



Security Council

Sixty-ninth year

Provisional

7353rd meeting

Monday, 22 December 2014, 3 p.m.

New York

<i>President:</i>	Mr. Cherif	(Chad)
<i>Members:</i>	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chile	Mr. Barros Melet
	China	Mr. Liu Jieyi
	France	Mr. Delattre
	Jordan	Mrs. Kawar
	Lithuania	Ms. Murmokaitė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Sarki
	Republic of Korea	Mr. Oh Joon
	Russian Federation	Mr. Zagaynov
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland . . .	Sir Mark Lyall Grant
	United States of America	Ms. Power

Agenda

The situation in the Democratic People's Republic of Korea

Letter dated 5 December 2014 from the representatives of Australia, Chile, France, Jordan, Lithuania, Luxembourg, the Republic of Korea, Rwanda, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the President of the Security Council (S/2014/872)

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The President (*spoke in French*): I 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 exploiting the existence of large-scale violations of human rights in the Democratic People's Republic of Korea as a reason to include the situation in the Democratic People's Republic of Korea in the agenda of the Security Council. The Charter of the United Nations stipulates explicitly that the primary responsibility of the Security Council is to maintain international peace and security. The United Nations organs each have their own respective functions and mandates. The Security Council is not a forum designed for involvement in human rights issues, and still less should human rights issues be politicized. Currently, international peace and security are faced with numerous daunting challenges. The Security Council should strictly abide by its responsibilities and concentrate on addressing issues that really concern international peace and security.

The situation on the Korean peninsula remains complex and sensitive. Upholding the goal of the denuclearization of the peninsula, maintaining peace and stability on the peninsula and insisting on dialogue and consultations as a way to resolve issues is in the common interests of all parties concerned and should be the direction towards which all parties should work together. The Security Council should work more to facilitate dialogue and ease tensions and refrain from doing anything that might cause an escalation of tensions. The Security Council's inclusion of the Democratic People's Republic of Korea situation on its agenda in order to involve itself of the situation of human rights in that country will work against those goals and can only do harm rather than good.

Mr. Quinlan (Australia): I shall make only a few brief remarks. I would like to start by reading the letter that a group of 10 Council members addressed to you, Mr President, in your capacity as President of the Council on 5 December. The letter stated:

“We the undersigned members of the Security Council — Australia, Chile, France, Jordan, Lithuania, Luxembourg, Republic of Korea, Rwanda, the United Kingdom and the United

States — are deeply concerned about the situation in the Democratic People's Republic of Korea.

“We are particularly concerned by the scale and gravity of human rights violations detailed in the comprehensive report undertaken by the Human Rights Council commission of inquiry on human rights in the Democratic People's Republic of Korea (A/HRC/25/63), as contained in document S/2014/276. These violations threaten to have a destabilizing impact on the region and the maintenance of international peace and security.

“Therefore, we write to request that the situation in the Democratic People's Republic of Korea be formally placed on the Council's agenda without prejudice to the item on non-proliferation in the Democratic People's Republic of Korea. We request a meeting of the Security Council on the situation in the Democratic People's Republic of Korea, pursuant to rule 2 of the Council's provisional rules of procedure, and request that a senior official from the Secretariat and a senior official from the Office of the United Nations High Commissioner for Human Rights formally brief the Council under that agenda item, which will enable Council members to receive further information from the Secretariat on this situation and its implications for international peace and security.” (S/2014/872)

The 10 members of the Council which signed the letter are first seeking the establishment of a new agenda item, “The situation in the Democratic People's Republic of Korea”, under which the Council can, as a matter of urgency and then as necessary, consider the serious and deteriorating human rights situation in that country. Given the gravity and systematic nature of the human rights violations taking place in the Democratic People's Republic of Korea and the threat to the maintenance of international peace and security, we do not consider that this can be appropriately considered by the Council on an ad hoc or informal basis.

Secondly, a formal Council meeting under the new agenda item must take place today. Rule 2 of the Council's provisional rules of procedure provides that the President shall call a meeting of the Security Council on the request of any one member of the Council, and it has been over two weeks since 10 Council members requested such a meeting. We consider therefore that we should now simply proceed to adopt the agenda,

which has as its substantive item "The situation in the Democratic People's Republic of Korea".

The President (*spoke in French*): I wish to draw the attention of the members to document S/2014/872, which contains a letter dated 5 December 2014 from the representatives of Australia, Chile, France, Jordan, Lithuania, Luxembourg, the Republic of Korea, Rwanda, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the President of the Security Council.

In view of the request that the matter be included in the provisional agenda and in view of the comments made by the representatives of China and Australia, 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:

Argentina, Australia, Chile, France, Jordan, Lithuania, Luxembourg, Republic of Korea, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

Against:

China, Russian Federation

Abstention:

Chad, Nigeria

The President (*spoke in French*): The provisional agenda has been adopted.

The situation in the Democratic People's Republic of Korea

Letter dated 5 December 2014 from the representatives of Australia, Chile, France, Jordan, Lithuania, Luxembourg, the Republic of Korea, Rwanda, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the President of the Security Council (S/2014/872)

The President (*spoke in French*): Pursuant to the request of the representatives of Australia, Chile, France, Jordan, Lithuania, Luxembourg, the Republic of Korea, Rwanda, the United Kingdom of Great Britain and Northern Ireland and the United States of America contained in document S/2014/872, that a meeting of the Council on the agenda item "The situation in the Democratic People's Republic of Korea" be convened,

I shall suspend this meeting and we shall resume, after a brief recess, to continue consideration of the agenda item.

The meeting was suspended at 3.15 p.m. and resumed at 3.20 p.m.

The President (*spoke in French*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Tayé-Brook Zerihoun, Assistant Secretary-General for Political Affairs, and Mr. Ivan Šimonović, Assistant Secretary-General for Human Rights.

I now give the floor to Mr. Zerihoun.

Mr. Zerihoun: The Security Council is meeting at a time when the situation in the Democratic People's Republic of Korea is attracting increased world attention and concern. The report of the Secretary-General to the General Assembly entitled "Situation of human rights in the Democratic People's Republic of Korea" was issued earlier this month. The General Assembly adopted resolution 69/188, entitled "Situation of human rights in the Democratic People's Republic of Korea", on 18 December, and on 19 December the Federal Bureau of Investigation (FBI) of the United States issued a report alleging that the Democratic People's Republic of Korea was responsible for the recent cyberattack targeting Sony Pictures Entertainment.

The Secretary-General is aware of the FBI report. He is also aware that the Democratic People's Republic of Korea has denied any involvement. The United Nations is not privy to the information on which the FBI's conclusions are based. However, the rise in the incidence and severity of cyberattacks is of increasing concern.

The commission of inquiry established by the Human Rights Council gave voice to the many victims of grave human rights violations and provided a road map for the Democratic People's Republic of Korea to adhere to in order to conform with universal human-rights standards. The commission concluded that "the gravity, scale and nature of these violations reveal a State that does not have any parallel in the contemporary world" (S/2014/276, annex, para. 80). The commission also reframed and changed the tone of the discussion on the Democratic People's Republic of Korea. It is not just the nuclear issue that deserves international attention and action. The discussion in the Security Council today allows for a more comprehensive assessment and

action when addressing security and stability concerns on the Korean peninsula.

In keeping with its obligations under international law, the Democratic People's Republic of Korea has a responsibility to protect its population from the most serious international crimes. The international community also has a collective responsibility to protect the population of the Democratic People's Republic of Korea and to consider the broader implications of the reported grave human rights situation for the stability of the region.

For the first time in 15 years, the Foreign Minister of the Democratic People's Republic of Korea attended the General Assembly's debate in September this year and met with the Secretary-General, confirming the commitment of his country to sustaining and continuing dialogue. The Democratic People's Republic of Korea has also undertaken active diplomatic activities around the world, including in Europe, East Africa and Northeast Asia, and has engaged more substantively with the United Nations human-rights system, including the universal periodic review mechanism. Those signals of engagement offer an important opportunity for the United Nations and the wider international community to redouble efforts towards building trust, dialogue and cooperation on all tracks. It is also an opportunity for the Democratic People's Republic of Korea to work with the international community to improve the human-rights situation and the living conditions of the people of the country.

The Democratic People's Republic of Korea has issued official statements making clear its objection to the recent General Assembly resolution on the human rights situation in the country and, on 9 December, the spokesperson of the Foreign Ministry presented his Government's strong reaction to the meeting of the Security Council today. While the Democratic People's Republic of Korea had raised the possibility of conducting a fourth nuclear test in its statements immediately before and after the Third Committee vote, its recent statements have refrained from such references.

The Secretary-General notes that the international community has remained firm and united in affirming that the Democratic People's Republic of Korea cannot have the status of a nuclear-weapon State under the Treaty on the Non-Proliferation of Nuclear Weapons. There is strong international consensus on the need for the verifiable denuclearization of the Korean peninsula.

