

## DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

### Special Decisions or Action Taken Re: Reporting

#### CCPR A/53/40 (1998)

#### VI. GENERAL COMMENTS OF THE COMMITTEE UNDER ARTICLE 40, PARAGRAPH 4, OF THE COVENANT

413. Following the notification of the Government of the Democratic People's Republic of Korea, dated 27 August 1997, purporting to denounce the International Covenant on Civil and Political Rights, the Committee considered the question whether denunciation is permissible under the Covenant. At its 1631st meeting, on 29 October 1997, the Committee adopted General Comment No. 26(61) (CCPR/C/21/Rev.1/Add.8) on issues relating to the continuity of obligations under the International Covenant on Civil and Political Rights (annex VII).<sup>1</sup>

414. At its sixty-second session, Mr. Eckart Klein submitted to the Committee a draft general comment on article 12. There was a general discussion of the draft in plenary. The working group of the sixty-third session discussed and amended the revised draft and submitted it to the plenary. The Committee continued its discussion and agreed to part of the text at its 1678th meeting, on 16 July 1998. The Committee will continue consideration of the draft at its sixty-fourth session.

415. A working group was established at the sixty-first session to review the letter dated 25 June 1997 from Mr. Louis Joinet, Chairman/Rapporteur of the Working Group on the Administration of Justice of the Subcommission on Prevention of Discrimination and Protection of Minorities, requesting the Committee to consider preparing an amendment to its general comment on article 4. At its sixty-second session, the Committee noted the comments in Mr. Joinet's letter and agreed that these would be taken into account by the Committee in due course when amending its general comment 5(13) on article 4 of the Covenant. The Committee would also take account of issues referred to in Commission on Human Rights resolution 1997/21 on minimum humanitarian standards, referred to in paragraph 18 above.

416. At its sixty-second session, Mrs. Cecilia Medina Quiroga submitted to the Committee a draft general comment on article 3 of the Covenant, revising and replacing general comment 4(3).

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<sup>1</sup>On 29 October 1997, the Chairperson wrote to the Ambassador of the Democratic People's Republic of Korea emphasizing that the Human Rights Committee is the only competent body established by the Covenant to address questions relating to States parties' reports submitted under article 40 of the Covenant. The letter enclosed a copy of the general comment, and expressed the hope that the Government of the Democratic People's Republic of Korea would reconsider its position and continue its cooperation with the Committee in accordance with the provisions of the Covenant.

