sufficient food. They are forcibly separated from their loved ones, unsure of when or whether they will see them again.

We should call this what it really is. Whether inside or outside the Democratic People's Republic of Korea, it is modern slavery. The Government of the United Kingdom is committed to ridding the world of such a scourge. It is a personal priority of British Prime Minister, Ms. Theresa May, and the United Kingdom is galvanzing international efforts to bring an end to modern slavery globally. We cannot underestimate the scale of the challenge in the Democratic People's Republic of Korea. To date, the regime has refused to engage in any meaningful dialogue with the international community on human rights. The Special Rapporteur and international observers are still denied full and unhindered access to the Democratic People's Republic of Korea. The previous Foreign Minister said in March that the Democratic People's Republic of Korea would no longer participate in international discussions on the issue. That is a shameful rejection of the international norms and principles that underpin the United Nations Universal Declaration of Human Rights. It is also a rejection of the views of the majority of United Nations Members. Over 100 countries spoke loudly and clearly when the Third Committee adopted draft resolution A/C.3/71/L.23, calling on the Democratic People's Republic of Korea to respect the rights of its people.

Today, let us all urge the Democratic People's Republic of Korea to re-engage with the international community and start a process of dialogue — one that leads to credible, concrete steps to improve the human rights of its own people. The United Kingdom believes in such a dialogue. It is why we continue to have diplomatic relations. It is why we build people to people links through the sponsorship of education and humanitarian projects. Moreover, it is why our Embassy in Pyongyang will continue to deliver strong messages on human rights directly to the regime. We will not let up in our efforts to convey the international community's concern. We urge the Government of the Democratic People's Republic of Korea to take action. The Council must follow suit.

Mr. Yelchenko (Ukraine): I thank Deputy Secretary-General Jan Eliasson and Assistant Secretary-General Andrew Gilmour for their sound introductions to our debate.

My delegation believes that gross and flagrant human rights violations are the flip side of the nuclear ambitions and aggressive policy of Pyongyang, and therefore represent a threat to international peace and security. In that light, I recall paragraph 45 of resolution 2321 (2016), unanimously adopted on 30 November in response to the fifth nuclear test conducted by the Democratic People's Republic of Korea. In that paragraph, the Council reiterates its deep concern at the grave hardship that the people in the Democratic People's Republic of Korea are subjected to, and condemns the Democratic People's Republic of Korea for pursing nuclear weapons and ballistic missiles instead of the welfare of its people.

The latest report of the Secretary-General (A/71/439) clearly indicates that there has been no tangible improvement in the human rights situation in the Democratic People's Republic of Korea since the report of the commission of inquiry (A/HRC/25/63) was published in 2014. Therefore, the human rights and humanitarian situation must remain high on the international agenda and be regularly discussed, including in all three principal organs of the United Nations that deal with human rights, namely, the Human Rights Council, the General Assembly and the Security Council.

Ukraine welcomes the steps undertaken by the international community in the past few years to convince the Government in Pyongyang to change its course of widespread and systematic human rights violations. We strongly support the conclusions and recommendations of the commission of inquiry on human rights in the Democratic People's Republic of Korea, as well as the establishment of the High Commission for Human Rights office in Seoul one year ago for monitoring and reporting on the situation on the

ground. And yet, no tangible progress on the issue can be reported so far.

The last time the Council considered the situation in the Democratic People's Republic of Korea was on 10 December 2015 (see S/PV.7575). Since then, that matter has been raised in the Human Rights Council and the General Assembly. Has the human rights situation improved? The long but not exhaustive list of violations that cause immeasurable suffering to the people in North Korea, and remain a fact of life over there, include torture and other cruel, inhuman and degrading treatments or punishments; rape, extrajudicial and arbitrary detention and public executions; the absence of due process and the rule of law, the imposition of the death penalty for political and religious reasons; and collective punishments that have lasted as long as three generations.

We share the sense of importance and urgency for North Korea to engage with the international human rights system, including by ensuring safe and unfettered access to the territory of the country for United Nations monitoring mechanisms, in particular the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, as well as for the Group of Independent Experts on Issues of Accountability for Human Rights Violations, including crimes against humanity.

Can the international community tolerate the continuation of flagrant human rights violations in the twenty-first century? The answer seems obvious. Ukraine therefore supports the decision of the Third Committee on the need to take appropriate action to ensure accountability, including through the consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and of the further development of sanctions in order to target effectively those who appear to be most responsible for human rights violations.

This year has been unprecedented in terms of increased tensions on the Korean peninsula, due to the extremely irresponsible and provocative policy of Pyongyang. We express our grave concern over the impact of diverting resources to advance nuclear weapons and ballistic missiles programmes on the humanitarian situation in the country. The evolving militarization has already adversely affected and continues to undermine the socioeconomic situation. It has produced a downward spiral and steady deterioration in which the quality of the lives of ordinary citizens, who regularly suffer from food shortages and even hunger.