In that context, the Six-Party Talks remain a viable mechanism to achieve irreversible denuclearization and maintain peace and security on the Korean peninsula. The 2005 Joint Statement remains a solid framework for addressing those issues through dialogue and negotiation.

While the non-proliferation, political, human rights, economic and security challenges are interrelated and mutually reinforcing, the United Nations urges Member States to increase humanitarian assistance for those in need in the Democratic People's Republic of Korea. The United Nations-led humanitarian response to the country is of high quality and life-saving, with a measurable impact on the lives of the most vulnerable. The response, however, is hampered by a funding deficit, which has been exacerbated by sanctions.

Next year will mark the seventieth anniversary of the end of the Second World War, the founding of the United Nations, as well as the division of the Korean peninsula. The Korean question has remained unresolved for such a long time, and the situation on the peninsula remains fragile and volatile. Inter-Korean relations have remained deadlocked, and family members separated for far too long.

Restarting credible dialogue and meaningful engagement would be an important step towards overcoming the current standoff on the Korean peninsula and should go hand-in-hand with efforts to ensure accountability. The United Nations will continue its engagement on both fronts and counts on the active support of the international community, especially the countries in the region. Sustained international efforts will be important in supporting those efforts. All concerned parties should work to make 2015 a pivotal year to improve the human-rights situation in the Democratic People's Republic of Korea and to move toward a denuclearized and peaceful Korean peninsula.

The President (*spoke in French*): I thank Mr. Zerihoun for his briefing.

I now give the floor to Mr. Šimonović.

Mr. Šimonović: Let me mention that the High Commissioner is sorry that he could not address the Council today, himself.

Earlier this year, the representative of the Democratic People's Republic of Korea spoke very vividly in the Council about the "savageness and brutality" of crimes against humanity committed

against the Korean people during the Second World War (S/PV.7105, p. 57). Ambassador Ri Tong Il listed massacres, abductions, forcible recruitment, forced labour and sexual slavery, which, he said “trampled on the dignity of Korean women and of the Korean nation as a whole” (*ibid.*).

That is the kind of compassion that we are seeking for the victims in the Korean peninsula today — victims of extermination, of murder, of enslavement and torture; victims of rape, forced abortion and other sexual violence; victims of persecution on the basis of political, religious, racial and gender grounds; people who have been forcibly transferred; those whose loved ones have been abducted or disappeared without a trace; people who have been deliberately starved for long periods of time.

According to the Human Rights Council commission of inquiry on human rights in the Democratic People's Republic of Korea, those crimes have been perpetrated in the Democratic People's Republic of Korea in a widespread, systematic manner, as deliberate policy directed by the highest levels of Government. In many instances, they constitute crimes against humanity. The report of the Commission (S/2014/276, annex) is before Council members today. Rarely has such an extensive charge-sheet of international crimes been brought to the Council's attention. It documents a totalitarian system characterized by the brutally enforced denial of the rights to freedom of thought, conscience and religion, as well as the rights to freedom of opinion, expression, information and association.

Songbun classification, which calibrates perceived loyalty to the State, generates extensive and damaging discrimination throughout the country. Where it intersects with gender-based discrimination, it increases the vulnerability of women and sharply limits their opportunities. The Government of the Democratic People's Republic of Korea has also used denial of the right to food to control and coerce its people. The actions of officials have caused the deaths of hundreds of thousands of people, according to the commission — particularly during the famine of the 1990s — and have inflicted permanent physical and psychological injuries on survivors.

In November 2013, the Food and Agriculture Organization of the United Nations and the World Food Programme found that 84 per cent of households — 8 to 9 families out of 10 — were not consuming enough food. According to the latest national nutrition survey,

in 2012 28 per cent of children under-five suffered stunting from malnutrition and almost 1 woman in 4 had been so starved that she risked giving birth to premature or underweight children.

Nationals of the Democratic People's Republic of Korea who manage to flee the country may fall victim to trafficking networks, and women often face forced marriage or forced prostitution. If forcibly returned, they face persecution, torture, forced abortion, prolonged arbitrary detention and even summary execution.

The commission expressed its deepest horror at the Democratic People's Republic of Korea's political prison-camp system — *kwanliso* — whose inmates suffer deliberate starvation, forced labour, execution, torture, rape, forced abortion and infanticide. The commission estimated that hundreds of thousands of prisoners have perished in those camps over the past 50 years and that they currently hold 80,000 to 120,000 people.

Representatives of the Democratic People's Republic of Korea have acknowledged the existence of what they term “reformatories”. I firmly believe that with honesty, transparency and international assistance, we can find a way to dismantle the camp system and release and rehabilitate prisoners. Other countries of the region have shown that it is possible to release thousands of political prisoners and to roll back systems of administrative detention.

The commission of inquiry has highlighted the connections between the human rights situation in the Democratic People's Republic of Korea and security in the region overall. The sustained military focus and nuclear priority of the Government have been pursued at the expense of the economic and social rights, as well as the lives and well-being, of its people. Comprehensive human rights violations on the part of the Democratic People's Republic of Korea have had a significant impact on regional peace and security, from international abductions and enforced disappearances to trafficking and the outflow of desperate refugees. If we are to reduce tension in the region, there must be movement towards real respect for human rights in the Democratic People's Republic of Korea. That issue deserves the Security Council's fullest attention and action.

Since the publication of commission of inquiry's report in March, with the prospect of action by the Council, the Democratic People's Republic of

Korea authorities have shown promising new signs of engagement with international human-rights mechanisms. They engaged productively in their second universal periodic review in the Human Rights Council and, for the first time, accepted numerous recommendations dealing with humanitarian assistance, women's and children's rights, health and education. Representatives of the Democratic People's Republic of Korea also held an unprecedented meeting with the Special Rapporteur. The Democratic People's Republic of Korea also indicated, for the first time, its willingness to accept technical assistance from the Office of the United Nations High Commissioner for Human Rights. Moreover, bilateral negotiations between the Democratic People's Republic of Korea and Japan have reopened the investigations into the alleged abductions of Japanese nationals. I hope that this process will be conducted in transparency and good faith, leading to truth and redress for the families. It will also be important to bring clarity to reported abductions from the Republic of Korea and elsewhere.

All of those developments may present an opportunity for real change. Other countries in the region have shown in the recent past that it is possible to dismantle deep-seated structures of repression and receive assistance in reform, leading to new recognition and standing in the international community. My Office will naturally give all possible support to such progress, together with the international human rights mechanisms; and here I note that the Special Rapporteur should be invited to visit the Democratic People's Republic of Korea without preconditions. In March 2015, the Office of the United Nations High Commissioner for Human Rights will establish a field-based structure in Seoul, as mandated by Human Rights Council resolution 25/25. That will follow up on the commission of inquiry, boost support for the Special Rapporteur and serve as a hub for documentation, technical assistance and advocacy in order to promote accountability and improve human rights in the Democratic People's Republic of Korea.

Real change in the human rights situation in the Democratic People's Republic of Korea will not only require reform; it also demands justice. For the first time, a United Nations-mandated body has described human rights violations in the Democratic People's Republic of Korea in terms of international criminal law. That is significant in establishing individual and institutional accountability, but it also invokes the

international community's responsibility to take action to prevent and punish such crimes. An overwhelming majority of Member States — those in the Human Rights Council and those in General Assembly — as well as victims, survivors and civil-society organizations around the world, have called on the Security Council to take action on this report, including by referral to the International Criminal Court and by adopting targeted sanctions.

As we have seen this year, concerted actions by the international community can have a powerful deterrent effect and may begin to change the policy of the Democratic People's Republic of Korea. I believe that the Security Council can advance two crucial goals: accountability and engagement for reform. Today's discussion has placed the Democratic People's Republic of Korea on notice. The Council should carefully monitor developments in the coming months to see whether engagement with that country leads to real change, or whether it should take further action.

The people of the Democratic People's Republic of Korea have endured decades of suffering and cruelty. They need the Council's protection, and the cause of justice, peace and security in the region requires its leadership.

The President (*spoke in French*): I thank Mr. Šimonović for his briefing.

I now give the floor to members of the Security Council.

Mr. Quinlan (Australia): I thank Assistant Secretary-General Tayé-Brook Zerihoun and Assistant Secretary-General Ivan Šimonović for their briefings.

Today's meeting is an historic step forward in the international community's efforts to consider the situation in the Democratic People's Republic of Korea and its broader implications. It also sends a vital message to the people of the Democratic People's Republic of Korea that the international community is aware of their suffering and stands in solidarity with them. By meeting on the topic, the Council recognizes that the dangerous threat to international peace and security posed by the Democratic People's Republic of Korea regime is not limited to its weapons programmes and proliferation activities, but that the threat also flows from its atrocious treatment of its people and its determination to use every means possible to resist action that it perceives as a challenge to its authority.

