



International covenant  
on civil and  
political rights

Distr.  
GENERAL

CCPR/C/SR.1945  
30 October 2001

ENGLISH  
Original: FRENCH

---

HUMAN RIGHTS COMMITTEE

Seventy-second session

SUMMARY RECORD OF THE 1945th MEETING

Held at the Palais Wilson, Geneva,  
on Friday, 19 July 2001, at 10 a.m.

Chairperson: Mr. BHAGWATI

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER  
ARTICLE 40 OF THE COVENANT (continued)

Second periodic report of the Democratic People's Republic of Korea (continued)

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.01-43636 (E)

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

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER  
ARTICLE 40 OF THE COVENANT (agenda item 4) (continued)

Second periodic report of the Democratic People's Republic of Korea (CCPR/C/PRK/2000/2;  
CCPR/C/72/L/PRK) (continued)

1. At the invitation of the Chairperson, the delegation of the Democratic People's Republic of Korea took places at the Committee table.
2. The CHAIRPERSON invited the Committee to resume its consideration of the second periodic report of the Democratic People's Republic of Korea and to put supplementary questions on paragraphs 1 to 14 of the list of issues (CCPR/C/72/L/PRK).
3. Mr. KLEIN said that the information provided was not adequate and the Committee needed fuller information both from the State party and from other sources. It was regrettable that the country's lack of openness did not permit verification either of the Government's statements or of statements by other entities, which would be the best way of putting an end to any misunderstandings or doubts that might persist.
4. Regarding the compatibility between the country's Constitution and the Covenant, he wished to take up the expression, "human rights Korean-style", which the head of the State party's delegation had used in his opening statement. He wondered whether that concept was not contrary to the principle of the universality of human rights. Furthermore, article 12 of the Constitution enshrined the principle of the "dictatorship of people's democracy". Any idea of dictatorship surely ran counter to the very concept of freedom. Articles 9 and 14 of the Constitution, which spoke of the complete victory of socialism, and article 23, which said that the State must strengthen the ideological consciousness of the people, also seemed to pose a problem from the point of view of the rights set out in the Covenant. The constitutional order of the Democratic People's Republic of Korea, which imposed a certain line of thought, therefore seemed to be in contradiction with articles 19, 21, 22 and 26 of the Covenant.
5. Concerning the right to life (art. 6 of the Covenant), he pointed out that States parties were required to protect life, including in cases of natural disasters, and referred in that connection to the Committee's General Comment No. 6 on article 6. The State party could perhaps have been more open so as to secure assistance and save lives. There were many reports of extrajudicial executions in prison camps, which the delegation had denied, but he would emphasize that the deaths of prisoners due to lack of food and to living conditions in the camps were in effect extrajudicial executions and thus constituted violations of articles 6, 7 and 10 of the Covenant.
6. As for disappearances, he wanted to know whether the families of persons arrested were informed of the arrests and whether the Standard Minimum Rules for the Treatment of Prisoners, which the State party said it recognized, were really applied. Rule No. 7 stated that prisoners had to be entered in a central register. He wondered whether the Democratic People's Republic

of Korea had such a register to which the population could have access. He also asked whether the State party observed Rule No. 20 concerning food, Rules Nos. 22-26 concerning medical services and Rule No. 37 concerning contact with the outside world.

7. He would also welcome information regarding what was stated in paragraph 64 (a) of the second periodic report. He would like to know whether a decision by the public prosecutor could be challenged in the courts, in accordance with article 9, paragraph 4, of the Covenant. As for freedom of movement (art. 12 of the Covenant), the State party would seem to have made the exception into the rule by systematically imposing the restrictions referred to in article 12, paragraph 3, and that was unacceptable. He pointed out that restrictions must be compatible with the rights laid down in the other articles of the Covenant, and specifically article 26. He wondered whether the delegation considered current practice to be in conformity with the provisions of the Covenant or whether it was a case of interpreting human rights "Korean-style".

8. Mr. SOLARI YRIGOYEN welcomed the efforts made by the Democratic People's Republic of Korea to open up to the world. He regretted that such a long time had elapsed between the submission of the State party's first two reports. That had complicated the Committee's task because it was difficult to judge the progress over such a long period. He also regretted that the second periodic report made no reference to the difficulties which the State party encountered in implementing the Covenant.

