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Media Release

Visit of the United Nations (UN) Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea (DPRK) to Japan: January 2009

Professor Vitit Muntarbhorn, the UN Special Rapporteur on the Situation of Human Rights in the DPRK, paid an official visit to Japan from 23 to 28 January 2009. The aim of his visit was to assess the impact of the DPRK's human rights situation on Japan. He was accompanied by an official of the Office of the UN High Commissioner for Human Rights. This was his fourth visit to Japan.

The Special Rapporteur had free access to all entities which he sought to meet, and he thanks warmly the Government of Japan and the Japanese public for their kind hospitality and constructive dialogue throughout his visit. He held consultations with Mr Hirofumi Nakasone, the Foreign Minister of Japan, and a wide variety of stakeholders – governmental and non-governmental. Of great importance was his meeting with the families of those who had been abducted by the DPRK. He expresses his heartfelt sympathy to them in regard to the torment caused by the crimes committed by the DPRK against their loved ones.

There remain key concerns in relation to the DPRK's relations with Japan, particularly the denuclearization of the DPRK and accountability for the abductions committed by the country. The former is inter-linked with steps towards denuclearizing the DPRK. A key entry point for this process has been the Six-Party Talks (involving the DPRK, China, Russia, United States of America, Republic of Korea and Japan) which seeks the verifiable denuclearization of the Korean Peninsula. While the talks are currently stalled over the concrete framework of verification of the DPRK's nuclear programmes, it is hoped that more concrete progress will be made in the near future, as positive developments on this front can pave the way to possible human rights improvements in the country.

With regard to the abductions issue, while the DPRK has already admitted to committing a number of these crimes, some cases remain unresolved. Currently, there are 17 persons listed officially as abducted by the DPRK. While five returned to Japan following the summit between the two countries in 2002, other cases await an effective commitment from the DPRK to clarify and settle matters satisfactorily. The Six-Party talks have provided some space for dialogue on these matters under their umbrella, while bilateral tracks have complemented this avenue. Of significance is that working level consultations were held between the two countries in August 2008 where both sides agreed on the concrete modality and related measures to ensure a comprehensive investigation on the abductions issue, to be conducted by the DPRK. These include the need for the DPRK to establish an investigation

committee to undertake and conclude investigations effectively and expeditiously, and to cooperate with Japan so that the latter will be able to directly confirm the results of the investigation with relevant sources of information.

It should be reiterated that through various United Nations resolutions, the world community remains highly unsatisfied with the DPRK's response to this issue. There is a need for the country to implement what they have said and to settle matters genuinely, transparently and credibly. Internationally, it is increasingly recognised that the DPRK also abducted the nationals of other countries, thus globalizing the issue extensively.

Japan has implemented a range of measures to influence the DPRK to be more responsible in its actions, including prohibition of visits of vessels from the DPRK, and various embargoes and restrictions on trade and exchanges with the DPRK. In 2006, an important law was adopted in Japan to address the issue of human rights violations by the DPRK, with amendments in 2007 to strengthen international cooperation on this front. This law provides for a number of measures, including awareness-raising activities among the Japanese public. In this regard, various national conferences have been held, and dissemination programmes using posters and other media have also been organized to inform the public, including at the local level, about the phenomenon of abductions. The 2006 law also provides for the possible adoption of measures to protect and support "North Korean Defectors", including the Japanese spouses of Koreans who migrated to the DPRK, Korean residents from Japan, who later settled in the DPRK but who now wish to come back to Japan, and DPRK nationals seeking asylum in Japan. A welcome development is that Japan is now increasingly offering protection to a number of persons in such categories. This should be further expanded by means of educational, occupational and psychological support systems, particularly with community inputs, to enable them to be included sustainably and equitably in society. On humanitarian grounds, channels should be explored to enable those who have returned to Japan to reunite with the families left behind in the DPRK.

The Special Rapporteur also paid a visit to the Niigata Prefecture where a number of abductions had taken place, particularly in the 1970s, and consulted the authorities on the underlying circumstances. In geography, this coastal area faces the coastal area of the DPRK. It was the agents of the DPRK who landed clandestinely on its shores to commit the crimes mentioned. Interestingly, the Governors of Japan's prefectures came together in late 2008 to adopt a common position advocating a prompt resolution of the problem, including measures to invite their sister cities in other countries to support efforts in this respect.

The Special Rapporteur calls upon the DPRK to take action efficaciously based on the following - and invites international solidarity to impel the DPRK to take effective measures in this regard:

- **Investigate. The DPRK must, as it agreed, establish a credible committee to investigate the abductions issue. The investigation by the DPRK must be of a comprehensive nature, with the aim of taking concrete action to settle the issue satisfactorily, namely to find survivors and return them to Japan.**

- **Identify. The DPRK's investigation must encompass the victims identified by the Government of Japan as well as other abductees.**

- **Inform.** The DPRK must inform Japan consistently of the progress made and undertake discussions with Japan in a cooperative manner.
- **Initiate.** The DPRK authorities must initiate actions at home to ensure transparency and accountability, particularly to follow up the requests submitted by Japan to resolve the remaining cases.
- **Implement.** Genuine implementation of the commitments, particularly on the part of the DPRK, is required, especially based on the spirit of the 2002 Pyongyang Declaration between the two countries - which opened the door to settle disputes peacefully between the two countries, pending steps towards normalization of relations between them.
- **Intensify.** The DPRK authorities must intensify measures to demonstrate genuine and substantive progress to address the crimes committed and to ensure responsibility of those who committed these crimes.
- **Invigorate.** By means of effective measures to settle the above, the two countries will be on track to invigorate relations to overcome former impediments and to chart the course towards confluence based on mutual respect, peaceful neighbourliness and compliance with universal human rights standards.