What justification can there be for wasting precious and limited resources on military programmes at the expense of the livelihood of the people who are literally held hostage by the grand ambitions of a few power- and attention-hungry individuals? Would any adequate Government choose a path of recklessly endangering international peace and security over its direct responsibility to ensure that its own people do not suffer from malnutrition?

It is important that the international community acts decisively and jointly to find the balance between promoting dialogue with Pyongyang and pressing for accountability, due to its numerous blatant violations of international law. Left unaccountable, totalitarian regimes perceive themselves as invincible and challenge their neighbours and international order. If the Council is serious about conflict prevention, it should act early and swiftly. Peace and stability in the region depend on it.

Mr. Delattre (France) (*spoke in French*): I wish to begin by thanking Deputy Secretary-General Mr. Jan Eliasson and Assistant Secretary-General Mr. Andrew Gilmour for their briefings. Let me also take this opportunity to express to Mr. Jan Eliasson the deep gratitude of France for his exemplary work on all fronts, beginning with human rights, which serves as a source of inspiration and admiration.

First and foremost, I wish to welcome the decision taken once again by the Security Council to allow those briefings to be delivered under a stand-alone item on the agenda. The situation, which remains one of the most serious in the world, warrants the full attention and mobilization of the Security Council. It is the Council's responsibility, inasmuch as some of those crimes may constitute crimes against humanity. Given the gravity and systematic nature of those violations, they are the expression of an absolute totalitarianism that flies in the face of the rule of law.

The report of the international commission of inquiry of February 2014 shed light on

> "the gravity, scale and nature of these violations [that] reveal a State that does not have any parallel in the contemporary world" (*A/HRC/25/63, para. 80*).

The North Korean regime has chosen to give priority to repression and to developing its nuclear and ballistic capacities to the detriment of the economic development and welfare of its people. In that sense, it poses a threat to the region and, further afield, a threat to international peace and security. That is yet another reason for the Security Council to be seized of the situation.

The briefings that we have just heard demonstrates that the situation has remained unchanged since the commission of inquiry's report was published, with mass executions, tens of thousands of political prisoners, the systematic use of torture, slavery, famine, abductions, the displacement of populations, trafficking in human beings and women in particular, and finally the restriction of access to essential services, due to the fact that the resources of the State have been diverted for military purposes. That is, of course, not an exhaustive list. Let me focus on three points.

First, there is a right to freedom of opinion and expression, the exercise of which enables us to determine whether other rights are being respected. In North Korea, crimes are committed under the guise of censorship and the prohibition of any form of critical expression. The witnesses of that tragedy are reduced to silence. There is a lack of human rights advocates, a lack of free press and a lack of international media. The High Commissioner for Human Rights no longer has access to the territory. The entire population is subject to controlled education and alienated, or even imprisoned and killed, in its own land.

Accordingly, we must welcome the holding of this meeting of the Security Council; the existence of an office of the High Commissioner for Human Rights in Seoul, designed to follow the situation in North Korea; the annual General Assembly resolution; and the organization of events at the United Nations. All of that can help to maintain the vigilance of the international community, despite the authorities' attempt to stifle it.

Secondly, I would like to discuss the fate of the victims of enforced disappearances and the families that have awaited news of their loved ones for years. The tragedy of enforced disappearance, which France is keen to combat, is out of all proportion in North Korea. It also extends to other countries, especially Japan, whose authorities are still waiting for the enquiries promised by the North Korean authorities to be conducted. We encourage all States whose nationals have been abducted by the regime to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which was adopted 10 years ago. The Convention, the Working Group and the Committee on Enforced Disappearances provide States with the technical assistance necessary to combat this scourge.

France also supports the strong plea made by the High Commissioner for Human Rights the day before yesterday, 7 December, in response to the suffering of these families, some of which have been separated for more than 60 years, since the Korean War.

Thirdly, I wish also to draw attention to the situation of North Korean workers abroad, who are the modern slaves of a regime that diverts the majority of their income to fund its nuclear and ballistic programmes, in violation of the international commitments undertaken by North Korea, in particular with respect to Security Council resolutions. These workers, who are scattered across a number of countries, live in conditions that clearly violate international human rights standards. We must work together to put an end to the use of these men and women in service of a cause that seriously endangers international and regional security and undermines their most fundamental rights and freedoms.

The Pyongyang regime must shoulder its responsibilities, which are clear: put an end to violations, release political prisoners, and provide justice and reparations. Here I wish to reaffirm the importance of the fight against impunity and to welcome the work of the group of independent experts on impunity, whose recommendations we will read attentively. All options must be collectively explored, including the referral of the situation to the International Criminal Court and sanctions imposed for reasons related to human rights.

Following his visit to Seoul in late November, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea made a plea for "a people-focused approach in dealing with the situation in North Korea".

Let me conclude by drawing the Council's attention to those who, risking their lives, crossed borders to bear witness to the daily oppression that is crushing the people of North Korea. The Council must spare no effort to find the ways and means necessary to ensure that concrete change finally occurs, for the sake of the security and well-being of these people, these men,

women and children who daily are subject to violations and live in fear.

