

**United Nations Human Rights Council
25th Regular Session, 3-28 March 2014
Agenda Item 4**

**ICJ Oral Statement in the Interactive Dialogue under Item 4 with the Commission of
Inquiry on the situation of human rights in the Democratic People's Republic of
Korea**

THE IMPORTANCE OF EFFECTIVE COMMISSIONS OF INQUIRY

17 March 2014

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Distinguished members of the Commission of Inquiry

The International Commission of Jurists (ICJ) commends the Commission or Inquiry on their investigation and report on the situation of human rights in the Democratic People's Republic of Korea. The Commission's findings confirm that desperate conditions continue to prevail in a State replete with widespread, systematic and gross human rights violations, many amounting to crimes under international law. The ICJ calls on the Human Rights Council to adopt robust follow-up measures to the Commission's findings, with a view to ensuring accountability of perpetrators, including through means of international criminal responsibility.

The ICJ considers generally the commission of inquiry mechanism to be an indispensable tool for this Council, particularly in human rights situations of crisis, or those of a chronic character, where national authorities are unable or unwilling to undertake effective inquiries themselves. We consider that the Council should make greater use of commissions of inquiry in such situations including, in this session, by establishing a commission of inquiry on Sri Lanka.

We commend the Commission of Inquiry on North Korea for having adopted a innovative methodology that aimed to operate under the principles of transparency and participation. Hearings were public, oral, recorded and made widely available, and this information was combined with confidential interviews and written submissions to form the basis for the Commission's findings and analysis. This method of operation, with appropriate protective safeguards, is important so that both victims and the general public can exercise their right to know the truth about serious violations.

Mr. Chair,

The Commission in its report noted the challenge of protecting victims and witnesses, highlighting the responsibilities of States in this regard. In light of this and related challenges, what measure can relevant states as well as the UN administration take to optimally ensure the protection of witnesses and their families, without compromising the effectiveness of a Commission of Inquiry's work?

Thank you, Mr President.

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