9. As for the right to life, the Democratic People's Republic of Korea stated that it followed the ideal of Juche. That ideal was challenged by many reports, and particularly those submitted by Christian communities. He would like the delegation to specify whether it was an official doctrine which had to be accepted by everyone or whether it was possible not to adhere to it. He would also like to know who lay at the origin of the philosophy, who was responsible for disseminating it in the country and whether those who did not accept it were prosecuted.

10. The report stated that there was no problem of disappearances, which could not but be welcomed if it was really the case. In any event, it was stated that cases of disappearance were easily checked through the people's committees which administered the population. It would be useful if the delegation could provide some details regarding the nature of those committees, their composition and the way in which their members were appointed, and could indicate how far the committees' activities were compatible with article 17 of the Covenant concerning the protection of privacy.

11. Paragraph 42 of the report stated that torture and other forms of coercive interrogation were recognized as a crime against which criminal proceedings must be instituted, and cited article 129 of the Criminal Law. The delegation might perhaps explain why the article of the Criminal Law which was supposed to crack down on torture did not even mention it. Non-governmental organizations had reported cases of torture and other maltreatment inflicted by the security forces and the existence of inhuman isolation cells, lack of food and the absence of medical care in prisons. He would like to have some details on the matter. It had also been pointed out that nationals of the Democratic People's Republic of Korea who had sought refuge in China and had been sent back to their country had been subjected to ill-treatment. The delegation might perhaps give some additional information on that subject, and say whether those responsible for the ill-treatment had been punished. It might also say what had happened

to Lee Sun Ok, whose family had reported his disappearance, and what had become of his wife. Also, the delegation had stated that a traveller's certificate was required as part of the procedure to deal with subversive elements and spies. He would like to know how many such persons had been tried and sentenced in the past five years and what sentences they had received. He would also like to know whether authorization was required to move residence from one place in the country to another.

12. Mr. HENKIN associated himself with the comments made and the questions put by other members of the Committee. He emphasized that the information provided would have been better if it had been more detailed. Thus, paragraph 17 of the report, which outlined the procedures applicable in cases of human rights violations, did not specify how many complaints were made every year, what the motives were and what compensation had been proposed.

13. The delegation might like to explain certain apparent discrepancies between the national legislation and the provisions of the Covenant. Of the five categories of crime for which the death penalty could be imposed, four were of a political nature. One wondered to what extent those crimes could be considered as "the most serious crimes" within the meaning of article 6 of the Covenant. There was also the question of whether the duration and conditions of detention could be justified under the Covenant. As for the notion of "human rights Korean-style", which seemed to be contrary to the principle of the universality of human rights, the Committee's task was particularly difficult when information provided by the State party was contradicted by information from other sources, particularly on questions as serious as torture, conditions of detention or extrajudicial executions, and it would be in the Government's interest to assist the Committee in throwing light on such contradictory information. In that regard, he asked the delegation to state whether representatives of the International Committee of the Red Cross had visited the country and whether the Government was open to such visits. It was also his understanding that visits had been made to the country by Amnesty International. But that organization had apparently visited the country only twice, the last occasion being in 1995. The delegation might want to make it clear whether Amnesty International had asked to pay a visit since that date and whether the Government had given a favourable reply. It might also indicate whether the Government had considered permanent representation in the country of Amnesty International or of other non-governmental organizations. It would be useful to know whether the authorities would agree to a visit by the Special Rapporteur on torture, for example, and by the representatives of treaty bodies such as the Committee on the Rights of the Child or the Human Rights Committee. As long as the Government did not accept visits from such impartial bodies, it would not be possible to agree about the facts and therefore to judge whether the Democratic People's Republic of Korea was fulfilling its obligations under the Covenant.

14. Mr. KRETZMER associated himself with all the remarks which had been made by Committee members. He wished to return to a few points which had already been raised in order to illustrate the Committee's unanimity regarding certain essential concerns. Firstly, while it was not the first time that the Committee found itself in a situation where a State party replied to allegations of human rights violations transmitted by reputable NGOs purely and simply by denying them, he pointed out that the case of the Democratic People's Republic of Korea was special in that it refused visits and independent inquiries by NGOs and the international

community on its territory. Transparency was the only guarantee of credibility. If the situation in the State party was really as described in the report, the State party had every reason to allow outside observers to visit and see for themselves.