Mr. Kandeel (Egypt) (*spoke in Arabic*): My country listened closely to the briefings on the situation of human rights in the Democratic People's Republic of Korea and would like to make the following remarks.

The Charter of the United Nations has given a mandate to the Security Council to address cases that pose a threat to international peace and security exclusively, while other organs have been charged with addressing human rights situations in States, taking an approach that is based on respect and free from politicization, slander or the use of the lofty principles of human rights as a tool for selective targeting in the service of narrow political interests.

My country would therefore like to express its dismay at the way in which some are insisting on portraying human rights violations in a certain country as one of the root causes of conflict and claiming that such cases and situations fall under the mandate of the Security Council. In this regard, we wish to note that we reject any link between the two issues, which represent an overlap between the main pillars of the work of the United Nations.

The promotion of the situation of human rights in all countries of the world depends on an approach that is based on honest and constructive dialogue, international cooperation and the exchange of best practices, including through technical cooperation. The Human Rights Council, especially through the Universal Periodic Review, is an international forum that allows all States to exchange views and relevant concerns in order to achieve the common goal of promoting and protecting human rights in all countries under review.

Egypt rejects any consideration of the situation of human rights by the Security Council because we believe in the need to reject politicization, partiality, subjectivity and double standards. All human rights issues must be addressed fairly and honestly, and they should not be used as a means to interfere selectively in the internal affairs of States, in line with Article 2 of the Charter of the United Nations and in order to preserve the credibility of the international bodies mandated to address human rights as forums for international cooperation and dialogue instead of confrontation.

On the other hand, and taking into consideration the aforementioned, Egypt would like to express sympathy in connection with the issue of Japanese abductees. We stress the need to find effective means to address the concerns of the Japanese Government in this regard at the bilateral level and in international, bilateral and multilateral forums. We encourage the two parties to engage in a constructive dialogue to reach an immediate and satisfactory solution to this issue.

In closing, we stress the need for the political will necessary to respect the Charter and the prerogatives of the organs of the United Nations. Current conflicts around the world, continued occupation and protracted conflicts, the proliferation of terrorism and weapons of mass destruction, the increasing number of refugees and the problem of illegal migration all highlight the need for the Security Council to focus exclusively on its important role of maintaining international peace and security instead of encroaching on the prerogatives of other United Nations organs.

Ms. Power (United States of America): I wish to thank all Council members that supported the holding of this meeting in order to address a grave crisis. I thank also Deputy Secretary-General Eliasson, whom we will miss, and assistant Secretary-General Gilmour for their appropriately bleak briefings.

This is the third time that the Council is meeting to discuss human rights in the Democratic People's Republic of Korea. We first took up the issue in 2014, on the grounds that the widespread and systematic human rights violations being committed by the North Korean Government posed a threat to international peace and security. Unfortunately for the people of North Korea, the deplorable human rights situation in the Democratic People's Republic of Korea remains unchanged. As the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea put it in its 2014 report, the situation still to this day "does not have any parallel in the contemporary world".

As we have seen in other parts of the world, when Governments flagrantly violate the human rights of their own people, they almost always show similar disdain for the international norms that help ensure our shared security. We see the Democratic People's Republic of Korea regime grow its illicit weapons programme rather than growing its own children. According to the World Health Organization, one in every four children in the Democratic People's Republic of Korea suffers

from stunted growth as a result of chronic malnutrition, and yet, while children in North Korea go hungry, the regime continues to channel the overwhelming majority of its resources into building up a weapons programme that the Council has repeatedly told it to stop.

Let me give another example of how these two issues are linked. Last April, the United States hosted a meeting at the United Nations at which defectors shared their experiences. One of the speakers was Kim Hye-sook, who had been sent to the Bukchang political prison at the young age of 13, where all prisoners, including children, were forced to work 16- to 20-hour days in the coal mines. Many died in the camp, she said, including her husband and brother. Some were literally worked to death. The prison guards did not care. Ms. Kim, who spent 14 of her 28 years on this Earth in the camp, recalled that in the eyes of the guards the victims were "not even worth one ton of coal".

Such harrowing conditions would be worthy of condemnation in any circumstance, but they are relevant to the discussion of international peace and security because, as we all know, coal exports account for one third of the total export revenue of the Democratic People's Republic — revenue that, according to resolutions adopted by this Council, is supposed to go to helping the North Korean people. However, that regime uses the revenue from working its people to death in these coal mines to build more nuclear weapons and ballistic missiles. This is one of the many reasons why the sanctions resolution 2321 (2016), adopted by the Security Council last week, is the first ever to state explicitly that the North Korean Government must respect and ensure the welfare and inherent dignity of people in its territory.

So in 2016, let us end the debate on whether the human rights violations in the Democratic People's Republic of Korea constitute a threat to international peace and security. This debate distracts us from focusing on the catastrophic human rights situation in the that country and what we can do to change it.

