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Preparation Paper

Human Rights Council (HRC)

"Special Session: On the Human Rights Situation in North Korea"

About the Human Rights Council

The United Nations Human Rights Council is an international body within the United Nations System. Its stated purpose is to address human rights violations. The Council is the successor to the United Nations Commission on Human Rights, which was often criticised for the high-profile positions it gave to member states that did not guarantee the human rights of their own citizens.

The United Nations General Assembly passed GA resolution 60/251 on 15 March 2006, which created the new human rights body, with the approval of 170 members of the (then) 191-nation Assembly. Only the United States, the Marshall Islands, Palau, and Israel voted against the Council's creation, claiming that it would have too little power and that there were insufficient safeguards to prevent human rights-abusing nations from taking control. Belarus, Iran and Venezuela abstained from the vote, and a further seven countries (Central African Republic, North Korea, Equatorial Guinea, Georgia, Kiribati, Liberia and Nauru) were absent from the session.

Council structure

The 47-seat Human Rights Council (HRC) replaces the former 53-member Commission on Human Rights (CHR). The Commission was an independent body, but the Council has been elevated to the status of a subsidiary body of the Assembly. The 47 seats in the Council are distributed among the UN's regional groups as follows: 13 for Africa, 13 for Asia, 6 for Eastern Europe, 8 for Latin America and the Caribbean, and 7 for the Western European and Others Group.

In an attempt to remedy problems of the former Commission, which was criticised among other actions for the election of Libya to its chairmanship in 2003, the resolution establishing the Council specified that "members elected to the Council shall uphold the highest standards in the promotion and protection of human rights" and will be subject to periodic review. Each member nation of the Council must be approved individually and directly by a majority (96 of 191) of the members of the General Assembly, in a secret ballot. Council membership is limited to two consecutive terms, and any Council member may be suspended by a two-thirds vote of the Assembly. Despite these efforts the initial members of the Council included numerous states with poor records on human rights, such as the People's Republic of China, Cuba, Saudi Arabia, Tunisia, Pakistan and Russia.

The Commission concluded its work on 16 June 2006, making way for the first meeting of the Council which was held on 19 - 30 June 2006.

Sub-Commission on the Promotion and Protection of Human Rights

The Sub-Commission on the Promotion and Protection of Human Rights is the main subsidiary body of the Human Rights Council. It is composed of 26 elected human rights experts whose mandate is to conduct studies on discriminatory practices and make recommendations to ensure that racial, national, religious and linguistic minorities are protected by law.

Special Procedures of the Human Rights Council

"Special procedures" is the name given to the mechanisms established by the former United Nations Commission on Human Rights and continued by the Human Rights Council to monitor human rights violations in specific countries (e.g. Special Rapporteur for the Democratic People's Republic of Korea) or examine global human rights issues (e.g. Special Rapporteur on violence against women, its causes and consequences). Special procedures can be either individuals (called "Special Rapporteurs", "Special Representatives" or "Independent Experts") who are leading experts in a particular area of human rights, or working groups usually composed of five members. In order to preserve their independence they do not receive pay for their work.

“Special Session: On the Human Rights Situation in North Korea”

North Korea is one of the world’s most criticised countries in terms of Human Rights affairs and states a huge challenge to the United Nations. It is a shocking example since any kinds of Human Rights violations seem to be present.

Despite the claims of CHR resolution 2005/11 on the “Situation of human rights in the Democratic People’s Republik of Korea” nothing essential has changed by now – due to the report of the UN Special Rapporteur “on the human rights situation in the DPRK” of 22 January 2007.

Basing on the information of the Special Rapporteur’s report, it’s your challenge to draft a resolution that carries – amongst others – claims by the Human Rights Council to the government of North Korea to improve the terrible Human Rights situation in this country. The Human Rights Council thereby sets a signal of united international proscription of the Human Rights violations there and will find effective suggestions and ways towards a better Human Rights culture in North Korea.

Your initial situation as mentioned above:

CHR resolution 2005/11 and the Special Rapporteur’s report of 22 January 2007.