15. He thanked the delegation for having communicated in writing, both in English and in French, the text of the head of delegation's speech, but he was astonished to read in it that the definition of human rights norms was left to the good will of the people and he wondered how that principle could be considered compatible with the Covenant. In fact, that philosophy was extremely problematical in itself, particularly when it was a case of the treatment of minorities, of whatever kind, or of political dissidents. If the people decided that minorities should be held in camps, for example, the decision would not find any justification under the Covenant solely because it came from the people. Under article 2, paragraph 1, of the Covenant, "each State party ... undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the ... Covenant".

16. He also referred to article 15 of the Covenant, whereby "no one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed." In that regard, he was astonished to learn that the State party's Criminal Law breached that provision by stipulating that, for offences not covered in the Criminal Law, sanctions would be imposed in accordance with the article of the Law covering an act of similar type and seriousness. It was also alarming to read in Chapter II of the Labour Law that, labour being the lofty duty of every citizen, workers must conform strictly to the labour discipline of socialism and were not free to leave their places of work without fulfilling certain formalities. It would be interesting to know the exact nature of those formalities, but, in any event, one could certainly question the veracity of the claim that there was no forced labour of any kind in the State party. Similarly, one might wonder whether the provision of the Labour Law whereby the position adopted by citizens was determined by their professional conscience did not lead to acts of discrimination based on so subjective a concept.

17. In conclusion, while States parties could not be held responsible for natural disasters that might occur on their territory, they had the obligation to do everything in their power to protect their populations in such circumstances. Bearing in mind the dramatic events that had taken place in the Democratic People's Republic of Korea and the ensuing famines, he asked the delegation whether the Government had accepted international assistance at the time and, if so, whether it had imposed conditions, including any of a political nature, on such assistance.

18. Sir Nigel RODLEY thanked the delegation for its presence and said he was particularly grateful that it had supplied the texts of various laws, which had been extremely useful. He was also in possession of information on the disappeared person to whom Mr. Solari Yrigoyen had referred. The authorities had apparently stated that he was still alive and on the State party's territory, and had endeavoured to prove that claim by allowing him to speak on the radio. In fact, his own mother was reported not to have recognized his voice and still doubted that he was alive. If the person who had spoken on the radio was indeed the person being sought, it would be very easy to dispel any doubts by having him take a DNA test to prove his identity.

19. Where public executions were concerned, the delegation had acknowledged that one public execution had taken place in 1992. According to numerous outside sources, however, there had since been others. Food thieves, for example, had been executed publicly every month during the famine. The delegation could perhaps shed some light on the subject.

20. He had found no reference to torture or any definition of the crime of torture in the Criminal Law. Did the State party intend to supplement its legislation with provisions inspired by article 1 of the Convention against Torture, thus bringing it into line with general international law? It was not in the State party's interest to ignore the question, since Committee members had received statements from individuals claiming to have been tortured in the Democratic People's Republic of Korea. On a personal note, he had met the representative of a highly renowned NGO in whom one of the victims had confided. From his experience as Special Rapporteur on torture, he was quite familiar with the issue and firmly believed the report transmitted to him, particularly since the victim had placed more emphasis on the humiliation of being naked in front of strangers than on the physical suffering he had endured through electric-shock treatment, water torture, being suspended, and having lost six teeth. Those events had allegedly occurred during pre-trial detention. He was also aware of the existence of what were known as camps Nos. 14, 15, 17, 22 and 23, and of a life-imprisonment camp. Camp No. 15 was sometimes referred to as "management centre No. 15". He would like to have clarification of those terms. Indeed, there was a tendency abroad to refer to those camps as prison camps or concentration camps. Were such claims slanderous? If so, the State party should justify its denials and explain the exact nature of the camps. But did the terminology used perhaps reflect the truth? The Committee also had in its possession several statements concerning allegations of arbitrary detention, poor detention conditions, and summary executions of prisoners who had tried to escape. That led him quite naturally to the question, raised earlier, of the lack of monitoring by independent bodies. Amnesty International had indeed been authorized to visit a reform centre in 1995, yet that hardly sufficed because a single visit was not necessarily representative and the visit had not been a genuine professional inspection meeting international standards, but simply a guided tour during which the inspectors had not been able either to speak to the detainees or to have access to documents. The State party argued that the allegations of ill-treatment and poor conditions of detention were unfounded and were part of a conspiracy to tarnish the country's image. It had the solution to that problem in its own hands: agreeing to inspections by international bodies was the only way of rendering its denials credible. In conclusion, he would like to know how many people had requested political asylum in the Democratic People's Republic of Korea, from what countries they originated, and what action had been taken with regard to their applications.