Today I would like to highlight one of the most devastating consequences of the actions of the Democratic People's Republic: the families that have been torn apart by the regime's abuses. In October, I traveled to the Republic of Korea and Japan, where I had the chance to meet directly with some of the affected families. The pain of separation was the common thread that ran through every one of my conversations. In South Korea I visited the Hanawon Resettlement Center, which tries to prepare recently arrived defectors from North Korea for their immersion into a completely different world, as well a school in Seoul for young defectors.

One young woman I met in Hanawon spoke of how she had told no one — not even her parents — about her intention to flee North Korea. Yet even though her parents knew nothing of her plans, local officals went on to blame them anyway, hounding the family until they were forced to flee their home and go into hiding. Another young defector in Seoul told me that her widowed mother, who also knew nothing in advance of her daughter's plans to flee, had been forced to move seven times by North Korean officials as punishment for what her daughter had done. She said her mother was so afraid of being uprooted again that she had stopped going outside unless she absolutely had to. Both of these young women, like so many others I met, expressed profound guilt — imagine that, guilt — for having added to their families' already crushing hardships and for leaving without saying goodbye.

Almost all asked that I not write down their names for fear that speaking out would lead to even more reprisals by the regime against their loved ones. In Japan, I met with the mother and brother of one of the Japanese citizens abducted by North Korean agents. Megumi Yokota was just 13 years old when North Korean agents abducted her in Japan's Niigata prefecture in 1977. Her mother told me that nearly 40 years later, not a day goes by when she does not feel the overwhelming pain of being separated from her daughter: a pain made worse by not knowing her daughter's fate.

As a mother myself, I cannot fathom the anguish of having my daughter taken away and not being able to find out what happened to her. It is every parent's worst nightmare, and it is a nightmare being lived daily by many families around the world. There are so many families in Japan and the Republic of Korea who have been forced to endure a similar nightmare as a result of the actions of the Democratic People's Republic: they wake up every day yearning to see a father or brother, a mother or daughter to whom they may not have spoken in years or even decades, and who, they worry, may be suffering terribly inside North Korea. Many fear they will never get to see them again. It is a pain that ripples across generations and is felt to this day.

Immediately after this meeting today, the United States will co-host an event on this issue, together with the Republic of Korea, Japan and the United Kingdom, in Conference Room 1, where we will have a chance to hear directly from two people who are living through this searing separation. I urge other Council members to come and hear them speak.

Some may look at the severity of the North Korea's oppression and the decades it has persisted and conclude that there is little we can do to change it. But that would be a mistake, for there is so much we can do. We can continue to shine a light on the abuses the regime commits, as we are doing here today. It is crucial that we keep holding meetings in the Security Council on the human rights situation in the North Korea every year for as long as this human rights crisis and its destabilizing effects persist.

We can continue to press for accountability for the perpetrators and architects of those abuses. This is what the United States did on 6 July, when we released a report identifying 15 North Korean officials and 8 entities as responsible for or associated with human rights abuses and censorship. Our message to those officials and to all mid-level officers, including prison camp managers and guards, interrogators and defector-chasers, is clear. We are methodically documenting their abuses, and their impunity will not last forever. When the days comes that they are publicly held accountable, we will be ready. In the meantime, we will continue to collect evidence of their abuses and add names to the growing list.

We can also seek sanctions for the individuals and entities responsible for such abuses, as the United States Department of the Treasury did in July by adding 11 senior officials and 5 entities to the list of nationals and blocked persons specially designated by the United States. I would like to read the names of those 11 individuals now. They are Kim Jong-un; Choe Pu Il, Minister of People's Security; Ri Song Chol, Councillor in the Ministry of People's Security; Kang Song Nam, Bureau Director in the Ministry of State Security; Cho Yo'n-chun, First Vice Director of the Organization and Guidance Department; Kim Kyong-Un, First Vice Director of the Organization and Guidance Department; Kim Ki Nam, Director of the Propaganda and Agitation Department; Ri Jae-il, First Vice Director of the Propaganda and Agitation Department; Choe Chang Pang, Bureau Director in the Ministry of People's Security; Cho Il U of the Reconnaissance General Bureau; and O Chong Kuk of the Reconnaissance General Bureau.

The Security Council also has important role to play, not just by continuing to hold meetings like this one on the Democratic People's Republic of Korea, but also by considering the recommendation by the commission of inquiry that the situation in North Korea be referred to the International Criminal Court. We must also consider other appropriate options on accountability, as Member States urged the Council to do just a few weeks ago in a draft resolution on human rights in North Korea that was adopted by consensus in the Third Committee (A/C.3/71/L.23).

There is a great deal that individual Member States can do as well, including providing support for the United Nations Human Rights Office in Seoul, which is methodically gathering evidence of North Korea's human rights violations. Member States can also meet their obligations under the Security Council sanctions resolution, particularly the new restrictions on coal exports, given what we know about the harrowing conditions in the Government-run mines. Member States can stop repatriating the people who managed to escape North Korea, knowing the likelihood that those who are returned will be sent to the gulags.