The Democratic People's Republic of Korea is, in effect, a totalitarian State that uses violence and repression against its own citizens to maintain itself and its threatening military apparatus in power. The regime's atrocities against its own people have created an inherently unstable State. The regime's system of repression enables its proliferation policies and the deprivations that it imposes on its people fund those policies. Some have asserted that the Council has no business considering this issue. Australia strongly disagrees. History shows that human rights violations of the type and scale that we are seeing in North Korea have reverberations well beyond the country in which they are committed. They amount to a rejection of the international norms that underpin stable societies, and they undermine peaceful relations between States. As we have seen time and again, serious violations of human rights serve as a warning sign of instability and conflict, especially in the absence of accountability for such violations.

With the publication of the seminal report of the commission of inquiry on human rights in the Democratic People's Republic of Korea (S/2014/276, annex), the international community now has a comprehensive, evidence-based assessment of the systematic, widespread and gross human rights violations being committed by the North Korean regime. The report is deeply disturbing and compels a response. The commission's findings on the extent of the Democratic People's Republic of Korea's indoctrination programme highlight a deliberate strategy to control the population in order to secure the regime's hold on power. The programme seeks to instil national hatred, which includes incitement to discrimination, hostility, violence and propaganda for war.

The commission's report lays bare the depraved nature of the tools of control of the regime of the Democratic People's Republic of Korea, including the denial of access to basic human needs: food, water, heating, shelter and work. The massive humanitarian catastrophe that has resulted from the scale of the reign of terror in the Democratic People's Republic of Korea has affected all of its neighbours and has threatened regional stability.

There is a lethal restriction on the freedom of expression. One witness told the commission that no one would dare object to the harsh living conditions in the Democratic People's Republic of Korea, because "protest is equivalent to death" (A/HRC/25/CRP.1,

para. 225). Instead, the citizens of the Democratic People's Republic of Korea are forced to denounce conduct that is perceived by the regime as a threat to it. Family members must report on each other. The regime's vast surveillance apparatus ensures harsh punishment — even summary execution — for those who do not comply.

The country's extreme militarization has come at a devastating cost. The North Korean people have paid for the world's fourth largest standing army — and the development of nuclear weapons and an increasingly sophisticated ballistic missile system to deliver them — with mass starvation and deprivation. The commission estimates that the Democratic People's Republic of Korea devotes up to 25 per cent of its gross national product to defence expenditures. Yet the commission also finds that malnutrition and starvation in the Democratic People's Republic of Korea could have been avoided through even a marginal redistribution of State military spending.

The commission also found an entrenched pattern of discrimination based on the uniquely harsh songbun class system, which is systematically applied so as to maintain control against perceived threats, both external and internal. Likewise, the extreme restrictions on the freedom of movement within North Korea and across its borders are designed to maximize State control. Punishments for violations are severe, often vicious and inhumane. Women, who are subjected to horrific discrimination, resort to international traffickers to escape. The torture that they are subjected to if they return cannot be regarded as a solely domestic concern.

One of the cruelest policies of the regime is the system of arbitrary detention and political prison camps. An estimated 80,000 to 120,000 people have been imprisoned without trial in four political prison camps, and the commission found that the majority, including children, had no prospect of ever being released. Summary executions and other cruel extrajudicial punishments are meted out for violations of camp rules. Torture is routine. As the commission notes,

"The limited information that seeps out from the secret camps creates a spectre of fear among the general population..., creating a powerful deterrent against any future challenges to the political system" (*ibid.*, *para.* 730).

The commission found that the information it received established that crimes against humanity have

been committed in the Democratic People's Republic of Korea, pursuant to policies established at the highest level of the State. We strongly support the commission's conclusion that the international community must accept its responsibility to protect the people of North Korea from crimes against humanity because the Government of the Democratic People's Republic of Korea has manifestly failed to do so. The gravity, scale and nature of these human rights violations distinguishes North Korea as a State that, in the Commission's words, has no parallel in the contemporary world. The need for an international response could not be more obvious.

This view is clearly shared by the majority of the States Members of the United Nations, which last Thursday adopted resolution 69/188 in the General Assembly, which submitted the commission's report to the Council for consideration and action. This is broad recognition by the United Nations membership that the Council has a responsibility on this issue, including to ensure accountability for the crimes being committed. Those crimes are integral components of the political system of the Democratic People's Republic of Korea. We must assume that crimes against humanity will continue if there is no international response.

A core element of the commission's mandate was to ensure accountability for human rights violations, in particular where such violations amounted to crimes against humanity. The commission asked the Council to refer the situation in the Democratic People's Republic of Korea to the International Criminal Court. The General Assembly has called on the Council to consider this recommendation. Australia believes that the crimes against humanity documented in the commission's report warrant the attention of the International Criminal Court. In the absence of any move by the North Korean regime to ensure accountability, the Council should seriously consider this recommendation.

The North Korean regime does have the power to change its behaviour. Most of the commission's recommendations are directed towards the Democratic People's Republic of Korea itself. The country's recent indications of a purported willingness to increase its cooperation with the international community on human rights were welcome, but those offers have since been withdrawn, and there has been no sign of any internal reform. Instead, the Democratic People's Republic of Korea has responded to the General Assembly's call for it to engage on human rights issues by denouncing that call and indicating it would engage in further hostile

acts. When the Democratic People's Republic responds to human rights criticisms with threats to use nuclear weapons, it only strengthens the link between the country's human rights policies and their implications for international peace and security.

Recent cyberattacks against international companies have been attributed to the Democratic People's Republic of Korea, which is another example of the extraterritorial reach of its crimes, along with abductions of foreign nationals, and demonstrates the extent to which it is prepared to defy international norms and aggressively seek to destabilize other countries and international commerce.

The international community's message to the Democratic People's Republic of Korea regime is direct. It must change course. It can take steps immediately to put an end to all systematic, widespread and gross human rights violations being perpetrated in the country, which only further weaken the North Korean people and the stability of the State itself. It can commit to cooperating with the international community by extending full cooperation to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, including by granting him full, free and unimpeded access to the country and by providing unfettered access to humanitarian agencies.

There are options for the Democratic People's Republic regime — humane options — and we will continue to press its leadership to embrace them. Assistant Secretary-General Šimonović alluded to some of them a moment ago. In the meantime, we are realistic about the brutal prospects for the North Korean people and what needs to be done to provide them with a measure of protection. We continue to look to those countries that have the most influence on North Korea, including those in the North Asia region and other partners, to continue to press the case for fundamental change to the State apparatus of the Democratic People's Republic of Korea. We know, of course, this will not be easy.

To conclude, the Security Council must also live up to its responsibilities in the absence of action by the regime, particularly in relation to accountability for crimes against humanity. Given the scale of the human rights violations and their link to international peace and security, it is essential that the Council remain seized of the situation in the Democratic People's Republic of Korea. The Council must regularly assess

the situation and give serious consideration to further action it might take, in the interests of the North Korean people themselves and in support of peace and security in their region and globally.

Ms. Power (United States of America): I thank Assistant Secretary-General Šimonović and Assistant Secretary-General Zerihoun for their informative and appropriately bleak briefings and for the ongoing attention that their respective teams give to the situation in the Democratic People's Republic of Korea in spite of persistent obstacles put up by the North Korean Government.

Today's meeting reflects the growing consensus among Council members and States Members of the United Nations that the widespread and systematic human rights violations being committed by the North Korean Government are not only deplorable in their own right, but also pose a threat to international peace and security. A major impetus for the Security Council taking up this issue was the comprehensive report issued in February 2014 by the United Nations Human Rights Council commission of inquiry in the Democratic People's Republic of Korea (S/2014/276, annex). The commission of inquiry conducted more than 200 confidential interviews with victims, eyewitnesses and former officials and held public hearings in which more than 80 witnesses gave testimony. Witness accounts were corroborated by other forms of evidence, such as satellite imagery confirming the location of prison camps.

North Korea denied the commission access to the country, consistent with its policy of routinely denying access to independent human rights and humanitarian groups, including the Red Cross and United Nations special rapporteurs. Despite repeated requests, the Democratic People's Republic of Korea refused to cooperate with the inquiry.

The main finding of the commission's thorough and objective report is that

“[s]ystematic, widespread and gross human rights violations have been and are being committed by the Democratic People's Republic of Korea” (S/2014/276, annex, para. 24).

The commission found that the evidence it gathered provided reasonable grounds to determine that

“crimes against humanity have been committed in the Democratic People's Republic of Korea,

pursuant to policies established at the highest level of the State” (*ibid.*, para. 75).

If you have not watched any of the hours victims' testimony or read from the hundreds of pages of transcripts from the commission's public hearings, Mr. President, I urge you to do so. They show North Korea for what it is — a living nightmare.