21. The CHAIRPERSON invited the delegation to reply to the additional questions put by Committee members.

22. Mr. SIM Hyong Il (Democratic People's Republic of Korea) thanked the Committee for its questions, which should make for better mutual understanding. To the question concerning the applicability of the Covenant, he replied that the provisions of the Covenant could be invoked directly in the courts, in which case it was for the judge to interpret them. They could also be interpreted in a legal document drafted by the Presidium of the Supreme People's Assembly, the supreme organ of the State, including when the need was felt to clarify national legislation in the light of the obligations contained in the Covenant. That right of interpretation

conferred on the Presidium in no way limited the Covenant's applicability before the courts: it had been provided for only in the event of incompatibility of a domestic law with an international human rights instrument, whether or not the latter was cited in the Constitution. As stated in paragraph 24 of the report, in the event of a state of emergency, Decision No. 10 of the Presidium of the Supreme People's Assembly provided that "the concrete legislation concerning the proclamation of a state of war and mobilization order shall be adopted separately in conformity with the actual situation of war. In this case, however, non-derogative rights of citizens may not be restricted." It was the National Defense Commission that had the authority to proclaim a state of war. That body was answerable to the Supreme People's Assembly and, as the supreme organ of military administration, it was responsible, under article 59 of the Constitution, for ensuring respect for the public interest and the defence of the social system in the motherland, excluding any foreign invasion. Under the previous Constitution, prior to the 1998 amendment, the decision to declare a state of war had lain with the Supreme People's Assembly. That had been an unrealistic provision in that it had required the agreement of more than 700 deputies. Given the situation into which the country had been plunged in 1994, at which time the Democratic People's Republic of Korea had been the victim of manoeuvres to stifle it militarily, politically and economically, marking the start of the worst period in its history, it had been unanimously felt that military power needed to be strengthened. That was how the National Defense Commission had come to be given more power in the new Constitution.

23. The Democratic People's Republic of Korea did not intend to abolish the death penalty in the near future. Such a measure could be contemplated only when the country was unified and provided there would be no more foreign aggression or hostilities between North Korea and South Korea. For its part, the Democratic People's Republic of Korea was doing its utmost to speed up the process for the resumption of normal relations with the rest of the world.

The meeting was suspended at 11.30 a.m. and resumed at 11.45 a.m.

24. Mr. SIM Hyong Il (Democratic People's Republic of Korea), replying to questions from Committee members, said that the Constitution made labour a prerequisite of the population's survival and that it was at once a right and a sacred obligation, two facets that were inseparable. Work was an obligation, but it was a moral one that could not be associated with forced labour. The Constitution was not a criminal law, and people who refused to fulfil their obligation to work were not punished under the law.

25. The Constitution contained terms such as ideological revolution, and the total victory of socialism, which reflected the idea of "Korean-style" socialism founded on the collectivist principle. That principle did not set the group against the individual, but on the contrary aimed to create harmony between group and individual interests. The community could not be envisaged without individuals, but nor could the individual dispense with the community. The two were organically linked, and community interests could not be compromised by individual privacy. There were those who did not always share the community's point of view, but such disagreements were rare and limited, and stemmed from lack of awareness. In any event, they were settled within the day-to-day life of the community.

26. Regarding the place of the Covenant in domestic legislation and the compatibility of the rights enshrined in that instrument with those contained in the Constitution, the rights set forth in article 4 of the Covenant were not specifically written into the Constitution.

27. The Constitution and the laws guaranteed the rights of foreigners. They could, nevertheless be subject to certain restrictions. For instance, foreigners did not have the right to vote and could not join the armed forces. All the rights of sojourn and residence of foreigners in the country were, however, set forth in the laws and regulations.