These are steps that we can take; they are within our control. We could save so many lives simply by not repatriating people who make it across an international border, believing that they are finally going to be free of those harrowing conditions. The people of North Korea have so little power to change the nightmarish conditions in which they live, and they risk so much by trying. Do they speak up about not having enough to eat? They go to the prison camps. Do they try to organize neighbours or co-workers to change the dreadful living or labour conditions? They go to the prison camps. Do they flee for a better life and get caught? They go to the prison camps.

Yet we, who risk so little by speaking up on behalf of people who suffer so much, have so many ways in which we can help change the situation in the Democratic People's Republic of Korea. Do we not owe it to those people trapped in North Korea to at least try? Would we not want others to do the same if we were in their place?

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I would like to thank the Deputy Secretary-General,

Jan Eliasson, and the Assistant Secretary-General for Human Rights, Andrew Gilmour, for their briefings.

Uruguay does not recognize limitations as to where human rights should be discussed. The protection of human rights is one of the pillars of the United Nations and a cross-cutting issue within the entire system. Clearly, there is a close link between human rights violations and the rise of conflict and how those conflicts turn into threats to international peace and security.

Uruguay, as a country that defends, promotes and protects human rights and fundamental freedoms, would like to express its dismay at the human rights situation in the Democratic People's Republic of Korea, especially with regard to the violations of the rights to life, the freedom of expression, privacy, access to information, the freedom of peaceful assembly and association and the freedom of movement — and the list goes on. The human rights situation in the Democratic People's Republic of Korea is of particular importance in the current context of heightened tensions at the regional level, which not only endanger stability on the Korean peninsula, but also threaten international peace and security. Uruguay is aware that the situation is not unique to the Democratic People's Republic of Korea, as there are many other countries where Governments constantly violate the human rights of their people; but those countries are not necessarily on the agenda of the Council nor are there General Assembly resolutions regarding the abuses in those countries.

We acknowledge that there have been the faintest positive signs that the Government of the Democratic People's Republic of Korea has showed itself to be receptive to certain activities carried out by specialized agencies in the promotion, protection and monitoring of human rights, such as the cooperation of the North Korean Government with the Office of the High Commissioner for Human Rights.

This year, the Third Committee considered and commented on the report of the Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea (A/71/402). In so doing, the international community sent a clear message of condemnation of the situation. Uruguay sees no other option other than that of the path of dialogue, negotiation and political commitment. Once more, we insist on the resumption of the Six-Party Talks, the forum that, in our view, is most conducive to finding a solution to the problems on the Korean peninsula.

Mrs. Schwalger (New Zealand): New Zealand shares the concerns outlined by Deputy Secretary-General Eliasson and Assistant Secretary-General Gilmour, as well as those expressed by other Council members, about the severity and systematic nature of human rights violations in the Democratic People's Republic of Korea. Sadly, we have seen no discernible improvement since the Council last discussed this agenda item. Some of the most serious human rights violations of our time, including murder, enslavement, torture, imprisonment, rape, forced abortion, other sexual violence and starvation continue to be reported. It is no surprise that the Democratic People's Republic of Korea regime works so hard to restrict an independent assessment of the situation.

The Democratic People's Republic of Korea leadership maintains tight control over its population — control grounded in terror instilled by egregious and widespread human rights violations. It is a regime that executes its citizens, without due process, for acts as minor as watching or distributing foreign media. Torture and ill-treatment at detention facilities, including in its extensive prison camp system, are routine, as we have heard this morning. Harsh restrictions remain on the freedom of movement by ordinary North Koreans.

The continuation of such gross violations of human rights demonstrates that the Democratic People's Republic of Korea authorities do not feel bound by the rules of the international system. Pyongyang's weapons-of-mass-destruction programme exemplifies that attitude. We must not stand by and let that rejection of internationally accepted norms, under the guise of this being a so-called internal matter, go uncontested. To do so would be to fail the people of North Korea. To do so would be to fail the Democratic People's Republic of Korea's neighbours, which are faced with a heightened security threat resulting from Pyongyang's reckless development of weapons of mass destruction — a programme advanced on the back of the suffering of its people. And, to do so would be to fail ourselves, given the regime's continued defiance of the Council's resolutions.

As the Council stressed in resolution 2321 (2016), there is an urgent need for the Democratic People's Republic of Korea to respect and ensure the inherent

dignity of people within its territory. As noted by others this morning, Democratic People's Republic of Korea nationals are being sent abroad by their authorities to work under conditions that reportedly amount to forced labour. That is one of the ways in which the Democratic People's Republic of Korea is able to subvert United Nations sanctions and fund its weapons-of-mass-destruction programme. New Zealand finds the diversion of domestic funds towards weapons of mass destruction, and away from desperately needed humanitarian support, simply deplorable.

