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4. Condemns the public statements made by the President of the Republic of Venezuela, insulting and denigrating the judge, demanding a maximum sentence and requesting a modification of the law to enable a more severe penalty to be imposed; considers that these statements are aggravating the circumstances of her detention and constitute an attack on the independence of the judiciary by the President of a nation, who should be its first guarantor;
5. Reminds the Government of the Bolivarian Republic of Venezuela of its obligation to respect freedom of expression and opinion and freedom of the press and to respect the independence of the judiciary as it is bound to do under its own Constitution and under the different international and regional conventions and charters to which Venezuela is a signatory; believes that the Venezuelan media should guarantee pluralistic coverage of Venezuelan political and social life;
6. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to make representations to the Venezuelan authorities with a view to expressing the EU's concern regarding respect for human rights, democracy and the rule of law in this South American country and to firmly upholding the interests and property of citizens and companies from EU Member States;
7. Points out that, under the Organisation of American States' Inter-American Democratic Charter, in a democracy, in addition to clear and necessary legitimacy of origin, grounded in and obtained at the polls, legitimacy of exercise must also be complied with, and this must be founded on respect for pluralism, the established rules, the constitution in force, the laws and the rule of law as a guarantee of a fully functioning democracy, and this must of necessity include respect for peaceful and democratic political opposition, especially where that opposition has been elected in the polls and enjoys a popular mandate;
8. Calls on the Venezuelan Government, with a view to the parliamentary elections on 26 September 2010, to respect the rules of democracy and the principles of freedom of expression, assembly, association and election, as well as to invite the European Union and international bodies to observe these elections;
9. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, the Government and National Assembly of the Bolivarian Republic of Venezuela, the Euro-Latin American Parliamentary Assembly and the Secretary-General of the Organisation of American States.

North Korea

P7_TA(2010)0290

European Parliament resolution of 8 July 2010 on North Korea

(2011/C 351 E/21)

The European Parliament,

- having regard to its previous resolutions on the Korean Peninsula,
- having regard to the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other human rights instruments,
- having regard to the United Nations Human Rights Council Resolution 'Situation of human rights in the Democratic People's Republic of Korea' adopted on 25 March 2010 and supported by the EU Member States, which condemned the 'systematic, widespread and grave violations of civil, political, economic, social and cultural rights' and 'grave, widespread and systematic human rights abuses' by the DPRK,
- having regard to United Nations Security Council Resolutions 1718 (2006) and 1874 (2009),

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- having regard to the United Nations General Assembly Third Committee Resolution on the ‘Situation of human rights in the Democratic People’s Republic of Korea’ adopted at the 64th Session on 19 November 2009,
 - having regard to Council Decision 2009/1002/CFSP of 22 December 2009,
 - having regard to the Universal Peer Report on the Democratic People’s Republic of Korea of 7 November 2009, and to the agreement on the part of the DPRK to examine 117 recommendations contained in the Report of the Working Group on Universal Periodic Review, Human Rights Council, adopted on 18 March 2010,
 - having regard to the Report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea, Vitit Muntarbhorn, of 17 February 2010,
 - having regard to the 29th round of the EU-China Dialogue on Human Rights of 29 June 2010 in Madrid, where the issue of North Korean refugees was discussed,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas the human rights situation in the DPRK remains deeply preoccupying, while the humanitarian situation gives serious reasons for concern,
- B. whereas the United Nations Human Rights Council Resolution of 25 March 2010 on the ‘Situation of human rights in the Democratic People’s Republic of Korea’ expressed deep concern about the continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the DPRK,
- C. whereas the United Nations Special Rapporteur on the Situation of Human Rights in the DPRK described the human rights situation as ‘abysmal’ in his annual report to the UN Human Rights Council,
- D. whereas the Government of the DPRK rejects the mandate of the Special Rapporteur on the situation of human rights in North Korea, has refused him access to the country and resists cooperation with the UN human rights mechanisms,
- E. whereas the report of the UN Special Rapporteur stated that the resumption of Six-Party Talks on denuclearisation would also be an opportunity to provide space for an improved human rights environment,
- F. whereas the UN Special Rapporteur has suggested that the Security Council consider the human rights violations in the DPRK and that a Commission of Inquiry should be established to investigate alleged crimes against humanity by the DPRK Government,
- G. whereas numerous international nongovernmental human rights organisations have called on the European Union to concern itself more with North Korean human rights issues,
- H. whereas the United Nations Human Rights Council Resolution deplores the grave, widespread and systematic human rights abuses in the DPRK, in particular the use of torture and labour camps against political prisoners and repatriated citizens of the DPRK,