28. A question had been asked about the Juche ideal. Proclaimed by Kim Il Song in the early 1920s, it was a universal principle whereby human beings were masters of nature and society and the most precious beings in the world, and everything must be placed at the service of humankind. For more than 70 years, Kim Il Song had developed that ideal, which had been adopted and enriched by the great leader Kim Jong Il. Since the independence of the Democratic People's Republic of Korea, society had been transformed into a community in which the masses were the masters of society and of the means of production. That principle had been fully integrated into public life and accounted for the sense of unity that linked all the inhabitants. Notwithstanding the country's economic difficulties, the population was very close-knit and lived in harmony.

29. Replying to the questions concerning electoral procedures, the composition and activities of the "people's committees", and their possible interference with privacy, he said that those bodies exercised the power of the people at the provincial, district and county levels. They were the embodiment of the people's will and aspirations and ensured that their interests, as well as their rights against foreign intrusion, were protected. Far from interfering in the private lives of individuals, they protected them. Each committee comprised a chairman, a vice-chairman and ordinary members, who were directly elected by the people. Members who were also deputies to the Supreme People's Assembly were elected by their peers.

30. One Committee member had asked about possible discrimination between model workers and other workers. Model workers devoted themselves to the community and it was natural that they should be praised and respected. However, that principle could not be invoked as grounds for any discrimination, either in texts or in actions.

31. Committee members had referred to the cases of allegedly disappeared persons and the existence of "prison camps". Those assertions reflected very marked political positions and were particularly offensive. The authorities of the Democratic People's Republic of Korea had already repeatedly expressed their views on those matters in international fora; the delegation would not revisit what it deemed to be totally spurious declarations founded on hearsay. It could only repeat that there were no "prison camps".

32. Mr. JONG Song Il (Democratic People's Republic of Korea), replying to questions concerning the opening up of his country to representatives of non-governmental organizations, the International Committee of the Red Cross and other international organizations, said that his delegation could not agree with the Committee's comments on the subject, which were extreme and did not reflect the true situation. Since 1948 his country had developed relations with a great many States, which respected its sovereignty. It must be remembered, however, that for more

than 40 years it had been confronted by the United States' presence in the region. In particular, some 150,000 American soldiers had been stationed in the southern part of the Korean Peninsula and in Japan since the end of the Second World War. At the time of the cold war, the United States had sought to justify its presence by invoking the risk of an invasion by the Soviet Union or China. The cold war was over, the danger had passed, and the United States and Russia now saw themselves as strategic partners. Although there was no longer any justification for the American bases in the southern part of the peninsula, they had not been closed down. In view of that situation, the Democratic People's Republic of Korea considered its national security to be seriously threatened.

33. Questions had been asked about the Government's measures to remedy the food shortage. In that connection, it should be remembered that for 40 years the United States had been imposing unprecedented and extremely rigorous economic sanctions on the Democratic People's Republic of Korea. Furthermore, Americans returning home after a stay in the country were not allowed to take products out. There had also been the incident, some years previously, in which his national authorities' request for some major American or European corporations to build a large electric power plant had been refused, clearly on the basis of political considerations. In the field of human rights, in June 2001 the Japanese Government had refused a non-governmental organization of the Democratic People's Republic of Korea an entry visa for Japan to attend a meeting on the problem of "comfort women" and war victims in Asia and the Pacific. Representatives of non-governmental organizations of over 20 countries had been invited, but only those of the Democratic People's Republic of Korea had been refused entry into Japan.

34. Regarding the situation of the humanitarian organizations that provided food aid to the population, most of the competent United Nations bodies and major non-governmental organizations had opened offices in Pyongyang between 1987 and 1991. The general principle of the non-governmental humanitarian organizations was to refrain from routing aid through, or distributing it in, areas to which they had no access. Regarding the organization Action Against Hunger, to which one Committee member had alluded, the situation was not at all as described. In 1991, Action Against Hunger had applied to extend its activities to other areas so as to cover all of a specific region, and had also sought authorization to organize "soup kitchens". Access to certain areas of the country was restricted for understandable reasons of national security, and the Government did not allow humanitarian organizations to provide assistance in those areas. Also, the idea of a "soup kitchen" showed extreme arrogance and was at odds with the population's mentality. The conditions stated were not acceptable to the Government, which had told the representatives of Action Against Hunger that they could serve meals in premises equipped as a restaurant, but not in the street. The organization felt that since its conditions had been rejected it had no choice but to leave.