Despite the time that has passed since the release of the commission of inquiry's report (A/HRC/25/63), the urgency of its recommendations has not diminished. We must ensure that our picture of the situation in the Democratic People's Republic of Korea remains up-to-date. In that regard, we welcome the important work being undertaken by the Office of the United Nations High Commissioner for Human Rights in Seoul. We also welcome the appointment of a new Special Rapporteur on the human rights situation, Tomás Quintana, who recently completed his first visit to the region. The Special Rapporteur has emphasized the importance of efforts to both engage the Democratic People's Republic of Korea and pursue accountability. Those are not mutually exclusive goals.

Engagement is important in order to ensure that we improve the human rights situation in the Democratic People's Republic of Korea. In that regard, there have been some small positive developments, such as improvements in the rights of persons with disabilities. We should also be prepared to support practical options for pursuing accountability against those within the Democratic People's Republic of Korea system who bear primary responsibility for the worst crimes that have been committed.

New Zealand reiterates its call on the Democratic People's Republic of Korea to take immediate steps to bring an end to all human rights violations and to meaningfully cooperate with the Special Rapporteur and other international human rights mechanisms. We urge the Democratic People's Republic of Korea to review its policies, remove constraints on the United Nations and other international organizations, and ensure that meaningful assistance is provided that can make a practical difference to the lives of its citizens.

New Zealand also encourages the international community, particularly those States with an established relationship with the Democratic People's Republic of Korea, to engage the Pyongyang authorities on human rights issues where possible, and to encourage its cooperation and participation in human rights dialogue. We must make our concerns known and be clear that we expect tangible improvement.

Finally, we call on the Council to remain seized of the human rights situation in the Democratic People's Republic of Korea, given its clear link to Pyongyang's weapons-of-mass-destruction programme and the continued absence of meaningful engagement or any discernible progress by the authorities in addressing the Council's concerns.

Mrs. Adnin (Malaysia): I wish to thank the Deputy Secretary-General, Mr. Jan Eliasson, and the Assistant Secretary-General for Human Rights, Mr. Andrew Gilmour, for their briefings today.

At the outset, I wish to reiterate my delegation's principled position that issues of concern should be addressed through constructive engagement, dialogue and consultations. We believe that as a responsible member of the international community, and particularly as a member of the Security Council, we have an obligation not to shy away from discussions on issues that may be considered delicate or complex. It is with that consideration that we have supported the proposal for the Council to have a discussion on the matter before us.

We note the constructive engagement undertaken by the Democratic People's Republic of Korea with the various human rights mechanisms. That has been evidenced by its continued participation in the universal periodic review and acceptance of a number of recommendations made therein. We believe that full implementation of the accepted recommendations would contribute positively to the enjoyment of human rights and socioeconomic development of the people of the Democratic People's Republic, as highlighted by Assistant Secretary-General Gilmour. We are also encouraged by its submission of its combined second, third and fourth reports to the Committee on the Elimination of All Forms of Discrimination against Women and its combined fifth and sixth reports, earlier this year, to the Committee on the Rights of the Child.

The United Nations country team has also worked with the Government of the Democratic People's Republic of Korea to complete a strategic framework for the 2017-2021 period. We understand that the

five programming principles — a human rights-based approach, gender equality, environmental sustainability, results-based management and capacity development — have been integrated into the framework and tailored to the country context. We nevertheless encourage the Democratic People's Republic of Korea to consider accommodating the requests of the commission of inquiry and the Special Rapporteur to visit the country. These visits, we believe, would allow them to have a proper assessment of the human rights situation in the country. The visits would also further ensure the credibility of the outcome reports and allay fears of politicization and dispel allegations of partiality. We further believe that such engagement would provide an avenue for the Democratic People's Republic of Korea to convey its view and position on the human rights situation in the country, including on the issue of obstruction. Malaysia further encourages the Government of the Democratic People's Republic of Korea to also engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and his Office with a view to improving the human rights situation in the country.

The year 2016 has seen the Democratic People's Republic of Korea take the dangerous and provocative steps of undertaking nuclear tests and an unprecedented number of ballistic missile launches. Those are not steps that contribute to confidence-building in the region, nor are they constructive towards engagement and dialogue. Malaysia voted in favour of resolution 2321 (2016), which the Council recently adopted. Malaysia's vote was an unequivocal reaffirmation of its belief that the illicit development and procurement of weapons of mass destruction and related technologies and capabilities by any State is unacceptable and cannot be tolerated by the international community. In that regard, Malaysia encourages the Democratic People's Republic of Korea to step up cooperation and engagement with the Council, other partners and stakeholders, including the Committee established pursuant to resolution 1718 (2006), with a view to addressing non-proliferation concerns.

Malaysia remains convinced that the interests of the international community vis-à-vis international peace and security would be best served by the Democratic People's Republic of Korea's immediate return to the negotiating table. Malaysia calls on the Democratic People's Republic to recommit itself to peaceful dialogue and negotiations under the framework of the Six-Party Talks. Malaysia believes that all efforts should aim at reaffirming the commitment to maintaining regional peace and security and establishing a peaceful environment in the Korean peninsula. We also continue to emphasize the importance for both the Republic of Korea and the Democratic People's Republic of Korea to honour the terms of the 25 August 2015 agreement in order to continue making progress in inter-Korean relations, as well as to maintain peace and security in the Korean peninsula.