A former prisoner of Political Prison Camp No. 15, Kim Young-soon said she and other prisoners were so famished that they picked kernels of corn from the dung of cattle to eat. She said,

“[I]f there was a day that we were able to have a mouse, this was a special diet for us. We had to eat everything alive, every type of meat that we could find; anything that flew, that crawled on the ground. Any grass that grew in the field” (A/HRC/25/CRP.1, para. 770).

Ahn Myong-chol, a former guard at prison camp 22 spoke of guards routinely raping prisoners. In one case in which a victim became pregnant and gave birth, the former guard reported, the prison officials cooked her baby and fed it to their dogs. This sounds unbelievable and unthinkable, yet this is what a former guard told the commission of inquiry at a public hearing. His account fits a pattern across witness testimonies of sadistic punishments meted out to prisoners whose crime was being raped by officials.

The commission estimates that between 80,000 and 120,000 are being held in prison camps like the ones where so many of these crimes occurred. Many who testified before the commission were tortured as punishment for trying to flee North Korea. One man who was sent back to the Democratic People's Republic of Korea from China described being held in prison cells that were only around 50 centimetres high — just over a foot and a half. He said the guards told him that because the prisoners were animals they would have to crawl like animals.

A woman from the city of Musan told how her brother was caught after fleeing to China. When he was returned, North Korean security officials bound his hands and chained him to the back of a truck before dragging him roughly 45 kilometres, driving three loops around the city so everyone could see, his sister testified. “When he fell down, they kept on driving”, she said. Nor are the horrors limited to prison camps, or those who try to flee. The commission found

“an almost complete denial of the right of freedom of thought, conscience and religion, as well as of the rights to freedom of opinion, expression, information and association” (*S/2014/276, annex, para. 26*)

in the Democratic People's Republic of Korea.

On 18 December, the General Assembly adopted resolution 69/188 expressing grave concern at the commission's findings and roundly condemning the Democratic People's Republic of Korea's widespread and gross violations of human rights. One hundred and sixteen Member States voted in favour, 20 against and 53 abstained. The resolution also encourages the Security Council to

“take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court (ICC), and consideration of the scope for effective targeted sanctions against those who appear to be most responsible” (*resolution 69/188, para. 8*).

The Security Council should demand that the Democratic People's Republic of Korea change its atrocious practices, which demonstrate a fundamental disregard for human rights and constitute a threat to international peace and security. We should take that on for three reasons.

First, the Democratic People's Republic of Korea's response to the commission of inquiry's report, and even to the prospect of today's meeting, shows that it is sensitive to criticism of its human rights record. We need only look at all the different strategies North Korea has tried in the past several months to distract attention from the report, to delegitimize its findings and to avoid scrutiny of its human rights record. The Democratic People's Republic of Korea has ramped up its propaganda machine, publishing its own sham report on its human rights record and claiming “the world's most advantageous human rights system”. The Democratic People's Republic of Korea tried to smear the reputation of hundreds of people who were brave enough to speak out about the heinous abuses they suffered, calling them “human scum bereft of even an iota of conscience”. That was in a statement North Korea sent to the Security Council today. And North Korea has launched slurs against the commission's chairman, Justice Kirby. The Democratic People's Republic of Korea has deployed threats saying any

effort to hold it more accountable for its atrocities would be met with “catastrophic consequences”. All of North Korea's responses — the threats, the smears, the cynical diversions — show that the Government feels the need to defend its abysmal human rights record. That is precisely why our attention is so important.

The second argument for exerting additional pressure is that when regimes warn of deadly reprisals against countries that condemn their atrocities, as the North Koreans have done, that is precisely the moment when we need to stand up, and not back down. Dictators who see that threats are an effective tool for silencing the international community tend to be emboldened and not placated. That holds true not only for the North Korean regime, but for human rights violators around the world who are watching how the Security Council responds to the Democratic People's Republic of Korea's threats. The Democratic People's Republic of Korea is already shockingly cavalier about dishing out threats of staging nuclear attacks, and has routinely flouted the prohibitions on proliferation imposed by the Security Council. In July, North Korea's military threatened to launch nuclear weapons at the White House and the Pentagon, and in March 2013 it threatened to launch a pre-emptive strike on the United States of America, saying, “Everything will be reduced to ashes and flames”.

In the most recent example of its recklessness, the Democratic People's Republic of Korea carried out a significant cyberattack on the United States in response to a comedy portraying a farcical assassination plot. The attack destroyed systems and stole massive quantities of personal and commercial data from Sony Pictures Entertainment, not only damaging a private sector entity, but also affecting countless Americans who work for the company. The attackers also threatened Sony's employees, actors in the film, movie theatres and even people who dared to go to the theatre showing the movie, warning them to “remember 11 September”.

Not content with denying freedom of expression to its own people, the North Korean regime now seems intent on suppressing the exercise of that fundamental freedom in our nation. North Korea has also threatened the United States with serious consequences if our country did not conduct a joint investigation with the Democratic People's Republic of Korea into an attack that it carried out. That is absurd, yet it is exactly the kind of behaviour we have come to expect from a regime that has threatened to take “merciless countermeasures”

against the United States over a Hollywood comedy, and has no qualms about holding tens of thousands of people in harrowing gulags. We cannot give in to threats or intimidation of any kind.

Thirdly, the international community does not need to choose between focusing on North Korea's proliferation of nuclear weapons and focusing on its widespread and ongoing abuses against its own people. That is a false choice. We must do both, as we have seen throughout history that the way countries treat their own citizens — particularly those countries that systematically commit atrocities against their own people — tends to align closely with the way they treat other countries and the norms of our shared international system.

On 23 November, a week after the Third Committee adopted its draft resolution on the Democratic People's Republic of Korea, North Korea's military said, "All those involved in its adoption deserve a severe punishment" and warned again of catastrophic consequences. Now here, presumably, "all" would imply the more than 100 Member States that voted for the draft resolution. The military also said that if Japan "continued behaving as now it will disappear from the world map". When a country threatens nuclear annihilation because it receives criticism of how it treats its own people, can there be any doubt regarding the connection between North Korea's human rights and international peace and security?

North Korea did not want us to meet today and vociferously opposed the country's human rights situation being added to the Security Council's agenda. If the Democratic People's Republic of Korea wants to be taken off the Security Council's agenda, it can start by following the commission of inquiry's recommendations to acknowledge the systematic violations it continues to commit, immediately dismantle political prison camps and release all political prisoners, allow free and unfettered access by independent human rights observers, and hold accountable those most responsible for its systematic violations. Knowing the utter improbability of North Korea's making those and the long list of other necessary changes, it is incumbent on the Security Council to consider the commission of inquiry's recommendation that the situation in North Korea be referred to the International Criminal Court and to consider other appropriate action on accountability, as 116 United Nations Member States have urged the Council to do.

In the meantime, the United States will support the efforts of the Office of the High Commissioner for Human Rights to establish a field-based office to continue documenting the Democratic People's Republic of Korea's human rights violations, as mandated by the Human Rights Council, as well as support the work of the Special Rapporteur. Both should brief the Council on new developments in future sessions on that issue. It is also crucial that all of Democratic People's Republic of Korea's neighbours abide by the principle of non-refoulement, given the horrific abuses that North Koreans are subjected to upon return, and provide unfettered access to the Office of the United Nations High Commissioner for Refugees in their countries. The United States of America will continue to welcome North Korean refugees to our country and help provide assistance to North Korean asylum-seekers in other countries.

It is reasonable to debate the most effective strategy to end the nightmare of North Korea's human rights crisis. What is unconscionable in the face of those widespread abuses and dangerous, given the threat that the situation in the Democratic People's Republic of Korea poses to international peace and security, is to stay silent. Silence will not make the North Korean Government end its abuses. Silence will not make the international community safer. Today we have broken the Council's silence. We have begun to shine the light, and what it has revealed is terrifying. We must continue to shine that light for as long as those abuses persist. Today's meeting is another important step, but far from the last, towards accountability for the crimes being perpetrated against the people of North Korea. The Council must come back to speak regularly about the Democratic People's Republic of Korea's human rights situation and what we can do to change it for as long as the crimes that brought us here today persist. That is the absolute minimum we can and must do.

Mr. Delattre (France) (*spoke in French*): I would like to thank Mr. Tayé-Brook Zerihoun and Mr. Šimonović for their briefings. What they have described for us today backs up the information contained in the report of the commission of inquiry (S/2014/276, annex), chaired by Mr. Kirby.

The work the commission of inquiry has done is not only remarkable for its quality, it is also salutary. For the first time, it has given us an overview of the violations committed by the North Korean authorities over 50 years, pursuant to policies established at the highest

level of the State, as the commission's report puts it. It has thrown light on a terrible machine, the Pyongyang regime's machine for enslaving its people. There is no time today to detail the full litany of the crimes: murder, arbitrary arrest and detention, widespread torture, rape, abduction, forced disappearance, slavery, obstruction of humanitarian access, the exploitation of famine. The list is long, unfortunately. Hundreds of thousands of political prisoners have died in camps over the past 50 years, while between 80,000 and 120,000 are still being detained.