Your task:

- Drafting a new resolution on the current Human Rights situation in North Korea (which should be a kind of update of resolution 2005/11) based on the Special Rapporteur’s report and on the results of your discussions.

...and first of all...

- Ensuring EFFICIENCY of the new resolution we will work out. Therefore you must find qualified and potent measures that ensure the realisation of our resolution’s claims!

Beside this Preparation Paper you should read

- all pages on <http://www.vimun.at/> (regularly go to this page for updates!)
- all emails by the AFA, the Secretariat and the VIMUN staff and their attachments
- the Additional Preparation Document(s) sent to you via email
- other documents on <http://www.vimun.at/> – Button “ISSUES” (Rules of Procedure, Resolution Writing, Guidelines for Position Papers)

The Provisional Agenda of our sessions

1) Discussing: „Summary of current Human Rights violations in North Korea“

→ Which HR violations happen in North Korea? (including information of the Special Report)

2) Discussing: „Summary of the Human Rights treaties North Korea shall sign or ratify“

→ Which Human Rights treaties shall North Korea sign or ratify?

3) Discussing: „Measures to assure the realisation of the treaties mentioned above and measures to assure the monitoring of the compliance with these treaties“

→ Which measures promote the realisation of the treaties mentioned above?

→ How can the realisation of / compliance with these treaties be controlled/monitored?

4) Discussing: „Developing a better Human Rights Culture in North Korea“

→ How to spread and promulgate Human Rights in North Korea?

→ How to create a better Human Rights culture in North Korea?

→ How to create good preconditions for the compliance and realisation of Human Rights in North Korea?

5) Discussing: „Ensuring Effectiveness of measures and claims of this resolution.“

→ How to strengthen the compliance and realisation of Human Rights in North Korea?

→ How to assure the realisation of this resolution?

→ pressure and incentives to North Korea

→ claims to North Korea, to the international community, to the UN, to the OHCHR, to the Special Rapporteur, to international subjects/objects, to NGOs, to global players,...

6) (If appropriate) Discussing: „Takeover of resolution text“

→ What can we copy/paste?

→ How can we integrate good points into our resolution(s)?

→ What do we need to change/update?

7) Texting of the working papers and voting on the draft resolution(s)

→ It's recommended to use working papers until you have agreed on the text you want to put to vote (=text of the draft resolution)! Avoid amendments! Focus on ONE good resolution!

Please have a look at the following web pages

United Nations and UN Human Rights Council:

<http://www.ohchr.org/english/bodies/> (the UN Human Rights bodies and their relation)

<http://www.ohchr.org/english/law/index.htm> (Human Rights documents and treaties)

<http://www.un.org/> (UN Homepage)

<http://www.un.org/aboutun/> (facts about the UN and the UN system)

<http://www.un.org/aboutun/chartlg.html> (UN organisation chart)

CHR resolution on North Korea, Note by the Secretariat, Special Report on North Korea:

http://ap.ohchr.org/documents/E/CHR/resolutions/E-CN_4-RES-2005-11.doc
(CHR resolution 2005/11)

<http://www.ohchr.org/english/bodies/hrcouncil/4session/reports.htm>
(Note by the Secretariat – search for document “A/HRC/4/60”)

<http://www.ohchr.org/english/bodies/hrcouncil/4session/reports.htm>
(Report of the Special Rapporteur – search for document “A/HRC/4/15”)

Background information about North Korea and the Human Rights situation there:

There's many documents about “Human Rights in North Korea” by different authors in the internet. Just use the web search of your choice.

We personally liked these summary best:

<http://www.state.gov/g/drl/rls/hrrpt/2004/41646.htm>
(a US state department summary about the HR situation in North Korea)

Further links:

<http://www.smh.com.au/articles/2002/07/19/1026898919587.html>
(a horrifying torture story about North Korean prisons)

<http://hrw.org/doc/?t=asia&c=nkorea>
(texts and articles of Human Rights Watch about Human Rights violations in North Korea)