Malaysia is further of the view that the ASEAN Regional Forum, premised on confidence-building measures, preventive diplomacy and peaceful resolution of conflict, remains available as a possible mechanism for concerned and interested parties to constructively engage with the Democratic People's Republic of Korea at the intergovernmental level on the situation in the Korean peninsula.

My delegation wishes to conclude by reiterating Malaysia's readiness to engage constructively with all Council members, the United Nations, other partners and stakeholders, as well as with the Democratic People's Republic of Korea, on this issue.

Mr. Ciss (Senegal) (*spoke in French*): At the outset, let me too thank Deputy Secretary-General, Mr. Jan Eliasson, and the Assistant Secretary-General for Human Rights, Mr. Andrew Gilmour, for their briefings.

The delegation of Senegal believes that it is incumbent upon each State to be responsible for the protection and promotion of the rights of its citizens, thereby contributing to strengthening international peace and security. Senegal is convinced that the exercise of human rights is essential to human dignity, and that is why my country has made the protection and promotion of fundamental rights and freedoms for individuals a cardinal principle — with respect, of course, for the diversity of our human societies. We are of the view that it is necessary to create conditions for strengthened international cooperation in the area of human rights, emphasizing their universal, indivisible and interdependent nature.

Therefore, as an independent and sovereign State, we believe that it is important that we engage with solidarity in all issues, including those related to human rights, on the basis of mutual respect and through constructive dialogue. It is in that spirit that we have

implemented appropriate mechanisms to promote and protect human rights throughout the world, which is an ongoing challenge that constitutes one of the pillars of our Organization. Indeed, the mechanisms that have been set up by the United Nations — especially the Human Rights Council, the Universal Periodic Review and the bodies created under international instruments — while not perfect, are pertinent and complementary tools for dealing with human rights issues, as can be seen in the relevant reports of the Secretary-General.

Having said that, we take special note of the Human Rights Council's report on the human rights situation in the Democratic People's Republic of Korea. We encourage that country to cooperate more with the relevant mechanisms for the promotion of human rights, especially the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and the commission of inquriy on human rights in the Democratic People's Republic of Korea, established by the Human Rights Council in its resolution 22/13.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of Spain.

I, too, wish to thank the Deputy Secretary-General, Mr. Jan Eliasson, and the Assistant Secretary-General, Mr. Andrew Gilmour.

Any gross and systematic violation of human rights is a threat to international peace and security. Regrettably, this type of situation has been occurring too often in too many places in the world, and the Democratic People's Republic of Korea is no exception. That is why Spain continues to support the ongoing examination of this matter by the Security Council. I will not dwell on the details, but naturally I am surprised that a Government that is capable of modernizing its arsenal at any cost should allow its people to suffer continuous famines. I am even more surprised that the State itself, which is responsible for the security and protection of its citizens, is the principal cause of their desperation.

The citizens of North Korea want to flee their country. They seek liberty, dignity and respect and are willing to risk their own lives to that end. They are even prepared to risk summary execution. Some 80 per cent of those who manage to get out are women, and they are very often captured by human trafficking networks that force them into prostitution or to marry abroad.

It is important to recall that progress has been made, such as the issuance of reports on the implementation of As we have seen in the report of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. But much more needs to be done.

The Security Council has not remained indifferent to the suffering of the people of the Democratic People's Republic of Korea. In resolution 2321 (2016), which was adopted just a few weeks ago and is the latest to impose sanctions against the Democratic People's Republic of Korea, is a good example of that. But we must pursue our work and remain aware that condemning human rights violations is undoubtedly necessary but not sufficient. Pressure must also be accompanied by dialogue. In that spirit, I wish to highlight four elements that the Spanish Mission considered to be key.

First, the Committee pursuant to resolution 1718 (2006), which has played a significant role as a pressuring mechanism, has also been able to adopt a banking channel to fund United Nations agencies operating in that country.

Secondly, we must provide necessary support to United Nations agencies working in the country. In that regard, I highlight the work that the Office of the High Commissioner for Human Rights, which was opened last year in Seoul, must undertake and is undertaking.

Thirdly, we must offer the necessary support to civil society.

Fourthly, there is a need to send a very clear message against impunity, but that cannot happen if there is only one participant in the dialogue. The first step must therefore be to enable to the long-blocked visit of the Special Rapporteur and other human rights mechanisms to the country.

Moreover, we must insist that the Democratic People's Republic of Korea shed light on the hundreds of abductions, most of them of Japanese citizens, whose whereabouts have not yet been identified. We can achieve peace and stability in the region only when the Pyongyang regime shoulders its responsibility for that violation of the sovereignty of neighbouring States.

The situation in the Democratic People's Republic of Korea is extremely complex and requires

a multidimensional approach. It is our hope that this meeting will serve to ensure that the Democratic People's Republic of Korea responds to the cocnerns that have been expressed today and finally ends its internal human rights violations.