The violations affect men and women. They do not spare children. The regime's murderous madness seems limitless. The Security Council has finally met to hear the cry of distress of the victims of a bloody regime. What is more, those crimes are committed in the darkness of censorship. North Korea is closed to international media and to the organizations that defend human rights and the High Commissioner for Human Rights. The commission of inquiry could not gain access.

We cannot remain silent in the face of this waking nightmare. Those responsible for the terror, the North Korean authorities first and foremost, must be brought to justice to answer for their actions. The crimes they have committed will not go unpunished. This is an ethical imperative for the international community. As Mr. Šimonović emphasized, there can be little doubt that the seriousness, scale and systematic nature of these crimes render them crimes against humanity. The commission of inquiry's recommendation that the situation be referred to the International Criminal Court should therefore receive the maximum attention possible from the Council. The Court is a guarantee of fair and effective justice. What is at stake is the fight against impunity today and tomorrow, justice for the victims and future reconciliation. The High Commissioner for Human Rights also has a role to play. His field office, which is currently being set up in Seoul, should enable us to monitor the report's recommendations and the situation as it develops. It should also continue to collect information on the violations committed, and we would like the Council to receive regular updates.

The regime's violations are a threat to peace and international security. They are part — indeed, an essential component — of a totalitarian political system that threatens and destabilizes the entire region. In the words of the commission of inquiry, “the gravity, scale and nature of these violations reveal a State that

does not have any parallel in the contemporary world” (S/2014/276, *annex, para. 80*). It is a State that has no parallel in the degree of its terror, a pariah State under the international nuclear and missile non-proliferation regime, a State that, in violation of Council resolutions, exports sensitive goods and technologies that then serve to finance its leaders' indecent life style and the repression of a population that is regularly hit by famine.

The Security Council could no longer ignore crimes such as these that shock humankind's conscience. It was its responsibility to take up the issue. By holding this meeting today, the Council has sent a clear message to the torturers in Pyongyang. The wall of silence that has too long imprisoned a people and a country cut off from the world has been removed. The reality of North Korea is now visible to all. The Security Council is on the case. Nothing, not even the nuclear blackmail the North Korean regime used to try to dissuade us from convening this meeting, will make us look away. The Pyongyang regime is confronted with its responsibilities before history and the judgement of the international community. The violations must now end, the political prisoners be freed and the country opened to the media, non-governmental organizations and the United Nations.

Let us hope that instead of hurling itself into another of the cycles of provocations and repression to which it is, alas, accustomed, the North Korean regime will hear our urgent call and at last choose the path of openness, reconciliation and peace.

Mr. Sarki (Nigeria): My delegation would like to thank Assistant Secretaries-General Zerihoun and Šimonović for their briefings.

Nigeria regards human rights as essential to ensuring that all human beings live in dignity. We also believe that all States have an obligation to promote and protect the rights of their citizens. With human rights being one of three main pillars of the United Nations, the Organization has put appropriate mechanisms in place to protect and promote them around the globe. Those mechanisms include special procedures, the universal periodic review (UPR) and treaty bodies. Nigeria notes that the Democratic People's Republic of Korea participated in the first and second cycles of the UPR. We also note that in October, the roving ambassador of the Democratic People's Republic of Korea met with the Special Rapporteur on the situation of human rights in the Democratic People's Republic

of Korea. Nigeria encourages the Democratic People's Republic of Korea to maintain and, indeed, strengthen its engagement with the Human Rights Council and the treaty bodies, with a view to promoting and protecting the rights of its citizens.

Ms. Lucas (Luxembourg) (*spoke in French*): I would like to begin by thanking you, Mr. President, for taking the necessary steps to ensure that the situation in the Democratic People's Republic of Korea could be formally placed on the Council's agenda and this briefing meeting held at the request of 10 members of the Council, including my country, Luxembourg. I thank Mr. Tayé-Brook Zerihoun, Assistant Secretary-General for Political Affairs, and Mr. Ivan Šimonović, Assistant Secretary-General for Human Rights, for their briefings on the situation in the Democratic People's Republic of Korea and its implications for international peace and security.

In the past decade, the Democratic People's Republic of Korea has worked methodically to flout international law, undermine the nuclear non-proliferation regime and challenge the Security Council's decisions. Since 2006, in defiance of its international obligations, the Democratic People's Republic of Korea has carried out various nuclear and missile tests. It has refused to engage in constructive dialogue with the international community and continues to issue regular threats of nuclear strikes. Such an attitude aggravates the risks of conflict and is a threat to peace and international security, which no one can deny.

But there is more, and it is just as serious. For several decades, the Democratic People's Republic of Korea has been violating its people's most basic rights on an unequalled scale. That is what the devastating report (S/2014/276, annex), published on 7 February by the commission established by the United Nations Human Rights Council to investigate human rights in the Democratic People's Republic of Korea, documents methodically, rigorously and transparently.

I will not list the macabre inventory of the atrocities committed in North Korea. They make one sick. I would, however, like to make three points that emerge from the commission of inquiry's detailed report. The first is that the Commission finds a series of violations that meet the criteria established by international law and the Rome Statute of the International Criminal Court for the existence of crimes against humanity. Secondly, the perpetrators of those crimes enjoy total impunity, since their actions are conducted pursuant to policies

established at the highest level of the State. Thirdly, the violations affect the most vulnerable parts of the population indiscriminately — first of all women, who are subject to systematic discrimination and intolerable abuse, often of a sexual nature, and then children, who are the first victims of famine and who have not been spared the hell of political prison camps.

In that regard, I would like to cite the testimony of Mr. Shin Dong-hyuk, an escapee from Political Prison Camp No. 14. His testimony concerns a small 7-year-old girl who had the audacity to pick up grains of cereal to quash her hunger. I will quote from the testimony found in in the detailed conclusions of the commission of inquiry:

“[A]bout twice a week, [the guards] would choose one kid and do the inspection to see if this person is stealing something or hiding something, but she was so unlucky that she was chosen as the kid to be inspected. And, in her pocket there were some grains and then the guard asked where she got it. Then, she told the guard that she picked them up on the street. There was a wooden stick that the guards used. And, the guard says that's not the way I taught you, so you went against my teaching. So, she was beaten so badly that she fainted, and we had to take her to her mom. When she didn't come to school the next day, we learned that she had died.” (*A/HRC/25/CRP.1, para.772*)

We cannot separate the bellicose posture of the Democratic People's Republic of Korea on the international front from the appalling human-rights situation that reigns within the country at the instigation of the leaders of the North Korean regime. Respect for human rights is a hallmark of a stable society, willing to live in peace with its neighbours. Inhumane living conditions imposed on large sectors of the population of North Korea represent, over time, a risk to the stability of the country, and based on that, the entire region.

The Security Council must therefore consider the recommendations contained in the commission of inquiry's report. One recommendation, which is explicitly mentioned in General Assembly resolution 69/188 on the human rights situation in the Democratic People's Republic of Korea, adopted by a large majority of the General Assembly on 18 December, calls for the International Criminal Court to be seized of the matter. Luxembourg fully supports that recommendation, as it is absolutely essential that those responsible for such atrocities, unequalled in our contemporary times,

committed by the Democratic People's Republic of Korea, should, to use the language of the commission of inquiry, be held to account for their acts.

We also believe that the Security Council should consider the option of imposing targeted sanctions against those who are most responsible for the crimes against humanity committed in the Democratic People's Republic of Korea. We also invite the North Korean authorities to authorize the visit of the Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea without delay, within respect for the modalities of the United Nations applicable to fact-finding missions. That would be the sign that the Democratic People's Republic of Korea authorities are sincere in their willingness to cooperate with the special procedures of the Human Rights Council. Further, given the scale of the discrimination suffered by women and the scale of the violation and abuse of which they are victims, we believe that UN-Women should be officially seized of the matter as well and act within the scope of their competencies.

Today's meeting, a first of its kind, should not be without a follow-up. Now that this item is on the Security Council's agenda, we encourage the Council to be briefed regularly in the future on the situation in the Democratic People's Republic of Korea. The briefings that we have heard today have strengthened our conviction that it is the duty of the Council to closely follow the changing situation, which has an intrinsic link to peace and security, development and respect for human rights, to paraphrase former Secretary-General Kofi Annan.