35. Mr. KIM Yong Chol (Democratic People's Republic of Korea), addressing the question of ill-treatment and torture, said that domestic legislation, and the Criminal Procedures Act in particular, prohibited any use of torture. Moreover, article 4 of the Criminal Procedures Act clearly enshrined human rights protection as a fundamental principle of any criminal procedure. Concerning torture to extract confessions, there were laws which provided that a confession obtained under duress was null and void. In addition, confession at the examination stage did

not suffice as proof of guilt. The examining magistrate must find other evidence in support of any such confession. The Democratic People's Republic of Korea considered torture and other coercive measures to be offences subject to criminal proceedings.

36. The Government had also put in place practical measures for preventing the use of torture. Hence, any examination by a magistrate had to be conducted in the presence of the public prosecutor, an attorney, defence counsel and the clerk of the court. The examination was also recorded on video tape. The public prosecutor oversaw the entire proceedings and carried out regular surveillance of detention chambers. Also, law enforcement officers received training to alert them to issues relating to respect for human rights. Allegations that torture was frequently used in the Democratic People's Republic of Korea could be attributed to anti-Government elements who spread rumours in order to destabilize the regime. Consequently, the Committee should not disregard that aspect of the real situation when it examined the status of human rights in the country.

37. Regarding conditions of arrest and detention, the Criminal Procedures Act called for persons placed in detention to be duly informed of their rights. Suspects were informed of their arrest when notified that criminal proceedings would be instituted against them. Under article 83 of the Criminal Procedures Act, detainees were informed of the charges at the moment of arrest. Families and relatives were apprised of the date of, and reasons for the arrest. The accused was informed of the charge in writing three days before the trial. Failure to fulfil that requirement meant that the trial would be deferred. Arresting officers were obliged to produce a warrant. Only in flagrante delicto cases was the need for a warrant waived. In that event, the public prosecutor was required to verify the lawfulness of the arrest within 48 hours. Suspects could be released if they guaranteed to appear in court.

38. The period of pre-trial detention was generally two months but could be extended in complex cases to allow time for checking the results of the preliminary investigation, in the interests of objectivity, a practice that made it possible to shorten a trial. A debate was currently under way to decide whether it was necessary to conform to international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners, and so shorten the pre-trial detention period, or whether it was preferable to maintain the current procedure. The debate was continuing.

39. The task of the Office of the Public Prosecutor was to supervise investigations and examinations in order to ensure the regularity of the proceedings and respect for human rights. The Office had access to the files of accused persons and could interview them. It could take over a case if it had doubts about the objectivity of the bodies conducting the investigation or suspected them of involvement in the crime.

40. Sentences of reform through labour could last from six months to 15 years, which was generally the maximum sentence. However, in certain cases (recidivists, etc.) the sentence could be longer. Reform through labour was the most common sentence passed and was not to be confused with forced labour. Those subject to that regime had been tried in court and were serving their sentences. Detention conditions in reform institutions had been described in the written replies supplied by the Government. In the area of health, detainees were isolated on their arrival and underwent a medical examination. The reform institution's doctor examined

prisoners before and after their work. Any prisoner deemed to be in poor health had the right to a rest period of up to six days, or to be hospitalized. In cases of serious illness, the sentence was suspended until the person had been cured, and thus could be treated at home or in a hospital outside the reform institution. Medical treatment was administered by qualified professionals. In cases of mental illness, the reform institution convened a panel of three doctors. If the latter had doubts about the diagnosis, an expert from a psychiatric hospital intervened. In the event of a prisoner's death, his or her remains were returned to the family, along with any belongings.

41. Mr. RI Gi Sun (Democratic People's Republic of Korea) said that five articles of the Criminal Procedures Act governed the death sentence, a penalty imposed essentially for political crimes. The provisions concerning the imposition of the death penalty reflected the country's real situation. In reality, the Democratic People's Republic of Korea was a belligerent State currently enjoying a period of truce. It was in order to defend the sovereignty of the State and political, economic and cultural stability, a sine qua non of respect for human rights, that certain provisions relating to the death penalty were maintained. That being so, articles 31, 32 and 33 of the Criminal Procedures Act stipulated quite precise criteria for the imposition of the death penalty, and consequently there was no fear that it could be inflicted without due consideration.

42. The CHAIRPERSON said that the delegation of the Democratic People's Republic of Korea would be invited to furnish additional replies to Committee members' questions at the following meeting.

The meeting rose at 1.05 p.m.