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- I. whereas the DPRK state authorities systematically carry out extrajudicial killings, arbitrary detentions and disappearances,
- J. whereas the justice system is subservient to the State and the death penalty is applied for a broad range of crimes against the State and is extended periodically by the Criminal Code, while citizens, including children, are forced to attend public executions,
- K. whereas the DPRK Government does not allow organised political opposition, free and fair elections, free media, religious freedom, freedom of association or collective bargaining,
- L. whereas the kidnapping and abduction of third-country citizens from Japan, the Republic of Korea and other countries, allegedly including EU citizens, remains unresolved and requires decisive action by the international community,
- M. whereas a significant number of North Koreans flee to the People's Republic of China, where many women are reportedly subjected to human trafficking and forced marriages, whereas the PRC reportedly forcibly returns North Korean refugees to the DPRK in violation of international norms on the prohibition on refoulement and allegedly also prohibits DPRK citizens from accessing UNHCR asylum procedures, in violation of the 1951 UN Convention on Refugees and its 1967 Protocol, to which the PRC has acceded, and whereas there are disturbing reports as to the fate of those citizens forcibly returned,
- N. whereas the state practice of guilt by association results in entire families being imprisoned, including children and grandparents; whereas these prisoners are exposed to gross human rights violations, torture, starvation, slave labour and, according to reports, an estimated 100 000 may have already have perished, often of exhaustion or untreated diseases,
- O. whereas satellite images and various accounts by North Korean defectors substantiate allegations that the DPRK operates at least six concentration camps, with over 150 000 political prisoners, and that, if the figures for all the other categories of prisoners are added, such as those forcibly repatriated from the PRC, an estimated 200 000 people are incarcerated in detention centres,
- P. whereas large parts of the population are suffering from starvation and are to a large extent dependent on international food aid, and whereas the World Food Program reported in September 2009 that a third of North Korean women and children were malnourished,
- Q. whereas the society is governed by a 'military first' policy and the *juche* ideology, which requires veneration of the country's leader,
- R. whereas according to credible reports by defectors, the population is subjected to forced labour mobilisation campaigns, while people's access to education and employment opportunities are based on their *songbun* (social class status), which is determined by their or their family's loyalty to the regime,
- S. whereas the 'currency reform' of 30 November 2009 has resulted in severe damage to the already failing economy and has led to the further impoverishment of non-privileged sections of society, resulting in serious social discontent,
- T. whereas no foreign journalist is allowed unrestricted access to the DPRK and whereas the Korean Central News Agency is the only source of information for all media outlets in North Korea, while radios and TVs can only receive signals from government stations and the reception of foreign broadcasts is strictly prohibited, with severe sanctions applied; whereas the general population of the country has no access to the internet,

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1. Calls on the DPRK to put an immediate end to the ongoing grave, widespread and systematic human rights violations perpetrated against its own people, which may amount to crimes against humanity and thus be subject to international criminal jurisdiction;
2. Calls on the DPRK to immediately and permanently stop public executions and abolish the death penalty in the DPRK;
3. Calls on the DPRK to put an end to extrajudicial killings and enforced disappearances, to stop the use of torture and forced labour, to release political prisoners and to allow its citizens freedom of travel;
4. Calls on the DPRK authorities to ensure access to food and humanitarian assistance for all citizens on the basis of need;
5. Calls on the DPRK to allow free expression and press freedom, as well as uncensored access to the internet for its citizens;
6. Calls on the EU to support the establishment of a UN Commission of Inquiry to assess past and current human rights violations in the DPRK in order to determine to what extent such violations and impunity associated with the abuses may constitute crimes against humanity, and calls on EU Member States to sponsor a UN resolution at the General Assembly to that end;
7. In view of the gravity of the situation, calls on the EU to appoint an EU special representative on the DPRK to ensure persistent attention and coordination both within the European Union and with key partners such as the United States and the RoK;
8. Calls on the DPRK authorities to follow the recommendations of the Report of the Working Group on the Universal Periodic Review by the Human Rights Council, and, as a first step, to allow inspection of all types of detention facilities by the International Committee of the Red Cross and other independent international experts, and to allow UN Special Rapporteurs to visit the country;
9. Calls on the Government of the DPRK to ensure a comprehensive investigation with a transparent and satisfactory outcome, to hand over finally and completely all information on the EU citizens and third-country nationals who are suspected to have been abducted by North Korean state agents during past decades, and to release immediately those abductees still being held in the country;
10. Urges EU Member States to continue granting North Korean refugees asylum and to adopt a more systematic approach to organising European and international protection for North Koreans fleeing the desperate situation at home, and calls on the Commission to continue to support civil-society organisations helping North Korean refugees;
11. Calls on the PRC to stop arresting and returning North Korean refugees to the DPRK, to fulfil its obligations under the 1951 Refugee Convention and its 1967 Protocol, to allow the UNHCR access to North Korean refugees to determine their status and assist their safe resettlement, and to grant North Korean women married to PRC citizens legal resident status;
12. Calls on the PRC to use its close relations with the DPRK to promote economic and social reform in the country, with a view to improving the living conditions and social rights of the North Korean population;

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13. Calls on the Commission to raise the human rights situation in the DPRK and the issue of North Korean refugees in the PRC in all EU-China high-level talks and in the EU-China Dialogue on Human Rights;
 14. Calls on the Commission to maintain existing humanitarian aid programmes and channels of communication with the DPRK, and to rigorously monitor the distribution of food aid and humanitarian assistance in North Korea to meet international standards of transparency and accountability;
 15. Calls on the Commission and EU Member States to continue active dialogue and support for NGOs and civil-society actors working to establish contacts within the DPRK, with a view to encouraging changes leading to a better environment for human rights;
 16. Calls on the Commission to include a clause on monitoring of the rights of workers working in the Kaesong Industrial Complex in the DPRK in the EU-Republic of Korea Free Trade Agreement;
 17. Instructs its President to forward this resolution to the Member States and candidate countries, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the Governments of the Republic of Korea and the Democratic People's Republic of Korea, the Government of the People's Republic of China and the United Nations Secretary-General.
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