To conclude, I should like to commend the work of the commission of inquiry, composed of Justice Michael Kirby, Madam Sonja Biserko and Marzuki Darusman. They have enabled us to look at the reality of North Korea from the perspective of the mistreated, the powerless, the voiceless and those excluded by the North Korean regime. Their work and that of the Human Rights Council, the General Assembly and today of the Security Council have allowed for a voice to be given to those without voice in the Democratic People's Republic of Korea. The message that we can send today is simple. The international community cannot be deaf to the suffering of the North Korean people. We will not forget them. We will not abandon them to their sad fate. They are worthy of our attention and our continuing support until their ordeal comes to an end.

Mrs. Kavar (Jordan) (*spoke in Arabic*): I thank you, Sir, for organizing this important meeting. Our thanks and appreciation also go to the Assistant Secretary-General of the Department of Political Affairs and the Assistant Secretary-General for Human Rights for their briefings on the situation in the Democratic People's Republic of Korea.

Most of those who have spoken have had to depend on limited sources of information, because it has been impossible to carry out investigations and inquiries on the Democratic People's Republic of Korea to discover the situation at first hand inside the country. However, we find that the picture is very bleak regarding the humanitarian situation in the Democratic People's Republic of Korea, and that it constitutes a menace to international peace and security. That has been made abundantly clear by the threat to carry out new nuclear experiments and to develop, test and launch new ballistic missiles. All those actions constitute grave violations of Security Council resolutions and the Charter of the United Nations through the routine commission of grave and systematic violations of international humanitarian law and human rights, including violations of the right to food, movement and expression, in addition to forced disappearances, torture and inhuman treatment in the political detention camps.

The Security Council should not ignore the situation in the Democratic People's Republic of Korea. It should make every effort to put an end to the serious violations of human rights and international humanitarian law in that country. It should also put an end to the use of nuclear weapons and the threat of the use of such weapons. We also call on the Democratic People's Republic of Korea to take tangible and speedy actions in order to meet the concerns of the international community by allowing the Special Rapporteur on human rights to visit the Democratic People's Republic of Korea and to permit humanitarian agencies to work inside the country.

Sir Mark Lyall Grant (United Kingdom): I would like to thank Assistant Secretaries-General Zerihoun and Šimonović for their appropriately bleak briefings.

In February, the international community received a wake-up call to the truly shocking violations of human rights in the Democratic People's Republic of Korea. In a 400-page report (S/2014/276, annex), the United Nations commission of inquiry provided an unprecedentedly detailed insight into the appalling situation in the Democratic People's Republic of

Korea. Owing to the Democratic People's Republic of Korea's consistent refusal to cooperate or allow access to the country, the commission instead gathered extensive first-hand testimony from witnesses and victims now living outside the Democratic People's Republic of Korea. What they heard painted a picture of authorities who are so frightened of losing control that indoctrination begins in kindergarten; so scared of what will happen if ordinary people get a glimpse of the outside world, that just owning a tunable radio is a criminal offence; and so insecure that religion is seen as a sign of divided loyalties and an act of treachery.

The commission's report describes a regime so paranoid that punishments are extended to whole families; so cruel that those fleeing for a better life are imprisoned, tortured and sexually violated; so callous that it stood by and let hundreds of thousands die from starvation rather than ask for international assistance. The commission concluded that the systematic, widespread and gross human rights violations being committed in the Democratic People's Republic of Korea were components of a totalitarian State without parallel in the contemporary world. They called on the international community to protect the people of the Democratic People's Republic of Korea, given the regime's manifest failure to do so.

The international community cannot ignore such detailed and grave findings. Since the report was issued, we, alongside international partners, have worked to ensure that the Commission's report is a beginning, and not an end. The setting up of a presence of the Office of the High Commissioner for Human Rights in Seoul is a practical demonstration of the international community's determination not to forget the people of the Democratic People's Republic of Korea. This field office will continue the Commission's work of evidence collection as an important step towards accountability. It is a reminder to those at any level of the regime apparatus who are responsible for these awful human rights violations that the world is watching and that they should consider themselves put on notice. If the Democratic People's Republic of Korea fails to hold violators to account, the international community must be ready to do so.

Both the Human Rights Council and the General Assembly have condemned in the strongest terms the findings documented in the commission of inquiry report and have demonstrated the widespread concern across the globe at the enduring misery of the North Korean

people. Both bodies by overwhelming majorities have encouraged the Security Council to consider the human rights situation in the Democratic People's Republic of Korea. The United Kingdom supports the call for the Security Council to consider 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.

Despite these calls from the United Nations membership, there were those who opposed discussion in the Security Council today. But the failure of States to abide by the universal principles of respect for human rights and fundamental freedoms, as set out in the Charter of the United Nations and the Universal Declaration of Human Rights, is a legitimate concern of the Security Council. Human rights, democracy and strong institutions, founded on the rule of law, are essential. Without these key foundations in place, peace and security are at risk, both in individual States and in the broader international community.

That is why the United Kingdom is pleased that the situation in the Democratic People's Republic of Korea has been added to the agenda of the Council today and that we have been able to have this long-overdue discussion. It is a signal to the Democratic People's Republic of Korea authorities of the international community's focus on the issues highlighted in the Commission of Inquiry's report. Our message to the authorities in Pyongyang is this — listen and engage with these concerns.

The majority of the recommendations in the commission's report are directed towards the Democratic People's Republic of Korea Government. It is the Democratic People's Republic of Korea Government that holds the power to transform the lives of its people for the better. Rather than continuing to deny the existence of human rights violations and refusing to engage with international concerns, we urge them to accept and address them seriously.

We are disappointed that the Democratic People's Republic of Korea responded to the recent Third Committee resolution by withdrawing its previous offers of dialogue and its invitation to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to visit the country for the first time. The United Kingdom urges it to reconsider. If done fully and without preconditions, these would be positive first moves towards taking the bold step of admitting that there are problems and

making a genuine effort to improve the human rights situation on the ground.

The Democratic People's Republic of Korea has an opportunity. The United Kingdom, like so many in the international community, stands ready to adjust our position in response to any concrete steps that the Democratic People's Republic of Korea takes to improve human rights in the country. But if the Democratic People's Republic of Korea continues to flout the obligations they owe to their people, then the international community should be ready to take further steps to address the situation. We urge the Council to remain seized of this matter.

Mr. Liu Jieyi (China) (*spoke in Chinese*): China has stated its position against the Council's involvement in the human rights situation in the Democratic People's Republic of Korea. China has consistently opposed the politicization of human rights issues and the pressuring of countries under the pretext of human rights issues. The Security Council is not the forum to discuss human rights issues. We oppose the adoption of any outcome document by the Council on the human right situation in the Democratic People's Republic of Korea.

China is a close neighbour of the Korean peninsula. We will never allow any unrest or war to take place in the peninsula. At present, the situation in the Korean peninsula remains complex and sensitive. We hope that the members of the Council and the relevant parties will place priority on the overall interests of denuclearization and the maintenance of peace and stability on the Korean peninsula, exercise restraint, make greater efforts conducive to the easing of tensions, avoid mutual provocation and refrain from any rhetoric or actions that may lead to an escalation of tensions.

China will continue to work to realize a denuclearized peninsula, maintain its peace and stability, and address issues through dialogue and consultation. This position is clear and firm. China hopes that the relevant parties will make concerted efforts to take genuine actions to create the conditions for the resumption of the Six-Party Talks with a view to jointly maintaining the overall situation of peace and stability on the Peninsula.

Mr. Barros Melet (Chile) (*spoke in Spanish*): We thank the Assistant Secretary-General for Political Affairs, Mr. Zerihoun, and the Assistant Secretary-General for Human Rights, Mr. Šimonović, for their briefings. We also thank the Chadian presidency

for facilitating the inclusion of the situation in the Democratic People's Republic of Korea on the agenda of the Council.

As one of the countries that supported the holding of this meeting, Chile believes that today's discussion is timely and necessary. At the beginning of the year, the commission of inquiry established by the Human Rights Council issued its report (S/2014/276, annex), which confirmed the existence of the systematic, widespread and gross human rights violations in the Democratic People's Republic of Korea, which in many cases constitute crimes against humanity. It is important to underscore the points of agreement of the reports of the commission of inquiry and the Special Rapporteur, as well as the resolutions of the Human Rights Council and the General Assembly, which point to the same conclusion — the human rights situation in the Democratic People's Republic of Korea is dire.

How did Pyongyang react to the debate on this topic? It dismissed it, alleging that it is a political conspiracy and international smear campaign. The Government even stated in writing, in a letter to the Secretary-General dated 24 November, that it may conduct a further nuclear test. This constitutes a clear threat to international peace and security. It is of grave concern that the Democratic People's Republic of Korea continues to develop its nuclear programme and delivery systems, at a great price in humanitarian terms for its people, under the sanctions regime established pursuant to resolution 1718 (2006). This strengthens our conviction that we need to adopt a broader approach that allows us to prevent a new conflict on the Korean peninsula, which would have regional and global consequences. It becomes clear that the approach we have taken so far is not adequate and that we should collectively exert more pressure.