I now resume my functions as President of the Security Council.

On behalf of Deputy Secretary-General Jan Eliasson, I wish to offer his thanks to Council members for their work and his apologies for having had to leave the Chamber. The Deputy Secretary-General is performing his duties as Acting Secretary-General today.

I now give the floor to the representative of the Republic of Korea.

Mr. Cho Tae-yul (Republic of Korea): I commend your leadership, Sir, in convening today's meeting on the human rights situation in the Democratic People's Republic of Korea. My delegation is grateful to be a part of this important meeting. I also thank Deputy Secretary-General Jan Eliasson and Assistant Secretary-General Andrew Gilmour for their enlightening briefings, which reminded us once again of the reason why we must take up the issue of human rights in the Democratic People's Republic of Korea in this chamber.

On a more personal note, it is with a heavy heart that I make my first statement to the Security Council as the new Permanent Representative of the Republic of Korea on an issue that has such serious implications for the future of our divided nation.

Since 2014, when the commission of inquiry first shed light on the dire and unprecedented human rights situation in the Democratic People's Republic of Korea, the international community — including the Council — has moved swiftly to seek its early resolution. Concrete steps have also been taken to save North Koreans from the pain and horror that plague their lives each and every day. Those steps, to name just a few, include the establishment of the Office of the High Commissioner for Human Rights in Seoul last year and the group of independent experts on accountability this year.

Regrettably, however, the Democratic People's Republic of Korea has continued to turn a blind eye to international calls for improving its human rights record. Countless instances of torture, execution and arbitrary detention are still being committed, and people disappear overnight into political prison camps devoid of any semblance of judicial due process. Evidence of systematic and widespread human rights violations is also found among the 60,000 or so North Korean workers abroad, who are suffering from what amounts to forced labour. Even as I speak, a large number of North Koreans are risking their lives to cross the border in search of freedom and happiness. The people of in North Korea are destined to live miserable lives from the very moment of their birth, trapped in the State machinery that systematically tramples on their basic human rights.

As was rightly pointed out in draft resolution A/C.3/71/L.23, adopted by the Third Committee of the General Assembly last month, the gravity of the problem lies in the fact that such systematic, widespread, and gross human rights violations are committed by institutions under the effective control of its leadership. The leadership in Pyongyang shamelessly employs a reign of terror merely for the sake of the survival of his regime.

Moreover, he has poured his country's already scarce resources into developing nuclear weapons and missiles,w hile completely ignoring the impoverished livelihoods of his people. In fact, this year alone the Democratic People's Republic of Korea has squandered an estimated $200 million on two nuclear tests and 24 missile launches. In September, the Democratic People's Republic of Korea went so far as to conduct its fifth nuclear test near a region severely hit by the worst flooding in decades, which had taken took place only a couple of days before. How can we comprehend such brazen and shameless behaviour by a regime that is begging for international aid for flood-damage recovery, yet spending a far greater amount of money on the development of weapons of mass destruction?

The Democratic People's Republic of Korea's reckless pursuit of developing nuclear weapons is not only a serious threat to international peace and security, but also a grave human rights problem that threatens the very survival of its people,who are already at risk. That is the reason why the human rights situation in the Democratic People's Republic of Korea stands apart from those in other places of the world and why the Security Council has an important role to play in seeking its resolution.

The history of over a half-century of division on the Korean peninsula is also the history of the agony

and misery of 130,000 separated families in both parts of the divide. Seven decades after the division of our nation, we are witnessing yet another sad chapter of family separation being written in the history of the Korean peninsula. A case in point is the heart-wrenching story of the 30,000 North Korean refugees who have now settled in the South. As the price for their newly found freedom in the South, they are living a life of agony, longing day and night for reunion with the beloved ones they left behind in the North.

The North Korean leader may have a firm belief that it is only nuclear weapons and missiles that can ensure the survival of his regime, but that is a delusion. No regime can sustain itself as long as there are those at home who are ready to risk their lives to escape the reign of terror. Concrete and sincere steps must be taken without further delay so that those people — wherever they may reside — can carry on a normal, dignified life. Until the day comes when we see such a change in the Democratic People's Republic of Korea's behaviour, we must continue to exert pressure on that country. If we stop working together on this united front, it would be tantamount to abetting the most systematic, widespread and gross human rights violations on the globe. As William Gladstone once said, "justice delayed is justice denied."

I cannot recall without pain the story that I heard from a North Korean woman just before I left Seoul last month. A teenage cellmate of hers back in the prison camp in North Korea was crushed to death as others in the cell jumped on her to catch and eat a rat that had fallen into her bowl of soup. I was stunned and rendered speechless as that woman, with tears in her eyes and anger in her face, recounted this haunting story. And yet that is just one of too many.

The North Korean leader must realize before it is too late that time is not on his side. He must listen attentively to the solemn voice of reason resonating in the Chamber today, and that is that darkness can never overcome the light.

The meeting rose at noon.