It is essential that appropriate measures be adopted to put an end to the serious human-rights violations noted in the reports of the Secretary-General, the Special Rapporteur and the commission of inquiry. Those measures must put an end to the climate of impunity in the Democratic People's Republic of Korea and allow for accountability. We urge the Democratic People's Republic of Korea to facilitate access on the part of the Special Rapporteur to their country in accordance with the terms of reference of the United Nations for such special procedures; that is, freedom of movement and interviews, with security arrangements

made for the Special Rapporteur and for those whom he interviews.

Given the gravity of the situation in the Democratic People's Republic of Korea, we believe that this first meeting under a new item on the agenda constitutes a step that is headed in the right direction. This is an initiative that we supported at the meeting of the members of the Security Council under the Arria Formula in April. Certainly, we hope we can repeat it regularly.

Mr. Nduhungirehe (Rwanda): At the outset, Sir, let me thank you for acting on the letter (S/2014/872) signed by 10 Council members from all five groups of the United Nations, which includes Rwanda, requesting that the situation in the Democratic People's Republic of Korea be formally placed on the agenda of the Security Council. I also wish to thank Assistant Secretary-Generals Tayé-Brook Zerihoun and Ivan Šimonović for their respective briefings.

Rwanda, as a country that suffered the worst violations of human rights in 1994, which were planned and perpetrated by the then ruling regime, values meetings like this, which are meant to attentively examine situations of gross violations of human rights. In the early 1990s, the Secretariat and the Council did not pay much attention to all signals that were announcing the 1994 genocide against the Tutsi in Rwanda. Therefore, 20 years later, Rwanda, as a member of the Council, must stand with the victims on the assurance that the international community, which we are part of, is determined to act upon its responsibility to protect and is committed to hold perpetrators to account.

The three pillars of the responsibility to protect, as stipulated in paragraphs 138 and 139 of the outcome document of 2005 World Summit (General Assembly resolution 60/1), provides that the State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing. The international community has a responsibility to encourage and assist States in fulfilling that responsibility, as well as a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from such crimes. If a State is manifestly failing to protect its population, the international community must be prepared to take collective action to protect the population, in accordance with the Charter of the United Nations. We believe that the Security Council should engage the Democratic People's Republic of Korea on the basis of those pillars.

Rwanda takes note with great concern of the report of the commission of inquiry (S/2014/276, annex), which was established by the Human Rights Council on 21 March 2013, with the mandate to investigate and report on the human-rights violations in the Democratic People's Republic of Korea. We were alarmed by the findings of the commission, which documented several crimes, including extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence; persecution on political, religious, racial and general grounds; the forcible transfer of populations; the forced disappearance of persons; the inhumane act of knowingly causing prolonged starvation; not to mention the abduction of Japanese citizens, including children, over the past decades. The commission concluded that such crimes amount to crimes against humanity and "reveal a State that does not have any parallel in the contemporary world" (S/2014/276, para. 80).

In the meantime, we deplore the fact that the commission was denied access to the Democratic People's Republic of Korea and that the competent authorities in that country have not commented on the report of the commission of inquiry. However, we are encouraged to hear that recently the Democratic People's Republic of Korea has indicated willingness to allow the Special Rapporteur access to its territory and to accept the technical assistance of the Office of the High Commissioner for Human Rights. We hope that that opportunity will be pursued.

Given the situation, Rwanda, which on 18 December voted in favour of General Assembly resolution 69/188, concerning the human rights situation in the Democratic People's Republic of Korea, believes that it was important that the Council be seized of the matter and receive further information from the Secretariat on the situation as well as on the implications of the situation on international peace and security. During our meetings, the Democratic People's Republic of Korea should be invited to express its views in order to engage in a genuine dialogue with the Council and the wider international community, which could lead to a better understanding and towards significant improvement of the human-rights situation in the Democratic People's Republic of Korea.

Rwanda supports the commission of inquiry's recommendations aimed at fostering inter-Korean dialogue. We believe that the maintenance of peace and stability on the Korean peninsula and the resolution of

disputes through dialogue and consultation are in the common interests of all parties. We urge all actors on the Korean peninsula, particularly the Democratic People's Republic of Korea, to engage in good faith in efforts to create favourable conditions for resuming the stalled political talks and for achieving the de-nuclearization of the Korean peninsula.

To conclude, we hope that the Security Council will remain seized of the situation in the Democratic People's Republic of Korea, and we would like to encourage the United Nations Secretariat and concerned United Nations agencies to positively engage the competent authorities in the Democratic People's Republic of Korea in order to address the issues of great concern contained in the report of the commission of inquiry.

Ms. Murmokaitė (Lithuania): I thank you, Sir, for convening this open meeting at the request of 10 Member States, including Lithuania. I also thank the Assistant Secretary-Generals Tayé-Brook Zerihoun and Ivan Šimonović for their briefings. Lithuania welcomes this public briefing on the situation in the Democratic People's Republic of Korea, as do the other Security Council members that called for this meeting. We believe that the scale and gravity of human rights violations in the Democratic People's Republic of Korea, as detailed in the report of the United Nations commission of inquiry (S/2014/276, annex), threaten to have a destabilizing impact on the region and on the maintenance of international peace and security.

The more than 370-page report, based on extensive research and testimony, is a profoundly disturbing read, as we have heard from some of the quotes earlier in this meeting. Hundreds of thousands perished, many many more have been physically and psychologically maimed by the regime that, in the words of the commission, seeks to dominate every aspect of its citizens' lives and terrorizes them from within. The very idea of a social contract between the State and its citizens is reduced to naught, with those responsible to protect the rights of North Koreans ruthlessly enforcing almost complete denial of their freedom of thought, religion, expression, information and association. Extermination, enslavement, torture, forced abortions, prolonged starvation — the list seems endless, as no abuse is judged too harsh or inhuman by the regime.

For decades and even when mass starvation was claiming thousands of lives, the State gave precedence to military spending, engaging in a clandestine nuclear-weapons programme, buying and producing

expensive military hardware. Nuclear weapons tests in 2006, 2009 and 2013, as well as provocative ballistic missile and rocket launches, have been condemned by the Security Council and have been recognized as a continuing clear threat to international peace and security. As the commission of inquiry notes, the drive to be a nuclear State has had profound consequences on resource allocation, affecting particularly the parts of the population that were already food insecure.

The report clearly indicates that crimes against humanity are being committed, conceived and supported by the highest levels of the Democratic People's Republic of Korea Government. Political prisoners and their families perish in prison labour camps, deprivation of food is used to control the population, children are stunted by malnutrition, humanitarian access is blocked to most affected regions, and torture is an inseparable part of the interrogation process. Those who manage to escape are often forcibly returned and invariably face persecution, torture, forced abortions and arbitrary detentions.

We take note of the indications by the Democratic People's Republic of Korea that it is ready to consider human rights dialogues with international interlocutors, technical cooperation with the Office of the High Commissioner of Human Rights, and a country visit by the Special Rapporteur. We were disappointed to hear, however, that the Democratic People's Republic of Korea is now backtracking on those signals. We urge the country to engage with the international community, to allow unimpeded access to international human rights and humanitarian organizations, and to start implementation of the recommendations of the commission of inquiry.

So long as the human rights situation in the Democratic People's Republic of Korea continues to deteriorate, however, it is important to make sure that the international community is mindful of its responsibility to protect the population of the Democratic People's Republic of Korea, which has been so manifestly and deliberately failed by its own Government. In this regard, Lithuania welcomes the recent adoption by the General Assembly of resolution 69/188 on the situation of human rights in the Democratic People's Republic of Korea, submitting the report of the commission of inquiry to the Security Council. We also encourage the Council to follow the General Assembly's recommendation and take appropriate action to ensure accountability, including through consideration of referral of the

situation in the Democratic People's Republic of Korea to the International Criminal Court, and consideration of the scope for effective targeted sanctions against those who appear to be most responsible for acts that the commission has said may constitute crimes against humanity.

To conclude, let me reiterate the conclusion of the commission of inquiry that the crimes against humanity in the Democratic People's Republic of Korea will continue until the policies, institutions and patterns of impunity that lie at their heart remain in place. The Security Council should therefore remain engaged in demanding that the Democratic People's Republic of Korea authorities initiate profound changes through the implementation of the recommendations of the commission of inquiry without delay. The Council should track progress of such implementation by holding regular briefings of the United Nations High Commissioner for Human Rights and the Special Rapporteur to the Security Council.

Mrs. Perceval (Argentina) (*spoke in Spanish*): I thank the Assistant Secretary-General for Political Affairs, Mr. Tayé-Brook Zerihoun, and the Assistant Secretary-General for Human Rights, Mr. Ivan Šimonović, for their briefings.

I do not wish to reiterate the contents of the report before the Council (S/2014.276, annex), but I shall explain Argentina's position on this issue.

Argentina is following with deep concern the situation in the Democratic People's Republic of Korea. It has voted in favour of each of the resolutions adopted by the competent forums, both the Human Rights Council and the Third Committee of the General Assembly vote, including the most recent, resolution 25/25 of the Human Rights Council and resolution 69/188 of the General Assembly. Both condemn in the strongest terms the serious, widespread and systematic violations of human rights committed in that country. However, we wish to stress that Argentina considers the inclusion of this issue on the agenda of the Security Council to be of an exceptional nature.

Argentina believes that the Security Council must carry out its specific mandate under the Charter of the United Nations, which is a response to the strategic vision of a clear delineation of tasks among the different organs of the United Nations. Thus, it is stipulated that the Security Council has a responsibility to address matters pertaining to peace

and international security. It does not contribute to the proper and effective functioning of the United Nations system when the Security Council extends its range of action. Today's exceptional decision, based on previous recommendations of the Human Rights Council and the General Assembly, should not constitute a precedent to encourage the extension of this practice.

Nonetheless, as it did in the Human Rights Council, the Argentina expresses its concern at the conclusion reached by the commission of inquiry that systematic, widespread and grave violations of human rights, which we deplore, have been and are being committed in the Democratic People's Republic of Korea. We are also concerned by the commission's conclusion that crimes against humanity have been committed.

At the same time, Argentina has maintained in the Council and in various forums that we are concerned about the threat that the nuclear and ballistic missile programme of the Democratic People's Republic of Korea poses to the stability of the peninsula and the region, and their implications for international peace and security. Such situations remind us of the importance of diplomatic means and political negotiations, and we therefore urge all parties, including the Security Council, to redouble their efforts to restart the dialogue with a view to reaching a definitive solution to the issue and to declaring the peninsula free of nuclear weapons as a matter of priority. We also reaffirm that the Government of that country must protect and guarantee the human rights of its people.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): We opposed the initiative to hold this meeting. We believe that it could well have negative consequences in terms of maintaining the effectiveness of the work of the Security Council and other United Nations bodies.

The Council is often criticized for the fact that it is increasingly involved in matters that do not pertain to its mandate. Today, we have provided yet another reason for such criticism. Human rights issues should be addressed not here but in the Human Rights Council, a body that was created, with the active participation of many members of the Security Council, specifically to debate such issues and endowed with the necessary powers and expertise to that end.

Finally, and needless to say, today's discussion is unlikely to promote international dialogue with the Democratic People's Republic of Korea on this subject,

in which its authorities have expressed their readiness to engage.

Mr. Oh Joon (Republic of Korea): I should like to express my appreciation to the Chadian presidency for convening today's meeting on the situation in the Democratic People's Republic of Korea. We also thank Mr. Zerihoun and Mr. Šimonović for their briefings on the human rights situation in the Democratic People's Republic of Korea.

It is unfortunate that, despite the international community's efforts to address the human rights issues of the Democratic People's Republic of Korea over several years, the situation has continued to worsen, ultimately warranting the Security Council's attention. Earlier this year, the commission of inquiry issued its landmark report (S/2014/276, annex), which raised international awareness of the gravity of the human rights situation in the Democratic People's Republic of Korea. Following the report's release, we at the United Nations have dealt with the issue in the Human Rights Council and in the General Assembly.

While the General Assembly has adopted multiple resolutions since 2005 on the human rights situation in the Democratic People's Republic of Korea, this year's resolution 69/188 was unique in that it contained recommendations on the Council's role in these efforts. Therefore, the Council's decision to place the situation in the Democratic People's Republic of Korea on its agenda is a necessary starting point for further discussion and engagement. Such engagement is crucial, as we now understand the human rights violations in the Democratic People's Republic of Korea to be so systematic and widespread that they not only cause mass suffering among North Koreans, but also pose a threat to regional and international peace and security.

The Council has taken necessary measures in other cases in the past in which human rights violations were committed on a scale large enough to constitute a threat to peace and security. Likewise, the Council needs to pay due attention to the grave situation in the Democratic People's Republic of Korea. In that regard, we would like to stress the commission of inquiry's conclusion that many of the violations found in the Democratic People's Republic of Korea have amounted to crimes against humanity. It also recommended that the Council play a crucial role in ensuring accountability, including by considering referral of the situation in Democratic People's Republic of Korea to the International Criminal Court.

In addition, my Government takes serious note of the announcement by the United States Government on 19 December that North Korea carried out a cyberattack on Sony Pictures Entertainment and posed threats to movie theatres, which were also mentioned in Mr. Zerihoun's briefing earlier. In that regard we would like to express deep concern over such acts, which seriously undermine the openness and security of cyberspace and escalate international tension.

We believe that addressing the North Korean human-rights issue is vital, not only in promoting human rights as a universal value, but also in maintaining peace and stability on the Korean peninsula and in the region. In that context, the Republic of Korea has been working together with the international community to improve the human rights situation in the Democratic People's Republic of Korea and to provide assistance to the North Korean people. We will redouble those efforts in the coming years. We urge the authorities of the Democratic People's Republic of Korea to take steps to improve their human rights situation. As the Democratic People's Republic of Korea previously expressed its willingness to do so, we hope that Pyongyang will begin engaging with the international community through human-rights dialogues, including with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and through technical cooperation with the Office of the United Nations High Commissioner for Human Rights.

In closing, the Republic of Korea hopes that the Council will continue to play a vital role in ensuring that the North Korean people will eventually be able to enjoy their inalienable human rights and fundamental freedoms.

Speaking at this meeting is probably my last duty in the Council. When we first arrived in the Council two years ago, one of the first issues we tackled was the Democratic People's Republic of Korea's missile and nuclear issues. In the Council, my country has dealt with many issues to which we have not been party, with a view to contributing to the work of the Council. Yet, somehow, our term in the Council started, and is ending, with the North Korean issue.

It must be just a coincidence, but I say that with a heavy heart, because, for South Koreans, the people of North Korea are not just anyone. Millions of South Koreans still have family members living in the North, even though we never hear from them and even though,

by now, the pain of separation has become a cold fact of life. We know that they are there, just a few hundred kilometres away from where we live. We cannot read the descriptions in the commission of inquiry report without it breaking our hearts. We cannot watch video clips from North Korea without flinching at every scene. We cannot listen to the stories of North Korean defectors without sharing their tears, without feeling as if we are there with them experiencing the tragedies.

As we leave the Council with the debate on the human rights situation in the Democratic People's Republic of Korea, we do so with an ardent wish. The ardent wish is for the situation to improve for the people of North Korea, our innocent sisters and brothers, who are on the street, in the countryside, in the prison camps, who are suffering for no reason. We only hope that one day in the future, when we look back on what we have done today, we will be able to say that we did the right thing for the people of North Korea, for the life of every man and women, boy and girl, who has the same human rights as the rest of us.

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

I too thank Mr. Tayé-Brook Zerihoun, Assistant Secretary-General for Political Affairs and Mr. Ivan Šimonović, Assistant Secretary-General for Human Rights, for their briefings.

The report of the commission of inquiry on human rights in the Democratic People's Republic of Korea (S/2014/276, annex), as many among us have said, reveals a situation of massive human rights violations in the country. The report describes systematic, widespread and flagrant human rights violations that have been and continue to be perpetrated by the Democratic People's Republic of Korea. It concludes that, in many cases, the violations constitute crimes against humanity.

According to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, the violations are, by nature, an inherent part of the country's political system. As a result, the commission of inquiry recommends urgent action on the part of the international community to address the human rights situation in the country, including referrals to the International Criminal Court.

We too express our deep concern over the gravity of the situation, if the information reported is proven factual. Nevertheless, it must be emphasized that the authorities of the Democratic People's Republic of Korea have rejected the said report and have refused entry to the commission to carry out its investigation. In view of the restrictions, it is obvious that the commission's members did not have the latitude to examine in detail the data contained in the report, despite having carried out numerous interviews with North Korean citizens outside of North Korea. Precisely 480 persons were interviewed for the report.

For our part, we call for prudence in avoiding the politicization of human rights matters, particularly when we know that in the context of some situations where massive and flagrant violations of human rights have been and continue to be committed, the international community has lacked the courage even to report as much. How does one explain that double standard? There are many examples showing the errors committed by the Council in the past in taking hasty decisions based on certain reports. Moreover, the report indicates that the human rights situation in the Democratic People's Republic of Korea has existed throughout the country's entire history. If that is the case, then we would ask why the situation has not garnered the attention of the international community during that time.

To conclude, we call on those countries with influence over the Democratic People's Republic of Korea to assist in clarifying the allegations of massive human rights violations in the country and encourage it to allow the independent investigators free access to both enter and leave the country. Along those lines, we also call upon the Democratic People's Republic of Korea to make a commitment to direct and frank dialogue with the international community and the countries of the region.

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

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.10 p.m.